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Global Financial Crime Compare Tool

January 2017

2017



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Welcome to the 2017 Financial Crime Guide Tool!

This year, we have transformed **PwC's KYC Quick Reference Guide** into the **Financial Crime Guide Tool**.

The **Financial Crime Guide Tool** is a user friendly web-based version of the original KYC Quick Reference Guide PDF and has additional features which include the ability to compare Know Your Customer ("KYC") and Anti-Money Laundering ("AML") information across various countries.

The tool contains answers to 32 questions related to KYC/AML, accessed via the KYC/AML module (see below). Future editions of the tool will include additional modules on other areas of financial crime (e.g. sanctions, market abuse, fraud, etc.). In the meantime, to find out more information about these areas, please click "find out more" for useful links to relevant PwC websites.

Please select your Module
Users may change their selections at any time in the main menu.
 Don't ask me again

KYC AML
Understanding the implications of global KYC and AML regulations
[Launch](#)

Sanctions
Understanding the global sanctions landscape
[Find out more](#)

Market Abuse
Understanding the risks and regulations surrounding market abuse
[Find out more](#)

Anti-Bribery and Corruption
Understanding Anti-Bribery & Corruption
[Find out more](#)

Fraud
Understanding global implications of fraud regulations
[Find out more](#)

Cyber Security
Understanding the risks around cyber security
[Find out more](#)

PwC's Global Financial Crimes Resource Map
Click here to see our Global Experts around the world who specialize in Financial Crime.

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The **Global Financial Crime Compare Tool** also includes the digital **PwC Global Financial Crime Resource Map** (further details below). The map is easily accessed via the link at the top right-hand margin of the module selection page.

Please note the tool is best viewed in Internet Explorer.

Territory selection

Initially, **one or more** territories may be selected in the tool. These selections can be changed at anytime. After a territory (or territories) is selected, the type of report to be viewed should be selected. The **Global Financial Crime Compare Tool** offers five different reports:

- (1) Full Report
- (2) Regulatory Environment
- (3) Customer Due Diligence
- (4) Reporting Overview
- (5) Create Your Own Report

Further details on each of these reports can be found later in this document.

To begin, select the base territory of interest for the reports.

For obtaining information on more than one territory, or comparing information across multiple countries, additional countries can be selected using the menu on the right. However, this step is optional.

Global Financial Crime Compare Tool :: KYC AML

Type of Report

- Full Report**
This overview provides an Executive Report including reports which provide an overview of the current regulatory status in the selected jurisdictions, relevant timelines, compliance requirements and penalties as well as a Newsfeed of the latest developments in the area of Know-Your-Customer / Anti-Money Laundering.
[Select](#)
- Regulatory Environment**
This overview provides a graphical depiction of the status of Know-Your-Customer / Anti-Money Laundering regulations in each country. The details of the overview highlight local legislation (including links), name of the regulator, and the results of recent Mutual Evaluations or IMF Assessment Exercises.
[Select](#)
- Customer Due Diligence**
This overview provides a graphical depiction of the compliance requirements of KYC regulations in each country with a particular focus on specific areas of Customer Due Diligence, including thresholds, additional requirements for PEPs, audit requirements and data privacy considerations.
[Select](#)
- Reporting Overview**
This overview provides information on the timing, format, recipient and content of required reporting. This includes Suspicious Activities Reports and additional reporting requirements as well as penalties for failures to report or failures to report properly.
[Select](#)
- Create Your Own Report**
This report is created as a result of the user's selection of criteria from any of the available information within the tool. The User is free to choose any criteria to generate tailored reports fitting the user's needs. These reports can be saved to the user's profile to easily re-run reports in the future.
[Select](#)
- PwC's Global Financial Crime Resource Map**
This report highlights PwC's Global Experts around the world who specialize in Financial Crime.
[Select](#)

Once a territory selection is made, click **next** to select the type of report to be viewed and/or downloaded.

Other Reports

In addition to the **Full Report**, for those only interested in a certain area of AML/KYC, a condensed version of the full report can be selected, which focuses on one of the following areas: regulatory environment, customer due diligence or reporting overview. These reports only include the questions and responses relevant to that area.

Regulatory Environment

Germany

In what year did the relevant AML laws and regulations become effective?
1993 (amended 2003, 2008, 2011, 2014, 2015 and 2016).

If the AML laws and/or regulations became effective in the last 2 years, what were the requirements of the previous AML regime?
N/A

Who is the regulator for AML controls for: (a) Banking; (b) Other financial Services; (c) Non financial sector (e.g. casinos, high value goods etc.). Please include link to the regulator(s) website.
According to section 16 of the German Anti Money Laundering Act:
a) Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht, BaFin) (www.bafin.de);
b) BaFin, Federal Ministry of Finance (BMF) (<http://www.bundesfinanzministerium.de>); and
c) Decentralised regulation, communal supervision in each of the sixteen states of Germany e.g. Hesse (http://www.hessen.de/jit/RFPA_Internet/Fin-bod/finbo/ausgaben/bafin/bafin.html).

Is there any practical guidance provided to firms by public authorities regarding AML requirements, beyond the FATF recommendations and local legislation? Please include link to website, where available.
Guidance for the banking and financial services industry (federal level) is issued for various parts of the financial services sector by the relevant organisations.
For casinos and gambling businesses, it is the relevant authority within the federal state that also provides the business license.
Is there any practical guidance provided to firms by public authorities regarding AML requirements, beyond the FATF recommendations and local legislation? Please include link to website, where available.
Guidance for the banking and financial services industry (federal level) is issued for various parts of the financial services industry by the relevant organisations (Verbände) and is then published by BaFin, making it official regulatory guidance (only available in German).
a) banks (http://www.bafin.de/SharedDocs/Downloads/DE/Auslegungstechnik/ausl_gf_aml_bank.html);
b) leasing (http://www.bafin.de/SharedDocs/Downloads/DE/Auslegungstechnik/ausl_gf_aml_leasing.html);
c) factoring (http://www.bafin.de/SharedDocs/Downloads/DE/Auslegungstechnik/ausl_gf_aml_factoring.html);
d) hausparkassen ([http://www.bafin.de/SharedDocs/Downloads/DE/Auslegungstechnik/ausl_gf_aml_hausparkassen.html](#));
(

As with the Full Report, these condensed reports can also be viewed online or downloaded as a PDF to be saved and stored for future reference.

Create Your Own Report

The **Create Your Own Report** option allows the user to select any combination of questions to build a customised report, tailored to the user's specific requirements. The questions are categorised in accordance with the area to which they relate.

Global Financial Crime Compare Tool :: KYC AML

01 COUNTRY 02 TYPE OF REPORT 03 VIEW REPORT

Create Your Own Report

Regulatory Environment

Customer Due Diligence

Select All Clear All

Are there minimum transaction thresholds, under which customer due diligence is not required? If Yes, what are the various thresholds in place? Are there minimum transaction thresholds, under which customer due diligence is not required? If Yes, what are the various thresholds in place?

What are the high level requirements for verification of customer identification information (individuals and legal entities)?

What are the high level requirements around beneficial ownership (identification and verification)?

In what circumstances are reduced/simplified due diligence arrangements available?

In what circumstances are enhanced customer due diligence measures required?

In what circumstances are additional due diligence required for Politically Exposed Persons (PEPs)?

What enhanced due diligence must be performed for correspondent banking relationships (cross-border banking and similar relationships)?

Are relationships with shell banks specifically prohibited?

In which circumstances are additional due diligence required for non face-to-face transactions and/or relationships?

Back Next

Select the questions that are of interest and view these in a customised report, either within the tool or as a PDF.

Global Financial Crime Compare Tool :: KYC AML

01 COUNTRY 02 TYPE OF REPORT

Create Your Own Report

Germany

In what circumstances are enhanced customer due diligence measures required?

Enhanced customer due diligence (EDD) is required where there is a high risk of money laundering or terrorist financing. This generally applies to transactions/business relationships with PEPs (customer or beneficial owner) and non face-to-face customers/ transactions.

PEP (customer or beneficial owner) requirements:

In what circumstances are additional due diligence required for Politically Exposed Persons ('PEPs')?

PEP (both customer or beneficial owner) requirements:

a) the establishment of a business relationship is subject to the approval of a superior;

b) adequate measures shall be adopted to determine the origin of the assets or property to be used in the

In which circumstances are additional due diligence required for non face-to-face transactions and/or relationships?

Non face to face customers (individuals only): Where the customer is an individual and is not physically present for identification purposes, the bank shall verify the customer's identity by means of a copy of the identification document certified by a notary public or public administrator and using the

Create Your Own Report

Germany

generally bear a higher money laundering risk, these will require further verification and/or monitoring, e.g. clients conducting complex transactions, cash intensive businesses or clients in less transparent jurisdictions.

In what circumstances are additional due diligence required for Politically Exposed Persons ('PEPs')?
PEP (both customer or beneficial owner) requirements:

a) the establishment of a business relationship is subject to the approval of a superior;

b) adequate measures shall be adopted to determine the origin of the assets or property to be used in the business relationship or transaction (e.g. source of funds); and

c) the business relationship shall be subject to enhanced continuous monitoring.

As a rule, public functions below the national level are not considered as prominent unless their political significance is comparable with similar positions at the national level.

If a customer/beneficial owner becomes a PEP during the business relationship, the approval of a superior is required for its continuation.

Where the customer or beneficial owner is a German PEP or a member of the European Parliament who has been elected in Germany, or an individual who has not exercised a prominent public function for at least one year, the general due diligence requirements apply, subject to a risk assessment being carried out in the individual case. This risk assessment should be documented in the client file.

In which circumstances are additional due diligence required for non face-to-face transactions and/or relationships?
Non face to face customers (individuals only): Where the customer is an individual and is not physically present for identification purposes, the bank shall verify the customer's identity by means of a copy of the identification document certified by a notary public or public administrator and using the electronic identification function of the national ID Card or a qualified digital signature.

The bank then must also ensure that the first transaction into the account is carried out directly from a payment account held in the name of the contracting party with an institution within the European Economic Area (EEA) or with a credit institution domiciled in an equivalent third country.

The identification via video (which Germany considers to be CDD) is only permitted until 31 Dec 2016.

Germany

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Compare function

As mentioned above, there is the ability to compare information across various territories within the tool.

Full Report

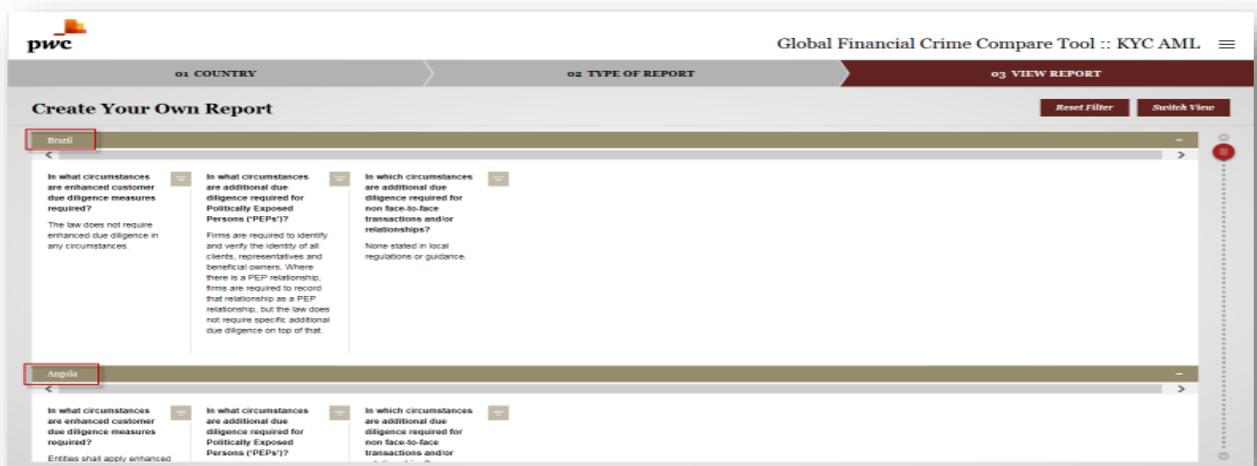
When multiple territories are selected to be compared via a Full Report, the user will be able to view all 32 questions and responses for all selected countries in succession, both in the tool and in a PDF.

Note: The ability to compare the information side by side in Full Report form is not currently available.

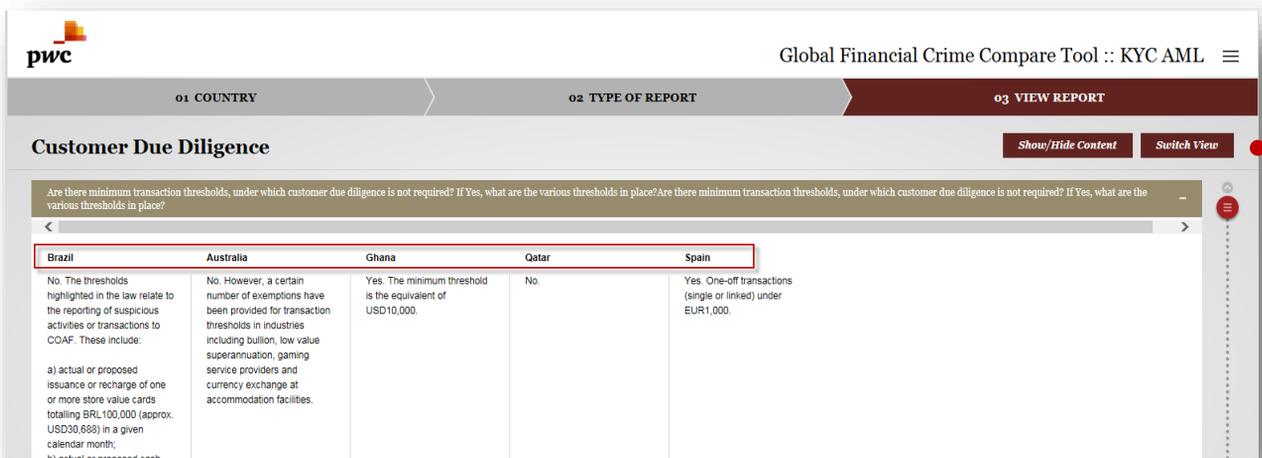
Other reports

When multiple territories are selected to be compared on a report other than Full Report, the user will be able to view the relevant questions and responses **on the tool** in one of two formats:

Territory by territory comparison – the tool will be filtered by **territory** with the selected questions and responses for each territory.



Side by side comparison – the tool will be filtered by **question** with the responses for selected countries displayed side by side.



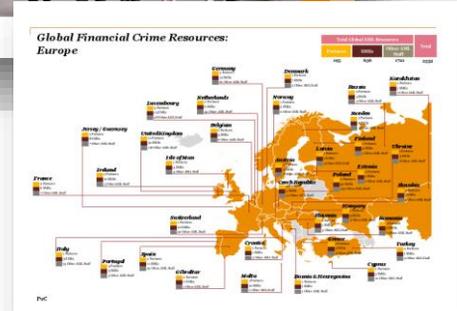
To toggle between the two views please click the “switch view” button on the top right hand corner

Switch View

PwC Global Financial Crime Resource Map

Our **Global Financial Crime Resource Map for 2017** states the number of Partners, Subject Matter Experts (“SMEs”) and other AML specialist staff working within each territory. Our global network of financial crime practitioners now exceeds **2,500 specialists** across the **97 countries** included in the Financial Crime Guide Tool and our map can be used as a reference tool to highlight the number of specialists based in each territory.

As part of this year’s transformation, the Global Resource Map has been digitised and is now incorporated within the tool (note: a PDF version is still available for download).



By clicking into a territory, the **key contact details** for the Financial Crime Leader and the total number of financial crime practitioners will be displayed.

Alternatively, by selecting “create PDF”, a PDF version of the Global Financial Crime Resource Map will be downloaded, which includes the **total number of financial crime practitioners** for all **97 territories**.

If you have any queries regarding the Global Financial Crime Compare Tool or the Global Resource Map, please send an email to:



kyc.quickreferenceguide@uk.pwc.com



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