

In this presentation

- My Background - Israel and the FATF
- AML/CFT and accountants
 - DNFBP
 - AUDIT
 - Tax
- Risk management /De-risking
- Conclusions

FATF Background

- 1989 Financial action task force - FATF 40 recommendations
- 2001 Adding Terror Financing
- 2013 new methodology with focus on effectiveness
- Implications
 - Know the methodology
 - International standards affecting domestic legislation and its interpretation
 - Risk Based Approach - RBA
 - National Risk assessment
 - Sectorial risk assessment
 - Business risk assessment
 - Measuring effectiveness

FATF - ישראל

- 2000 - NCCT Black list
- 2018 - Joining FATF as a full member

| IO.1 - Risk, policy and coordination | IO.2 International cooperation | IO.3 - Supervision | IO.4 - Preventive measures | IO.5 - Legal persons and arrangements | IO.6 - Financial intelligence |
|---------------------------------------|--------------------------------|---------------------------------------|--|---------------------------------------|-------------------------------|
| Substantial | Substantial | Moderate | Moderate | Substantial | High |
| IO.7 - ML investigation & prosecution | IO.8 - Confiscation | IO.9 - TF investigation & prosecution | IO.10 - TF preventive measures & financial sanctions | IO.11 - PF financial sanctions | |
| Substantial | High | High | Substantial | Moderate | |



Mexico FATF
Mutual evaluation Report
2018

The FATF logo consists of the letters 'FATF' in white, bold, sans-serif font, centered within a red, rounded rectangular shape.The GAFILAT logo features the word 'GAFILAT' in white, bold, sans-serif font, positioned above a blue shield-shaped emblem containing a white graphic of vertical bars of varying heights.

Anti-money laundering
and counter-terrorist
financing measures

Mexico

Mutual Evaluation Report

January 2018



FIs and most DNFBBs generally understand their AML/CFT obligations including customer due diligence (CDD), record keeping, and reporting. The quality of basic CDD measures and record keeping of FIs appears good in general, but is negatively impacted by some technical deficiencies. However, discussions suggested that lawyers and accountants have a lower level of awareness of their AML/CFT obligations.

Improve FIs' and DNFBBs' (in particular notaries, lawyers, and accountants) understanding of ML risks from corruption and their ability to manage such risks, including by:

- (i) deepening the NRA analysis of corruption as a ML threat;
- (ii) requiring entities to determine whether a beneficial owner is a PEP and apply controls in line with the standard;
- (iii) extending the requirements on PEPs to DNFBBs, and
- (iv) providing guidance on assessing and managing risks associated with domestic PEPs.

a particular concern being that professionals (lawyers and accountants) have not filed a single STR in the past three years.

Generally, the due diligence procedures relating to the licensing and registration of financial activities are sound. However, there are serious weaknesses in the procedures for licensing casinos and there is no requirement for lawyers and accountants to be members of a professional body that might oversee professional and ethical standards.

Mexico MER Accountants Risk

DNFBPs - The NRA, based on the FIU's sector risk analysis, groups the 15 VAs into three risk categories, with those involved in the purchase and sale of vehicles, the granting of loans and credit, and the transmission of property rights falling into the highest risk. Gambling and lottery businesses and dealers in precious metals and stones (DPMS) fall into the mid-tier; while notaries, lawyers, and accountants are deemed to be relatively low-risk. The inherent risk factors were based solely on information supplied to the FIU by a relatively small sample of the institutions themselves (14 percent on average), and, in the absence of any previous history of AML/CFT inspections, there was no firm basis for applying a broader range of risk mitigation factors.

The NRA notes that “the use of professional services provided by lawyers, accountants, and notaries has been fundamental” in carrying out ML through misuse of legal persons

It is difficult to reconcile this with the NRA narrative, which draws on a GAFILAT study of ML in the region and states that “in order to carry out ML, the use of professional services provided by lawyers, accountants and notaries public has been fundamental.”

Recommended action : Deepen FIs' and DNFBPs (in particular notaries, lawyers, and accountants)' understanding of ML risks associated with misuse of companies in the context of all main threats, including by: (i) enhancing the NRA analysis in this respect; and (ii) providing typologies and guidance to reporting entities

Accountants as DNFBP

Accountant's services:

- a) Audit and assurance services (including reporting accountant work in initial public offerings);
- b) Book-keeping and the preparation of annual and periodic accounts;
- c) Tax compliance work;
- d) Tax advice;
- e) Trust and company services;
- f) Internal audit (as a professional service), and advice on internal control and risk management;
- g) Regulatory and compliance services, including outsourced regulatory examinations and remediation services;
- h) Company liquidation/insolvency/receiver-managers/bankruptcy related services;
- i) Advice on the structuring of transactions;
- j) Due diligence in relation to mergers and acquisitions
- k) Succession advice;
- l) Advice on investments and custody of client money;
- m) Forensic accounting

Vulnerabilities of accounting services - most susceptible to the potential launderer include:

- a) Financial and tax advice – criminals may pose as individuals seeking financial or tax advice to place assets out of reach in order to avoid future liabilities.
- b) Company and trust formation – criminals may attempt to confuse or disguise the links between the proceeds of a crime and the perpetrator through the formation of corporate vehicles or other complex legal arrangements (trusts, for example).
- c) Buying or selling of property – criminals may use property transfers to serve as either the cover for transfers of illegal funds (layering stage) or else the final investment of these proceeds after their having passed through the laundering process (integration stage).
- d) Performing financial transactions – criminals may use accountants to carry out or facilitate various financial operations on their behalf (e.g. cash deposits or withdrawals on accounts, retail foreign exchange operations, issuing and cashing cheques, purchase and sale of stock, sending and receiving international funds transfers, etc.).
- e) Gaining introductions to financial institutions- criminals may use accountants as introducers or intermediaries. This can occur both ways as criminal

FATF Recommendations applicable to accountants

R.22 regarding customer due diligence, record-keeping, PEPs, new technologies and reliance on third parties set out in R. 10, 11, 12, 15 and 17 apply to accountants in certain circumstances.

Specifically, the requirements of R.22 applies to accountants when they prepare for or carry out transactions for their clients concerning the following activities:

- a) Buying and selling of real estate;
- b) Managing of client money, securities or other assets;
- c) Management of bank, savings or securities accounts;
- d) Organisation of contributions for the creation, operation or management of companies;
- e) Creating, operating or management of legal persons or arrangements, and buying and selling of business entities.

R.23

requires that R.18, 19, 20 and 21 provisions regarding :

- Internal AML/CFT controls
- Measures to be taken with respect to countries that do not or insufficiently comply with the FATF Recommendations
- Reporting of suspicious activity and associated prohibitions on tipping-off and confidentiality apply to accountants when, on behalf of or for a client, they engage in a financial transaction in relation to the activities described in R.22 above.

Auditors and AML

Practice Note

12 *(Revised)*

MONEY LAUNDERING — GUIDANCE FOR AUDITORS ON UK LEGISLATION

POCA and the ML Regulations do not extend the scope of the audit, but auditors are within the regulated sector and are required to report where:

- they know or suspect, or have reasonable grounds to know or suspect, that another person is engaged in money laundering;
- they can identify the other person or the whereabouts of any of the laundered property or that they believe, or it is reasonable to expect them to believe, that information that they have obtained will or may assist in identifying that other person or the whereabouts of the laundered property;
- and – the information has come to the auditor in the course of its regulated business

Further enquiry

Once the auditor suspects a possible breach of law or regulations, the auditor will need to make further enquiries to assess the implications of this for the audit of the financial statements. Auditing standards on laws and regulations require that when the auditor becomes aware of information concerning a possible instance of non-compliance, the auditor should obtain an understanding of the nature of the act and the circumstances in which it has occurred, and sufficient other information to evaluate the possible effect on the financial statements. Where the auditor knows or suspects, or has reasonable grounds to know or suspect, that another person is engaged in money laundering, a disclosure must be made to the firm's MLRO or, for sole practitioners, to FIU.

The anti money laundering legislation does not require the auditor to undertake any additional enquiries to determine further details of the predicate criminal offence.

If the auditor is genuinely uncertain as to whether or not there are grounds to make a disclosure, the auditor will bring the matter to the attention of the audit engagement partner who may wish to seek advice from the MLRO.

In performing any further enquiries in the context of the audit of the financial statements the auditor takes care not to alert a money launderer to the possibility that a report will be or has been made, especially if management and/or the directors are themselves involved in the suspected criminal activity

Photographer: Jac

Markets

KPMG, EY Reported to Police Amid Danish Laundering Probes

By [Frances Schwartzkopff](#) and [Christian Wienberg](#)April 12, 2019, 11:33 AM GMT+3 *Updated on April 12, 2019, 2:40 PM GMT+3*

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AUDITOR'S ROLE IN FIGHTING FINANCIAL CRIME

Standing up to fraud, corruption and money laundering

Information paper

Open in Acrobat





**Money Laundering Awareness
Handbook for Tax Examiners
and Tax Auditors**



2009

EU Directive

THE EU ANTI-MONEY LAUNDERING DIRECTIVE²⁵

Money laundering and terrorist financing, and assisting in such activities, are criminal offences in all EU Member States.

The auditor has to meet specific obligations which derive from the criminalisation of these activities as set out in the EU Anti-Money Laundering Directive (the AML Directive). The AML Directive aims to strengthen the EU's defences against money laundering and terrorist financing.

The auditor has to carry out Customer Due Diligence (CDD) when:

- accepting a new client or reassessing a relationship with an existing one
- suspecting money laundering or terrorist financing by a client
- having doubts about the veracity of previously obtained client identification data

CDD comprises:

- identifying and verifying the client's identity, its beneficial owner, and each person acting on behalf of the client
- assessing the purpose and nature of the business relationship
- ongoing monitoring

EU directive

REPORTING

If the auditor identifies or suspects non-compliance by a client, the auditor has to determine whether⁵⁴:

- law, regulation or relevant ethical requirements require reporting to an appropriate authority outside the entity
- national legislation prohibits reporting to an authority as a breach of client confidentiality

Whether an act constitutes non-compliance cannot be determined by the auditor. This is ultimately decided by a court or other relevant authority.

The EU audit and AML legislation requires the auditor to report financial crime in certain situations.

Accountants and AML

When representing on Tax issues

- Tax predicate crimes
- Voluntary tax compliance programs

Money Laundering

Mexican criminal code

Article 400 *Bis* of the Mexican Federal Criminal Code describes the following crimes related to money laundering:

- Acquiring, selling, safeguarding, possessing, transforming, depositing, investing, withdrawing, transferring and transporting resources, assets or rights of any kind within Mexico or from Mexico to other countries and *vice versa*, with prior knowledge that such resources, rights or assets are related to illegal activities.
- Concealing or covering up (or attempting to cover up) the nature, source, location, destination or ownership of resources, rights and assets with prior knowledge that such resources, rights or assets are related to illegal activities.

Tax evasion is not necessarily a predicate offence for money laundering; however, in case it is framed as one of the activities mentioned above, it may be considered as a money-laundering activity.

The logo for the Financial Action Task Force (FATF) is located in the top left corner. It consists of a red shield-like shape with the letters 'FATF' in white, bold, sans-serif font. Below the text is a stylized white graphic of a globe or a similar abstract shape.

FATF

BEST PRACTICES PAPER

MANAGING THE ANTI-MONEY
LAUNDERING AND COUNTER-TERRORIST
FINANCING POLICY IMPLICATIONS
OF VOLUNTARY TAX COMPLIANCE
PROGRAMMES

Principle 1: The effective application of AML/CFT preventative measures is a prerequisite for addressing and mitigating the money laundering and terrorist financing risks associated with implementing any type of voluntary tax compliance programme.

Principle 2: The FATF Recommendations do not allow for full or partial exemptions from AML/CFT requirements in the context of implementing a voluntary tax compliance programme. Therefore, when implementing a voluntary tax compliance programme, national authorities should ensure that its terms do not allow, in law or in practice, for full or partial exemptions from AML/CFT requirements as set out in the FATF Recommendations. Voluntary tax compliance programmes which do so are in breach of the FATF Recommendations

- Financial institutions are required to conduct CDD on taxpayers who are transferring, repatriating or depositing assets under the programme, as appropriate, based on an assessment of the applicable risks.
- Financial institutions are required to identify the beneficial owner of the account into which the assets are being transferred, repatriated or deposited under the programme.
- Financial institutions should, where necessary, take reasonable measures to establish the origin of the assets being transferred, repatriated or deposited, in accordance with applicable CDD requirements.
- Financial institutions are prohibited from accepting deposits under the programme by way of wire transfers that are not accompanied by required originator information and required beneficiary information, as required by Recommendation 16

Principle 3: When implementing a voluntary tax compliance programme, it should be ensured that all relevant domestic competent authorities be able to co-ordinate and co-operate, and exchange information, as appropriate, with a view to detecting, investigating and prosecuting any ML/FT abuse of the programme

Principle 4: The widest possible range of mutual legal assistance and exchange of information in ML/FT investigations, prosecutions and related proceedings relating to the abuse of voluntary tax compliance programmes, including asset recovery investigations and proceedings, should be provided.

Accountants and AML/CFT risk

FATF



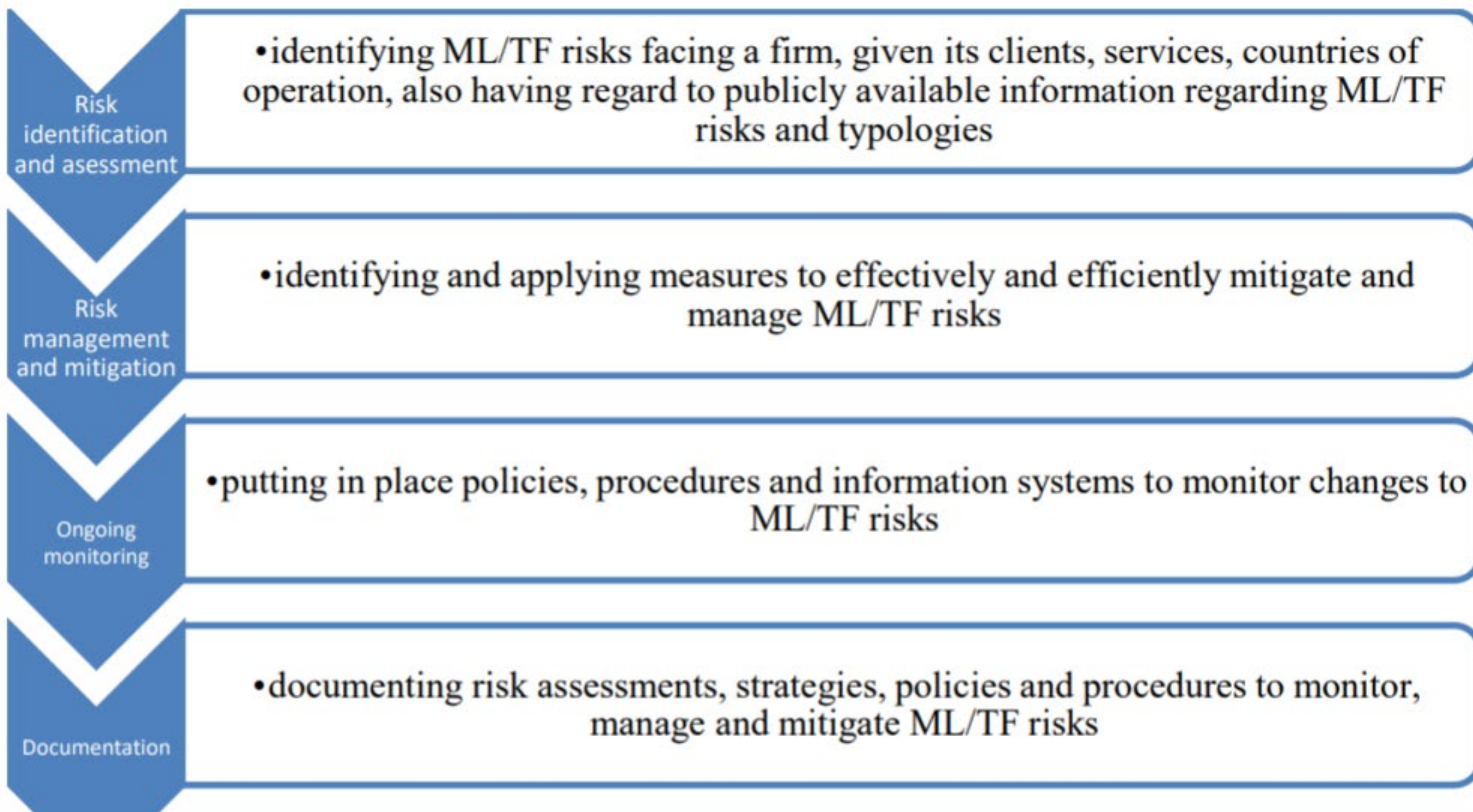
GUIDANCE FOR A RISK-BASED APPROACH

ACCOUNTING PROFESSION



JUNE 2019

37. Key elements of a RBA can be summarised as follows:



Thank You !

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Temario de esta presentación

- Mi Experiencia - Israel y GAFI
- AML/CFT y los Contadores
 - APNFD (Actividades Vulnerables)
 - Auditores
 - Impuestos
- Manejo de Riesgos y /De-risking
- Conclusiones

GAFI Antecedentes

- 1989 Financial action task - GAFI las 40 recomendaciones
- 2001 Adicionando el Financiamiento alTerrorismo
- 2013 nuevas metodologías con enfoque en efectividad
- Implicaciones
 - Conocer la metodología
 - Standares Internacionales que afectan legislaciones locales y su interpretación
 - Enfoque Basado en Riesgos – (EBR)
 - Evaluación Nacional de Riesgos
 - Evaluación Sectorial de Riesgos
 - Evaluación del Riesgo del Negocio
 - Midiendo la efectividad

GAFI - FATF - ישראל como estaba Israel

- 2000 - Lista Negra (País No Cooperador)
- 2018 - Uniéndose a GAFI como miembro de pleno derecho

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Mexico GAFI
Reporte de la Evaluación Mutua
2018

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Anti-money laundering
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Mutual Evaluation Report

January 2018



Las Instituciones Financieras (IF) y la mayoría de las APNFD generalmente tienen un entendimiento de sus obligaciones en materia de PLD/FT incluyendo la debida diligencia del cliente (DDC), el mantener registros y, el presentar reportes. La calidad de las medidas de DDC y mantener registros, en general se cumple bien pero, tiene un impacto negativos en algunas deficiencia técnicas. Sin embargo, las discusiones sugieren que los abogados y los contadores tienen un nivel bajo de conocimiento de sus obligaciones de PLD/FT.

Que se debe hacer:

Mejorar el entendimiento en las Instituciones Financieras y APNFD (En particular notarios, abogados y contadores) de los riesgos de LD derivados de corrupcion y su habilidad para manejar esos riesgos incluidos en:

- (i) Profundizando en el análisis de riesgo de corrupcion como una amenaza de PLD;
- (ii) Requerir a las entidades a determinar si el beneficiario final es PEP y aplican controles in linea con esos standares;
- (iii) Extender los requerimientos de PEPs ta las APNFD, y
- (iv) Proveer guias para el manejo y evaluacion de riesgos asociados con PEPs domésticos.

Una inquietud particular es que los profesionales (abogados y contadores) no han llenado un aviso en los ultimos tres años.

- Generalmente los procedimiento de DDC relativos al otorgamiento de licencias y registros para las Instituciones Financieras es sólido sin embargo, hay mucha
- debilidad en los permisos para casinos y no hay requerimiento para abogados y contadores que les obliguen a pertenecer a una asociacion professional donde tengan requerimientos de ética.

Riesgo para Contadores

La Evaluación Nacional de Riesgos (ENR), basada en el análisis sectorial de riesgos de la UIF, agrupa a 15 Actividades Vulnerables en tres categorías, de las cuales, las relacionadas con la compraventa de vehículos automotores, los créditos y la transmisión de derechos sobre bienes inmuebles son las que cae en el mayor riesgo.

Juegos de apuesta y sorteos así como el comercio de metales y piedras preciosas quedan en término medio;

Mientras que, los notarios, abogados y contadores son considerados de riesgo bajo. Los factores inherentes de riesgo basados solamente en la información proporcionada a la UIF por una pequeña muestra de las propias instituciones (14% del total) y, en ausencia de previa historia de inspecciones de PLD/FT, no había bases firmes para aplicar un rango más amplio de factores mitigantes del riesgo

- Las notas de la evaluación nacional de riesgos que dicen que, los servicios profesionales proporcionados por abogados, contadores y notaries ha sido fundamental” para llevar a cabo el LD mediante el uso de personas morales
- Es difícil reconciliar la evaluación nacional de riesgos que dibuja en un estudio de GAFILAT sobre LD en la región que dice “para poder realizar el LD, el uso de los servicios profesionales de abogados , contadores y notaries ha sido fundamental.
- Acción recomendada: Profundizar en el entendimiento de los riesgos asociados de LD en las IF y APNFD (en particular notarios, abogados y contadores) por el uso de compañías en el contexto de los grandes amenazas incluidas: (i) ampliar el análisis de riesgos en este respecto; y (ii) proporcionar tipologías y asesoría a las entidades que reportan

contadores como APNFD

Servicios de los Contadores:

- a) Auditoría y servicios de asesoría (incluidos los reportes de contadores para la emisión de oferta pública inicial (IPO) en bolsa;
- b) Contabilidad y preparación de reports contables anuales;
- c) Servicios de Cumplimiento Fiscal;
- d) Asesoría Fiscal;
- e) Fideicomisos;
- f) Auditorías internas (como un servicio profesional), y consultoría en control interno y administración de riesgos;
- g) Servicios de compliance y regulación incluidos, servicios outsourced y servicios de revisión y remediación;
- h) Servicios de liquidación/quiebra/ interventor;
- i) Asesoría en la estructuración de transacciones;
- j) Debida diligencia con relación a fusiones y adquisiciones;
- k) Asesoría en Sucesiones;
- l) Asesoría en inversiones y custodia del dinero del cliente;
- m) Contabilidad Forense

Vulnerabilidad de los servicios contables - más susceptible de ser usados para LD:

- a) Asesoría Financiera y Fiscal –.
- b) Creacion de Empresas y Fideicomisos – .
- c) Compra y venta de inmuebles – .
- d) Realizacion de transacciones financieras –.
- e) Introducción de dinero a las IF-.

Recomendaciones de GAFl aplicables a contadores

R.22 regarding customer due diligence, record-keeping, PEPs, new technologies and reliance on third parties set out in R. 10, 11, 12, 15 and 17 apply to accountants in certain circumstances.

Specifically, the requirements of R.22 applies to accountants when they prepare for or carry out transactions for their clients concerning the following activities:

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- e) Creating, operating or management of legal persons or arrangements, and buying and selling of business entities.

R.23

Requiere que las R.18, 19, 20 y 21 se tengan provisiones de acuerdo con:

- Controles Internos PLD/CFT
- Medidas que deben ser seguidas con respect a los paises donde no se cumple de manera adecuada con las recomendaciones de GAFI
- Reporte de actividades sospechosas asociadas con denuncias anónimas y confidencialidad de datos que aplican a los cintadores cuando, por cuenta de un cliente se vean envueltos en transacciones financieras con relacion a las actividades descritas en la R.22 mencionada arriba.

Audidores y PLD

Practice Note

12 *(Revised)*

MONEY LAUNDERING — GUIDANCE FOR AUDITORS ON UK LEGISLATION

LEGISLACION EN EL REINO UNIDO

Normas de Auditoria y las Regulaciones de PLD no extienden el rango de la auditoria pero, los auditores estan dentro de un sector regualdo y requieren reporter cuando:

- Saben o sospechan o tienen duda razonable de saber o sospechar que, otra persona esta involucrada en actividades de lavado de dinero;
 - Pueden identificar cuando otra persona lava dinero o los datos de los activos lavados o consideran o es razonbale creer que la informacion que han obtenido servira o pueda servir para ello;
- Y, la informacion ha llegado al auditor en el curso de sus servicios regulados

Investigaciones Adicionales

Cuando un auditor sospecha una posible falla en aplicación de las Leyes o regulaciones, el auditor debe hacer mayores análisis para evaluar las implicaciones de estas en su auditoria de estados financieros. Las Normas de Auditoria sobre Leyes y Regulaciones requieren que cuando el auditor tenga conocimiento de informacion concerniente a una posible instancia de incumplimiento, el auditor debe obtener una evidencia de la naturaleza del acto y de las circunstancias en que ocurrio y otra informacion suficiente para evaluar los posibles efectos en los estados financieros. Cuando el auditor sepa o sospeche que otra persona esta relacionada con lavado de dinero, un reporte debera hacerse al encargado de cumplimiento de la firma o en el caso de independientes, directamente a la UIF.

La legislacion anti lavado no requiere que el auditor realice analisis adicional para determinar mas detalles relacionados con la actividad criminal.

Si el auditor realmente no tiene la Certeza de que haya la necesidad de realizar el reporte, debe llevar el argumento al socio encargado de cumplimiento para pedir su asesoria sobre el reporte.

Si al realizar mayores analisis en el contexto de la auditoria de estados financieros, se detecta que hay desvios de la Legislación, el auditor debe tener cuidado en no alertar a un lavador de dinero de la posibilidad de que se realizara un reporte especialmente si la administracion esta envuelto en la actividad criminal

Photographer: Jac

Markets

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AUDITOR'S ROLE IN FIGHTING FINANCIAL CRIME

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**Money Laundering Awareness
Handbook for Tax Examiners
and Tax Auditors**



2009

Directivas de la Unión Europea en PLD

- LD/FT y el ayudar a estas actividades es considerado delito en la UE
- El auditor debe cumplir obligaciones específicas expuestas en las Directivas de PLD que, sirven para proteger a la UE del lavado
- El auditor debe realizar medidas de DDC cuando:
 - Acepte a un nuevo cliente o, reestablezca la relación con uno anterior
 - Sospeche que hay actividades de LD o FT en el cliente
 - DDC comprende:
 - Tenga dudas de la veracidad de la información de identificación que proporcione el cliente
 - Identificar y verificar la información de identificación del cliente, su beneficiario final y de las personas que actúan por cuenta del cliente
 - Cerciorarse del propósito y la naturaleza del trabajo
 - Monitoreo permanente

Directivas de la Unión Europea

- Reportando
- Si el auditor identifica o sospecha del incumplimiento de un cliente, el auditor debe determinar si:
 - Leyes, regulaciones o eventos éticos relevantes requieren reportar a una autoridad apropiada fuera de la entidad
 - Legislación nacional prohíbe reportar a una autoridad como fuga de confidencialidad del cliente

Cuando una actividad constituya un posible evento de incumplimiento que no puede ser determinado por el auditor, esto debe decidirse en una corte o autoridad correspondiente

La legislación de la UE y NIA requieren que el auditor reporte crímenes financieros en ciertas situaciones

Contadores y LD

En situaciones Fiscales

- Crímenes derivados de situaciones fiscales
- Programas de Cumplimiento Fiscal Voluntario

Código Penal Federal

- *Artículo 400*
- *Adquiera, Custodie, Convierta, Transporte o Transfiera, Enajene, Posea, Deposite, Invierta, Administre, Cambie, Retire, Traspase, Dé o reciba por cualquier motivo...*
- Dentro del territorio nacional, de éste hacia el extranjero o a la inversa, recursos, derechos o bienes de cualquier naturaleza...

Código Penal Federal (continúa)

- Con conocimiento de que proceden o presentan el producto de una actividad ilícita, u oculte, pretenda ocultar o encubra o pretenda encubrir la naturaleza, origen, destino, ubicación, propiedad de los recursos.
- La evasión fiscal no está aquí considerada pero, ya se considera un delito de lavado de dinero.

The FATF logo is a red shield-shaped emblem with the letters 'FATF' in white at the top. Below the letters is a stylized white graphic of a globe or a set of waves. The logo is positioned in the upper left corner of the document cover.

FATF

BEST PRACTICES PAPER

MANAGING THE ANTI-MONEY
LAUNDERING AND COUNTER-TERRORIST
FINANCING POLICY IMPLICATIONS
OF VOLUNTARY TAX COMPLIANCE
PROGRAMMES

- Administrando las políticas anti lavado de dinero y contra el financiamiento al terrorismo implícitas en los programas de Cumplimiento Fiscal Voluntario

Principio 1: La efectividad en la aplicación de medidas preventivas de PLD/FT es un prerequisite par mitigar los riesgos de LD/FT asociados con la implementacio de cualquier tipo de programa voluntario de cumplimiento Fiscal

Principio 2: Las Recomendaciones de GAFI no permiten exenciones parciales de los requerimientos de PLD/FT en el contexto de implementar programas voluntarios de cumplimiento fiscal. Por tanto, cuando hay estos programas, las autoridades deben asegurarse que los términos no permitan en Ley o en la práctica exenciones totales o parciales en materia de requerimientos de PLD/FT de acuerdo con lo estipulado en las recomendaciones de GAFI en materia de estos programas

continuación

- Se requiere que las Instituciones Financieras realicen procesos de DDC en los contribuyentes fiscales que están transfiriendo, repatriando o depositando activos bajo el programa, utilizando una evaluación basada en riesgos.
- Se requiere que las Instituciones Financieras identifiquen al beneficiario controlador de la cuenta a la cual los activos son transferidos, depositados o repatriados bajo el programa.
- Las Instituciones Financieras debieran, en caso de ser necesario, aplicar las medidas razonables para determinar el origen de los activos que están siendo transferidos, depositados o repatriados de acuerdo con los requerimientos de DDC aplicables.
- Las Instituciones Financieras deben tener prohibido el aceptar depósitos bajo el programa mediante transferencias que no vengán acompañadas por el correspondiente documento del beneficiario controlador como se menciona en la Recomendación 16.

Principio 3: Cuando se implementa un programa de cumplimiento voluntario de impuestos, se debe asegurar que las autoridades locales relevantes deben ser capaces de coordinar y cooperar e intercambiar información de manera adecuada, con la idea de detectar, investigar y sentenciar cualquier abuso del programa en materia de PLD/FT

Principio 4: EL más Amplio rango possible de asistencia legal mutual e intercambio de información en investigaciones de PLD/FT, sentencias y la procedencia relativa al abuso en programas de cumplimiento voluntario de impuestos, incluido la investigación de recuperación de activos y su procedencia debiera ser proporcionada.

Los Contadores y el riesgo de PLD/FT

FATF



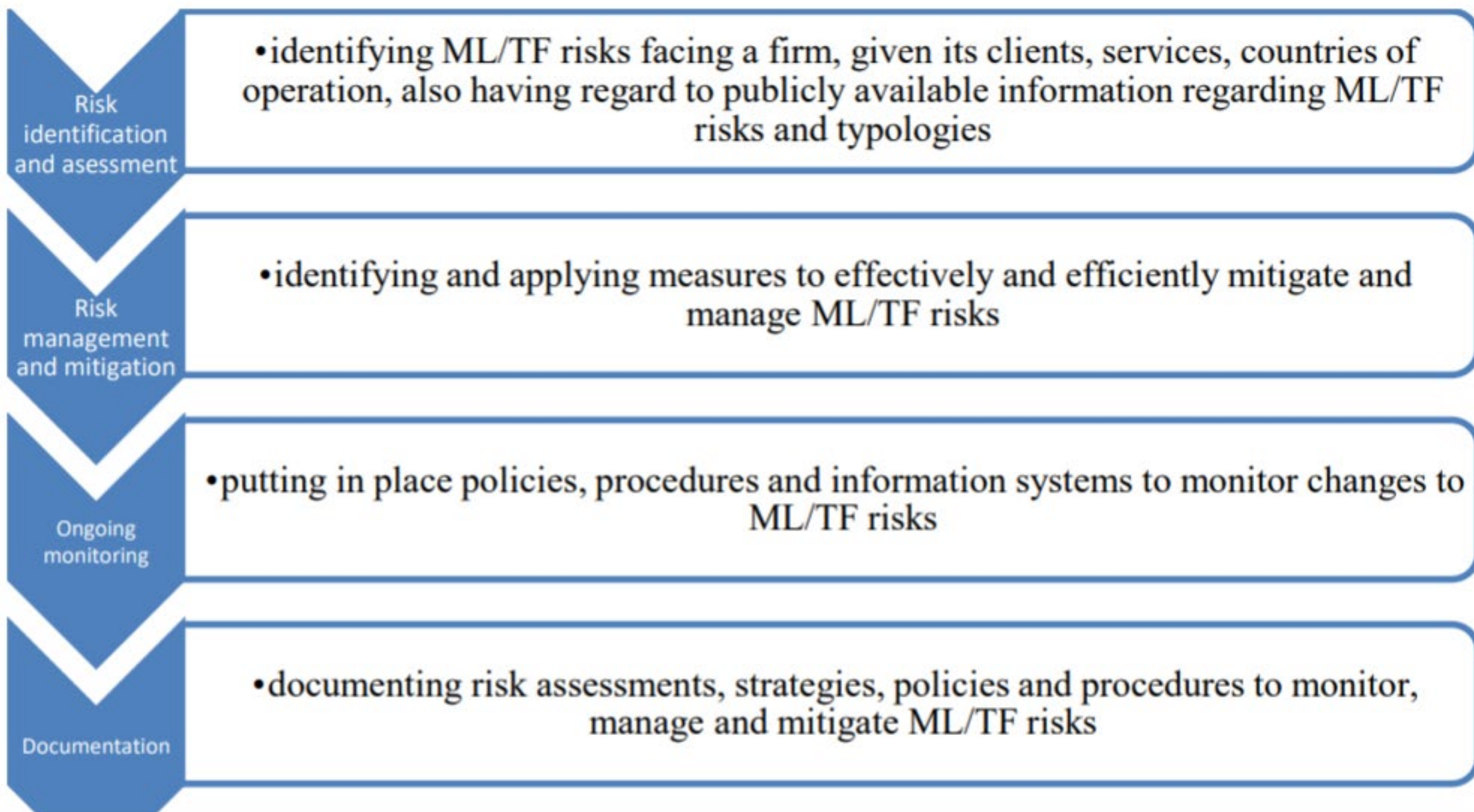
GUIDANCE FOR A RISK-BASED APPROACH

ACCOUNTING PROFESSION



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37. Key elements of a RBA can be summarised as follows:



Thank You !
Gracias i

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