

Ministerial Regulation of 16 November 2018 amending Ministerial Regulation of 9 July 2009 creating the Committee on the prevention of money laundering and terrorist financing

(Mém. A 2018, No 1050)

Ministerial Regulation of 9 July 2009 creating the Committee on the prevention of money laundering and terrorist financing is amended as follows:

“Art. 1.

(1) A Committee on the prevention of money laundering and terrorist financing is hereby established. This committee shall inter alia:

- constitute a multi-disciplinary round table for exchanges on money laundering and terrorist financing;
- contribute to the development, coordination and assessment of national policies and strategies to prevent money laundering and terrorist financing;
- ensure adequate dissemination of knowledge concerning the prevention of money laundering and terrorist financing;
- keep the national risk assessment up to date.

(2) To fulfil this mission, the committee may:

- a) seek and propose appropriate and necessary measures to effectively combat money laundering and terrorist financing according to a global and multi-disciplinary approach, at national and international level and in the public as well as private sector;
- b) propose priorities and measures to implement for the development of national anti-money laundering and combating the financing of terrorism policies;
- c) follow up on data on criminal, disciplinary or other types of enforcement in the fight against money laundering and terrorist financing;
- d) contribute to the dissemination of information on the fight against the financing of terrorism, notably by supporting the publication of relating documents and by organising or supporting the organisation of training, seminars or other similar events by public and private entities;
- e) follow up on working groups that deal with the fight against money laundering and terrorist financing within the different international organisations;
- f) study the efficiency of the anti-money laundering and combating the financing of terrorism measures and instruments, while ensuring the coordination between all the bodies or agencies involved in the fight against money laundering and terrorist financing;
- g) issue, upon request or on its own initiative, opinions and recommendations on any question related to the fight against money laundering and terrorist financing.

Art. 2.

(1) The committee shall be composed of representatives of public and private sector stakeholders concerned by the fight against money laundering and terrorist financing. It shall include, at least, the following members:

- 1° the Minister responsible for Justice;
- 2° the representative of the ministry responsible for Justice who exercises the role of national coordinator of the fight against money laundering and terrorist financing;
- 3° a representative of the ministry responsible for the Financial Centre;
- 4° a representative of the Commission de surveillance du secteur financier;
- 5° a representative of the Commissariat aux assurances;
- 6° a representative of the Administration de l'enregistrement et des domaines;
- 7° a representative of the Cellule de renseignement financier (Financial Intelligence Unit);
- 8° a representative of the Chief Public Prosecutor;
- 9° a representative of the State Prosecutors at the district courts;
- 10° a representative of the investigative judge's office at the district courts;
- 11° a representative of the Grand Ducal Police;
- 12° a representative of the Administration des douanes et accises;
- 13° a representative of the Service de renseignement de l'État;
- 14° a representative of the Association des banques et banquiers Luxembourg;

- 15° a representative of the Association des compagnies d'assurances;
- 16° a representative of the Association luxembourgeoise des fonds d'investissement;
- 17° a representative of the Association luxembourgeoise des compliance officers;
- 18° a representative of the Ordre des avocats à Luxembourg;
- 19° a representative of the Ordre des avocats à Diekirch;
- 20° a representative of the Chambre des notaires;
- 21° a representative of the Chambre des huissiers de justice;
- 22° a representative of the Institut des réviseurs d'entreprises;
- 23° a representative of the Ordre des experts-comptables;
- 24° a representative of the casino;
- 25° a representative of the operators in a free zone;
- 26° a representative of the Chambre de commerce;
- 27° a representative of the Chambre des métiers.

(2) An alternate member shall be appointed for each full member.

(3) The full members and alternate members shall be appointed for a renewable term of five years. The minister responsible for Justice shall nominate the members proposed by the ministers, commanding officers and the persons responsible of the bodies concerned.

Where the functions a member come to cease before the end of the term, the newly nominated member shall finish the mandate of the member s/he replaces.

(4) The committee shall be chaired by the Minister responsible for Justice.

(5) The committee may appoint, on a case-by-case basis, other representatives or experts of public and private entities depending on the specific topics at hand, and to whom it may entrust ad-hoc information and consultation assignments. The decision to appoint other representatives or experts shall be taken by the chairperson, on the proposal of at least one committee member.

Art. 3.

(1) The committee shall meet as often as required by its mission and at least twice a year. It shall meet when convened by the Minister responsible for Justice, either at the latter's initiative or at the initiative of at least two committee members. The invitation shall include the agenda.

(2) The committee may meet in restricted composition according to the agenda.

Art. 4.

The committee shall be assisted by an executive secretariat whose members shall be appointed by the Minister responsible for Justice among the civil servants and employees of his/her ministry.

Art. 5.

This ministerial regulation is published in the Journal officiel du Grand-Duché de Luxembourg.