

ANNEX I

The following is a non-exhaustive list of risk variables that obliged entities shall consider when determining to what extent to apply customer due diligence measures in accordance with Article 13(3):

- (i) the purpose of an account or relationship;
- (ii) the level of assets to be deposited by a customer or the size of transactions undertaken;
- (iii) the regularity or duration of the business relationship.

ANNEX II

The following is a non-exhaustive list of factors and types of evidence of potentially lower risk referred to in Article 16:

- (1) Customer risk factors:
 - (a) public companies listed on a stock exchange and subject to disclosure requirements (either by stock exchange rules or through law or enforceable means), which impose requirements to ensure adequate transparency of beneficial ownership;
 - (b) public administrations or enterprises;
 - (c) customers that are resident in geographical areas of lower risk as set out in point (3);
- (2) Product, service, transaction or delivery channel risk factors:
 - (a) life insurance policies for which the premium is low;
 - (b) insurance policies for pension schemes if there is no early surrender option and the policy cannot be used as collateral;
 - (c) a pension, superannuation or similar scheme that provides retirement benefits to employees, where contributions are made by way of deduction from wages, and the scheme rules do not permit the assignment of a member's interest under the scheme;
 - (d) financial products or services that provide appropriately defined and limited services to certain types of customers, so as to increase access for financial inclusion purposes;
 - (e) products where the risks of money laundering and terrorist financing are managed by other factors such as purse limits or transparency of ownership (e.g. certain types of electronic money);
- (3) [^{F1}Geographical risk factors — registration, establishment, residence in:]
 - (a) Member States;
 - (b) third countries having effective AML/CFT systems;

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (c) third countries identified by credible sources as having a low level of corruption or other criminal activity;
- (d) third countries which, on the basis of credible sources such as mutual evaluations, detailed assessment reports or published follow-up reports, have requirements to combat money laundering and terrorist financing consistent with the revised FATF Recommendations and effectively implement those requirements.

Textual Amendments

F1 Substituted by Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (Text with EEA relevance).

ANNEX III

The following is a non-exhaustive list of factors and types of evidence of potentially higher risk referred to in Article 18(3):

- (1) Customer risk factors:
 - (a) the business relationship is conducted in unusual circumstances;
 - (b) customers that are resident in geographical areas of higher risk as set out in point (3);
 - (c) legal persons or arrangements that are personal asset-holding vehicles;
 - (d) companies that have nominee shareholders or shares in bearer form;
 - (e) businesses that are cash-intensive;
 - (f) the ownership structure of the company appears unusual or excessively complex given the nature of the company's business;
 - (g) [F²customer is a third country national who applies for residence rights or citizenship in the Member State in exchange of capital transfers, purchase of property or government bonds, or investment in corporate entities in that Member State.]
- (2) Product, service, transaction or delivery channel risk factors:
 - (a) private banking;
 - (b) products or transactions that might favour anonymity;
 - (c) [F¹non-face-to-face business relationships or transactions, without certain safeguards, such as electronic identification means, relevant trust services as defined in Regulation (EU) No 910/2014 or any other secure, remote or electronic, identification process regulated, recognised, approved or accepted by the relevant national authorities;]

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (d) payment received from unknown or unassociated third parties;
 - (e) new products and new business practices, including new delivery mechanism, and the use of new or developing technologies for both new and pre-existing products;
 - (f) [F²transactions related to oil, arms, precious metals, tobacco products, cultural artefacts and other items of archaeological, historical, cultural and religious importance, or of rare scientific value, as well as ivory and protected species.]
- (3) Geographical risk factors:
- (a) without prejudice to Article 9, countries identified by credible sources, such as mutual evaluations, detailed assessment reports or published follow-up reports, as not having effective AML/CFT systems;
 - (b) countries identified by credible sources as having significant levels of corruption or other criminal activity;
 - (c) countries subject to sanctions, embargos or similar measures issued by, for example, the Union or the United Nations;
 - (d) countries providing funding or support for terrorist activities, or that have designated terrorist organisations operating within their country.

Textual Amendments

F2 Inserted by [Directive \(EU\) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive \(EU\) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU \(Text with EEA relevance\)](#).

ANNEX IV

CORRELATION TABLE

This Directive	Directive 2005/60/EC	Directive 2006/70/EC
—		Article 1
—		Article 3
—		Article 5
—		Article 6
—		Article 7
Article 1	Article 1	
Article 2	Article 2	
Article 2(3) to (9)		Article 4

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Article 3	Article 3	
Article 3(9), (10) and (11)		Article 2(1), (2) and (3)
Article 4	Article 4	
Article 5	Article 5	
Articles 6 to 8	—	
Article 10	Article 6	
Article 11	Article 7	
Article 13	Article 8	
Article 14	Article 9	
Article 11(d)	Article 10(1)	
—	Article 10(2)	
Articles 15, 16 and 17	Article 11	
—	Article 12	
Articles 18 to 24	Article 13	
Article 22		Article 2(4)
Article 25	Article 14	
—	Article 15	
Article 26	Article 16	
—	Article 17	
Article 27	Article 18	
Article 28	—	
Article 29	Article 19	
Article 30	—	
Article 31	—	
—	Article 20	
Article 32	Article 21	
Article 33	Article 22	
Article 34	Article 23	
Article 35	Article 24	
Article 36	Article 25	
Article 37	Article 26	
Article 38	Article 27	
Article 39	Article 28	
—	Article 29	

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Article 40	Article 30	
Article 45	Article 31	
Article 42	Article 32	
Article 44	Article 33	
Article 45	Article 34	
Article 46	Article 35	
Article 47	Article 36	
Article 48	Article 37	
Article 49	—	
Article 50	Article 37a	
Article 51	Article 38	
Articles 52 to 57	—	
Articles 58 to 61	Article 39	
—	Article 40	
—	Article 41	
—	Article 41a	
—	Article 41b	
Article 65	Article 42	
—	Article 43	
Article 66	Article 44	
Article 67	Article 45	
Article 68	Article 46	
Article 69	Article 47	