



# CBAR XML Schema Workshop

6 May 2020

# Agenda

- **Opening Remarks – AZ**
  - **Webinar Guidelines**
- **Introduction to the Project - JP**
- **About the Developer - KA**
- **Technical Presentation of the XML Schema - EB**
- **Question and Answers Session**

# Introduction – The CBAR Project (1)

## ➤ Opening Remarks

## ➤ Webinar Guidelines

- The session will be recorded for our Training and Outreach Initiatives.
- To avoid any disruptions we will be disabling the audio for all non-presenters.
- Questions can be submitted via webex chat during the presentation of the session and answered in the Q&A session. Please submit only relevant questions and address them to everyone to avoid duplicate questions.
- Any questions that we won't be able to answer we will answer after the session.



## Introduction – The CBAR Project (2)

### ➤ MEETING EU LEGAL REQUIREMENTS

1. Directive (EU) 2018/842

*Fifth Anti-Money Laundering Directive introduced the new Article 32a  
To transpose and go live by 10 September 2020*

2. Directive (EU) 2019/1153

*Chapter II of the Directive on the Use of Financial and Other Information  
To transpose by 1 August 2021*

CBAR Project has consolidated transposition in a single exercise – deadline for completion and go live is 10 September 2020



## Introduction – The CBAR Project (3)

### ➤ LOCAL CBAR FRAMEWORK

1. Primary Legislation – Responsibility for the centralized data retrieval mechanism entrusted to the FIAU

*Act I of 2020 – new paragraph (n) under Article 16(1) of the PMLA*

2. Subsidiary Legislation – General framework regulating reporting, functioning and access to the centralized data retrieval mechanism

*To be issued for consultation latter half of May 2020*

3. Implementing Procedures/Rulebook – Detail as to what is expected from credit and financial institutions
4. Technical Requirements inc. XML Schema.

## Introduction – The CBAR Project (4)

### ➤ DEVELOPMENTS SO FAR

1. Initial workshops with Credit and Financial Institutions
2. Act I of 2020 – *‘(n) to establish, manage and administer centralized automated mechanisms allowing for the retrieval of data and information on any person holding or controlling payment or bank accounts or any person making use of safe custody services offered by credit institutions’*
3. Engagement of IT Developer to assist with the creation of the necessary IT infrastructure and software
4. Publication of Draft XML Schema and Validation Rules



# Reportable Data Guidelines (1)

## ➤ Accounts and Safe Custody Services

### Accounts

Any account identifiable by IBAN **AND** is still open on the date of first submission or is opened afterwards

Reporting of IBAN, opening date and closing date

### Safe Custody Service

Relationship still active on the date of first submission or is opened afterwards

Safe deposit box number/item number, date box leased from/item entrusted to the credit institution, date lease ends/item withdrawn

## Reportable Data Guidelines (2)

### ➤ Relationships (1)

|                       |  |
|-----------------------|--|
| <b>Account Holder</b> | The customer in whose name the account/safe deposit box is held or on whose behalf the item is held in custody   |
| <b>Signatory</b>      | Whoever can give instructions in relation to funds deposited in or transactions processed through the account<br><br>Data to be reported <u>even if the only signatory</u> is the Account Holder |
| <b>Agent</b>          | Whoever can access the safe deposit box or the item entrusted to the institution's custody, <u>even if it is only the customer</u>   |



## Reportable Data Guidelines (3)

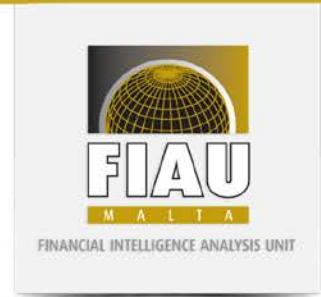
### ➤ Relationships (2)

#### **Ultimate Beneficial Owner**

Anyone who falls to be considered as a 'beneficial owner' in terms of the PMLFTR, including where this is the 'senior managing official'

Exception involving the application of SDD to customers carrying out 'relevant financial business' or activities equivalent thereto

In the case of pooled accounts, data is to be reported on the beneficial owner of the customer and not on the owners of the funds held in the account



# Reportable Data Guidelines (4)

## ➤ Data on Individuals

- Name and Surname of the Individual
- Date of Birth
- Country of Birth
- Country of Residence
- Known Nationalities

## Data on Identification Documents

- The type of document
- The country of issue of the document
- The identification document number

## Reportable Data Guidelines (5)

### ➤ Data on Entities

- Name
- Registration Number
- Date of Registration/Incorporation
- Country of Registration/Incorporation or Jurisdiction of Proper Law

### ➤ Data on Relationship

- Start of Relationship
- End of Relationship

Only with respect to Account Holders, Signatories and Agents

## Reportable Data Guidelines (6)

### ➤ Data on the Reporting Institution

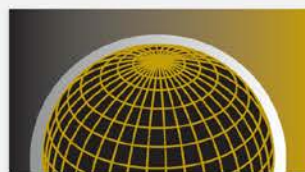
- Name of Reporting Institution
- Registration Number
- The number of natural persons, non-natural persons, and of IBAN identifiable accounts included in the submission
- The Reporting Date
- Timestamp



# Reporting Aspects

## ➤ Data Submissions

- Frequency of data submission is 7 calendar days and the deadline is based on the previous submission date of the reporting entity.
- Only a full data submission is requested.



# FIAU

M A L T A

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