Assessment of the concrete implementation and effective application of 4th AMLD

Call for offers

<table>
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<tr>
<th>Nature of Service /Length of Contract</th>
<th>Long-term international consultancy 2019 - 2021</th>
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1. Background

The Council of Europe (CoE) through the Economic Crime and Cooperation Division (ECCD), acting under a contract with the European Union will provide the European Commission with analysis on the effective implementation of the AML/CFT rules in EU Member States.


i. Risk assessment, internal control and group policies (Articles 8, 45, 46);  
ii. Customer Due Diligence (Articles 13.1, 14, 18 (1-3), 20, 21, 22, 23, 25, 26, 27, 28, 29);  
iii. Transparency of beneficial ownership information and beneficial ownership registration (Articles 30-31);  
iv. Functioning of the FIU (Article 32);  
v. Suspicious transaction reporting (Articles 33, 34, 35, 36, 46.2);  
vi. Practical arrangements in terms of record-retention (Article 40 with AML relevance caveat);  
vii. Supervision of financial institutions and designated non-financial businesses and professions (Articles 47-48);  
viii. National cooperation and coordination (Article 49 - without covering the Law Enforcement agencies);  
ix. International cooperation between FIUs and supervisors (Articles 45.4, 48.5, 52-57, 58.5);  
x. Sanctions for non-compliance (Articles 58-59)

The assignments are expected follow a dedicated methodology that has been developed in order to ensure consistency among the assessments. A guidance to the assessors forms part of the
The selected Consultant shall undertake tasks as part of a team of assessors and under the management and guidance of the CoE Secretariat. The assessment process will maintain a transparent and dialogue-based approach with Member-States. The consultants are required to fully commit that they will comply with the Council of Europe and the European Union confidentiality rules and requirements.

Each Member State assessment is expected to be carried out in a three-month period and consultants are expected to fully comply with the deadlines for the assessment. On-site visit[s] are expected as part of each assessment.

The Consultant can be a natural person, or a duly registered company under sole proprietorship of a natural person, or equivalent.

The exclusion fee per service day is set at Euro 500.00

2. Terms of Reference
**Description of Tasks and Deliverables**  
(provided for a standard assessment of one Member State)

<table>
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<tr>
<th>Task</th>
<th>Description</th>
<th>Timing</th>
<th>Proposed fee per service day (in €)</th>
<th>Maximum number of service days</th>
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| Task 1: | Contribute and/or develop the scoping note, identify gaps in the information sources available and decide on the focus of the on-site visit by the following:  
  a) **Scoping note** prepared on the basis of received information in order to determine areas of increased focus for the assessment and the scope of on-site meetings for each Member State  
  b) **Additional questions** prepared for the authorities in order to address issues of increased focus and remedy any gaps in the information provided. | First engagement expected to start within the period October – December 2019 conditional on the CoE needs. Subsequent engagements depending on the timing of the assessments and availability of the consultants (exact dates – to be confirmed) | | 3 |
| Task 2: | On-site visit of 3 days (on average) in the respective Member State | Within 6 weeks following the start of engagement for the respective Member State assessment (exact dates – to be confirmed) | | 3 |
| Task 3: | Drafting the parts of the assessment report depending on the professional experience of the consultant (either supervisory aspects or financial intelligence, please see above) together with any relevant data, cases and information to be appended to the report | Within 4 weeks following the on-site visit (exact dates – to be confirmed) | | 6 |
| Task 4: | Revision of the draft assessment report in view of the Member State comments | Within 6 weeks following the on-site visit (one week after receiving Member State comments) (exact dates – to be confirmed) | | 1 |
3. Assessment of offers

3.1. Exclusion Criteria
Bidders shall be excluded from participating in this procedure where they:
   a. have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering;
   b. are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
   c. have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
   d. do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation.

3.2 Eligibility Criteria
   a) University degree in law, economics or related field;
   b) At least five years of professional experience at international and/or national levels in areas of work related to financial intelligence or AML/CFT supervision;
   c) Experience related to the transposition and/or application at the national level of the EU law in the AML/CFT field would be considered a strong advantage;
   d) Excellent written and spoken English.

3.3 Award Criteria
   a) Technical quality: demonstrated professional in financial intelligence, or AML/CFT supervision (70%);
   b) Financial offer (30%).

Name and Signature of Consultant          DATE:

Important note:

1. Please fill in the highlighted fields (level of fee by the applicant for the described tasks). The exclusion level is set at Euro 500 per service day. The maximum number of days for the initial assignment (assessment of one Member State) is limited to 13 days (contractual engagements to conduct
assessments of other Member States may be subsequently offered). Prices are to be indicated in Euros without VAT.

2. Please, note that the CoE will cover flights and a per diem for Consultants. Do not include such costs in your offer.

3. The offer shall include:
   - your CV;
   - 2 (two) recent references with full contact details;
   - An indication of your availability for the performance of the tasks:
     - availability for taking part in one assessment until the end of 2021;
     - availability as part of the core group for carrying out up to three assessments per year until the end of 2021;
   - a declaration on the exclusion criteria per Annex 1 of this Call for Offers;
   - provide your VAT number (in case and when applicable)

4. The Working language of the activity will be mainly in English, unless other language in possession is made of use by the assessment team when in the same country of the spoken language.

Offers should be sent to the following address: contact.econcrime@coe.int no later than 30 June 2019.
Annex 1. Declaration on the exclusion criteria

I hereby declare that neither I, nor the company I represent:

• have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering;
• are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
• have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
• do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation, establishment or residence;
• are or are likely to be in a situation of conflict of interests.

Name, Last name:

Name of the Company (if applicable):

Date:

Signature: