

Controlling Corruption through Law Enforcement and Prevention Project (CLEP)

Anti-Money Laundering Training for Trainers for Lawyers
4 – 5 June 2019, Chisinau, Republic of Moldova

DRAFT AGENDA

Day 1

- 08:30 – 09:00** **REGISTRATION**
- 09:00 – 09:10** **WORKSHOP OPENING AND TOUR DE TABLE**
Speakers:
CLEP project advisor
Deputy Head of the Office for Prevention and Fight against Money-Laundering
Director of the Moldovan Bar Association Training Centre, Bar Association of Moldova
- 09:10 – 09:30** **AML Legislation for lawyers in the Republic of Moldova**
Speakers: Head of the supervision and conformity department, Office for Prevention and Fight against Money-Laundering.
- 09:30 – 11:00** **Explaining money laundering**
Speakers: CoE Experts
- Know your audience;
 - The money laundering cycle;
 - Identified vulnerabilities in the Republic of Moldova;
 - The criminalisation of money laundering;
 - The rationale for the anti-money laundering compliance regime;
 - 'Arrangements' to facilitate money laundering;
 - Case examples involving lawyers caught up in money laundering schemes (discussion of case studies)
 - Participant exercises – explaining the money laundering cycle and understanding the money laundering offences
- 11:00 – 11:15** **BREAK**
- 11:15– 12:30** **The vulnerability of lawyers**
Speakers: CoE Experts
- Lawyers and money laundering risk
 - The Financial Action Task Force report on money laundering and the legal sector;
 - Lawyers and the 2017 National Risk Assessment of the Republic of Moldova;
 - Common methods of money laundering involving lawyers;
 - Lawyers and offshore companies;
 - Red flags in legal practice

- Participant exercises – explaining the vulnerability of lawyers and identifying red flags

12:30- 13:30

LUNCH

13:30- 14:30

The duty to report

Speakers: CoE Experts

- The rationale for the reporting duty;
- The reporting duty in detail;
- When legal work attracts the reporting duty;
- How to make a report;
- What happens after the report is made;
- Prohibition against tipping off

14:30-15:30

Reconciling reporting with professional secrecy

Speakers: CoE Experts

- Professional secrecy and legal privilege in 4MLD;
- The professional secrecy exemption from reporting in the Republic of Moldova;
- Case law reconciling the reporting duty with legal privilege and professional secrecy;
- Considering professional secrecy in practice;
- Participant exercises – drafting a SAR, understanding the duty to report and applying professional secrecy principles

15:30 – 15:45

BREAK

15:45-16:30

Reconciling reporting with professional secrecy (con't)

Speakers: CoE Experts

- Participant exercises con't – drafting a SAR, understanding the duty to report and applying professional secrecy principles

16:30 – 17:30

DISCUSSION AND CONCLUSIONS

Day 2

08:30 – 09:00

REGISTRATION WITH WELCOME COFFEE

9:30 – 11:00

The risk based approach

Speakers: CoE Experts

- Rationale of the approach;
- Benefits of the approach;
- The four levels of risk assessment;
- A closer look at the 2017 National Risk Assessment for the Republic of Moldova;
- Conducting a firm-wide risk assessment;

- Gathering the information to assess risk;
- Risk factors in detail;
- Developing AML policies and procedures;
- Client risk assessment
- Participant exercise – explaining the risk based approach, performing a risk assessment for the firm and for the client

11:00 – 11:15

BREAK

11:15 – 12:30

Customer Due Diligence

Speakers: CoE Experts

- Risk assessment and CDD;
- The obligation to conduct CDD;
- The components of CDD;
- Rationale for performing CDD;
- Timing;
- CDD and corporates;
- Identifying the ultimate beneficial owner

12:30- 13:30

LUNCH

13:30 – 15:30

Customer Due Diligence con't

Speakers: CoE Experts

- When Simplified Due Diligence (SDD) is appropriate;
- SDD in practice;
- Factors relevant to SDD;
- When Enhanced Due Diligence (EDD) is appropriate;
- What EDD means;
- Factors relevant to EDD;
- Identifying Politically Exposed Persons (PEPs);
- Source of funds checks;
- Reliance on third-party CDD;
- Pitfalls in practice;
- Sanctions for non-compliance

15:30- 15:45

BREAK

15:45 – 16:30

CDD case studies

Speakers: CoE Experts

- Participant exercises – identifying beneficial owners, identifying PEPs and presenting case studies to your audience

16:30 – 17:30

DISCUSSION AND CONCLUSIONS