

**REPUBLIC OF MACEDONIA
MINISTRY OF FINANCE**

**LAW ON PREVENTION OF LAUNDERING MONEY AND
OTHER PROCEEDS FROM CRIME**

Skopje, July 2004

LAW ON PREVENTION OF LAUNDERING MONEY AND OTHER PROCEEDS FROM CRIME

I. GENERAL PROVISION

Article 1

This Law stipulates the measures and actions due to detect and prevent laundering money and other proceeds from crime, as well organization and monitoring of their implementation.

Definitions

Article 2

For the purposes of this Law, certain terms shall have the following meaning:

1. "Laundering money and other proceeds from crime" (hereinafter: money laundering) shall mean any actions stipulated as crime of laundering money and other proceeds from crime in the Criminal Code (Article 273), performed by natural or legal entities.
2. "Proceeds from crime" shall mean any property or economic advantage derived directly or indirectly from criminal offences. This term encloses proceeds from crime performed abroad, under condition at the time of performing the crime, to be stipulated as criminal offence under the laws of the state where it is performed and the laws of the Republic of Macedonia.
3. "Property" shall mean assets of every kind, whether tangible or intangible, movable or immovable, corporal or non-corporal, other rights over the objects, claims, public documents and legal documents for ownership, other rights, claims and asset in a written or electronic form.
4. "Financial institution" shall mean legal or natural entity that carry out one or more activities connected with collecting deposits, awarding credits, issuance of payments cards, foreign exchange operations, economic and financial consulting, financial leasing, factoring, operations connected with insurance,

operations connected with securities for its own or for the account of the client, maintenance and management of money, securities and objects made of precious metals and other financial activities stipulated by Law.

5. "Entity" shall be any person undertaking measures and performing activities of prevention and detection of money laundering stipulated by this Law, as:

- financial institutions and official and responsible persons within;
- legal and natural entities performing one of the following activities:
 - a) action of real-estate trading;
 - b) audit, accounting and tax consulting;
 - c) notaries, attorney and other legal services related to: purchases and sale of real-estates and companies, management with money and securities, opening and disposal of bank accounts, safe-deposit boxes and other accounts, establishing or taking part in the management or operation of the legal entities, representing clients in financial transactions and real-estate trading;
 - d) activities related to trading with writing works, antiques and other objects of great value for larger consumption;
 - e) activities related to trading with excise commodities;
 - f) works connected with issuing payment and credit cards;
 - g) processing and trading with precious metals and stones;
 - h) traveling and tourist agencies and
 - i) other related activities of acquainting property and other forms of disposal or management with money or property;
 - a trade company carrying out the games of chance (casino and others);
 - foreign representative offices, affiliates, branch-offices and parts of entities, registered abroad and performing activities in the Republic of Macedonia, as well representative offices, affiliates, branch-offices and parts of entities registered in the Republic of Macedonia and performing activities abroad and
 - associations of citizens and foundations.

6. "Client" shall be any legal or natural entity which on its own behalf and for its own account or on its own behalf and for third party's account or on third party's behalf and for third party's account performs activities related to investment, crediting, conversion, transfer and other money transactions, or takes part in concluding legal matters of acquainting property and other forms of use of money or property.

7. "Money" are means of payment in circulation in the Republic of Macedonia or other country as stipulated by Law.

8. "Financing terrorism" includes activities of financing terrorist activities, terrorists and terrorist organizations.

II. DIRECTORATE FOR MONEY LAUNDERING PREVENTION

Article 3

Directorate for money laundering prevention (hereinafter: the Directorate) as a body within the Ministry of Finance shall be established due to collect, process, analyze, keep and disseminate data obtained by the entities obliged to undertake measures and actions for detecting and prevention of money laundering.

The Director of the Directorate is appointed by the Government of the Republic of Macedonia for a period of four years, upon a proposal of the Minister of Finance.

The mandate of the Director expires:

- upon expiring of 4 years from the day of his appointment;
- in case of death;
- in case of his resignation;
- in case of discharged;
- in case he is sentenced for a criminal act for which an effective sanction in duration of more than six months has been stipulated by Law;
- in case a court imposes a security measure prohibition of performing activity of a managing person in the institution;
- in case he becomes professionally incapable.

The Director may be discharged in terms of paragraph 3 align 4 of this Article when:

- incompetent and negligent performance of the position of a Director leads to lack of evident positive results in the operation of the

Directorate, the Government shall determine on the base of the report on the action of the Directorate and

- in a case of long-lasting disease, hindering the person to perform his responsibilities.

Competencies

Article 4

The Directorate for money laundering prevention shall have the following competencies:

- to collect, process, analyze, keep and disseminate data obtained by the entities in terms of this Law;
- to prepare and submit report supported with its opinion to competent bodies in each case when ground for suspicious of committed crime money laundering raise;
- processing initiative for submitting request of imposing provisional measures to the competent public prosecutor;
- to co-operate with the Ministry of Interior, Financial Police, Public Prosecution, Customs Administration, National Bank of the Republic of Macedonia, Public Revenue Office of the Republic of Macedonia, State Currency Inspectorate, Securities and Exchange Commission, State Commission on the Prevention of Corruption and other state authorities, as well with other institutions and international bodies for combat against money laundering and against financing terrorism;
- to conclude agreements of co-operation and exchange data and information with competent bodies of other states and international organizations acting in combat against money laundering and against financing terrorism;
- to initiate proposal of laws and by-laws related to prevention and detection of money laundering and prevention of financing terrorism and to give opinions upon proposal laws of importance for the prevention of money laundering and financing terrorism;

- upon request of the Minister of Finance and the Government of the Republic of Macedonia to file report regarding activities of its own competence, at least once a year;
- to take part in professional building of responsible persons within entities responsible to undertake measures for prevention of money laundering;
- to determine list of indicators due to recognize suspicious transactions in co-operation with other entities and bodies performing supervision of their work;
- to perform other activities stipulated by this Law.

III. MEASURES AND ACTIONS FOR DETECTION AND PREVENTION OF MONEY LAUNDERING

Article 5

Measures and actions for detection and prevention of money laundering (hereinafter: measures and actions) undertaken by the entities in terms of Article 2 paragraph 1 item 5 of this Law, shall be the following:

- identification of the clients (know your client);
- monitoring of certain transactions;
- collecting, keeping and disseminating data on transactions and clients performing them;
- introducing internal programs for implementation of the measures for prevention of money laundering.

Article 6

The responsibility to undertake measures and actions stipulated by this Law remains even in cases when entities are in procedure of bankruptcy or insolvency.

Identification of Clients

Article 7

The entities shall determine the identity of the clients while carrying out transaction or establishing any other form of business or contractual relationship in cases stipulated by this Law.

The financial institutions shall determine the identity and addresses of their clients even prior to opening an account or a pass book; receipt of keeping shares, bonds or other types of securities; provision for usage of the safe-deposit boxes; asset management or effectuating or receipt of payment on behalf of a third party.

While performing activities related to life insurance, insurance companies are obliged to identify the client in each case where the amount of individual or several installments of insurance premium which has to be paid in term of one year exceeds an amount of 1,000 EUR in denar counter value or when the payment of unique insurance premium exceeds the amount of 2,500 EUR in denar counter value.

Article 8

The identity of a physical person shall be determined by submitting original, official and valid document (identity card) or a certified transcript at notary containing a photograph of a person.

The name, surname, date of birth, place and address of a permanent or temporary residence, the unique register number, the identity card number and authority of issuance, are determined in a document.

The identity of a foreign physical person shall be determined on the base of data stated in his traveling identification in original or certified transcript at notary.

The identity of a legal entity shall be determined by submitting the court registration in original or certified transcript at notary.

The seat and unique tax number of a legal entity shall be determined from submitted court registration.

In cases when a client is a person that is not subject to court registration, determination of the identity of a client shall be made by provision of original or a certified copy at notary of a document on establishing or insertion of the name, address, seat and activity of a person.

The employers, employees and representatives consigned to enter into business relationship on behalf of a third party shall enclose the documents referred to in paragraphs 1 and 3 of this Article, as well as documents confirming the identity and the address of the consignor.

The parties shall compulsory keep a copy of the documents referred in paragraphs 1, 3, 4, 6 and 7 of this Article.

In each case where this Law stipulates compulsory identification of the clients, a data regarding the transaction performed having effect on the other parties in the transaction, its purpose, time and place of performing, the amount, form and manner of transaction and kind of the payment means shall be processed into the documents.

Article 9

The entities shall determine the client's identity at each transaction in amount of 15,000 EUR or over in denar counter value on the day when the transaction was carried out notwithstanding the currency in which the transaction was carried out or expressed.

Determination of the client's identity shall be also made in cases when the entity will find out the existence of several connected transactions in amount of 15,000 EUR or over in denar counter value on the day when the transaction was carried out.

The entities are obliged to determine the client's identity each time when a ground for suspicion of money laundering exists.

Identification of beneficial owner

Article 10

In each case when a transaction is carried out on behalf and in interest of a third party, the entities in cases when the Law stipulates such duty, are

obliged to determine the identity of a person performing such transaction, as well the barrier of the rights, or the party on behalf of which and in whose interest the client acts (the beneficial owner).

In cases when a suspicions exist whether the client acts on its own or on behalf and in interest of a third party, the entity is obliged to request an information from the client due to determine the identity of the barrier of the rights (the beneficial owner).

Identification in cases of physical absence of the client

Article 11

In case of applying new technologies, when entering into a business relationship or carrying out a certain transaction with a client who is physically absent, taking in consideration the goals of the identification, the entities are obliged to request additional documents due to proof or additional measures to verify or confirm received documentation.

If the documents referring paragraph 1 of this Article shall not be provided, the entities are obliged to request the first payment to be carried out through account opened by the client in the financial institution.

Rejecting to perform or postponement a transaction

Article 12

When a client, consignor or a transaction shall not be identified in each case of compulsory identification, the entity is obliged to reject performing of a transaction or business or other relationship or legal action, or if is capable to postpone and to notify the Directorate in written form thereof, or to perform the rejection in form of transaction.

The entity shall state data regarding the type of a transaction, business or other relationship or legal action and all other available data and findings due to identify the client or the transaction in the notification submitted to the Directorate.

Postponement may endure since the identification of the client or transaction is performed, or certain measures for suspicious transaction in terms of Article 29 to Article 32 of this Law are imposed.

Prohibition to carry out cash payments

Article 13

Each cash payment or settlement or receiving cash money in amount of 15,000 EUR or over in denar counter value in a form of one or several connected transactions which is not performed through a financial institution authorized to perform payment operations shall be prohibited.

Each entity authorized by a Law to register securities, other asset or legal actions, or to notify or perform transfer of money, securities or other asset, may perform such registration or transfer only when the client submits evidence that transfer of money exceeding the amount in terms of paragraph 1 of this Article is performed by financial institution authorized to perform payment operations.

Special monitoring of certain transactions

Article 14

When grounds to suspect the transaction is connected with money laundering exist, besides determining the client's identity, the entity if possible shall request information related to the course of a transaction, its purpose, final destination of the money and each party involved in a transaction.

In cases referring paragraph 1 of this Article, the entity shall promptly notify the Directorate, and shall submit to the Directorate a report in written form containing all relevant information regarding transaction and identity of the clients and other parties involved in a transaction latest 24 hours from the finding for the suspicious of a transaction.

Article 15

In each case when grounds to suspect the transaction is connected with terrorist actions of the client or party involved in a transaction, or that the money or asset subject to transaction are intended for financing terrorism, besides determining the client's identity, the entity if possible shall request information related to the course of a transaction, its purpose, final destination of the money and each party involved in a transaction.

In cases referring paragraph 1 of this Article, the entity shall promptly notify the Directorate, and shall submit to the Directorate a report in written form containing all relevant information regarding transaction and identity of the clients and other parties involved in a transaction latest 24 hours from the finding for the suspicious of a transaction.

Customs Administration

Article 16

The Customs Administration shall compulsory register each import and export of cash money or securities through the customs line of the Republic of Macedonia, if the amount of cash money or securities exceeds maximum ceiling stipulated by Law.

The Customs Administration while performing registering in terms of paragraph 1 of this Article shall compulsory provide data regarding:

- the identity of a person which on own behalf or on behalf of other party performs import or export of cash money or securities;
- the amount of cash money or securities imported or exported through the customs line and
- the place and time of passing by the customs line.

Each import or export of cash money or securities exceeding amount of 10,000 EUR in denar counter value must be declared to the Directorate, latest in term of three working days.

The Customs Administration shall compulsory notify the Directorate for each import or export of cash money or securities irrespective to the amount,

when a grounds for suspecting money laundering or financing terrorism exist, latest 24 hours from the finding for the suspicious of an import or export of cash money or securities.

Exchange operation

Article 17

Entities performing currency exchange (exchange operations) within their regular work or profession, besides other measures stipulated by this Law, are obliged to determine the identity of the client and prior each transaction exceeding amount of 2,500 EUR in denar counter value.

The entities in terms of paragraph 1 of this Article are obliged to record all data in chronological order in numerated register signed by an authorized exchange officer in the exchange office.

Providers of services of fast transfer of money

Article 18

Entities performing fast transfer of money within their regular work or profession, besides other measures stipulated by this Law, are obliged to determine the identity of the client prior each transaction exceeding amount of 2,500 EUR in denar counter value.

The entities in terms of paragraph 1 of this Article are obliged to record all data in chronological order in numerated register signed by the responsible person in a trade company.

Organizers of games of chance (casinos)

Article 19

Organizers of games of chance (casinos), besides other measures stipulated by this Law, are obliged to determine the identity of the client

following its entrance into the casino according to Article 8 paragraph 1, 2 and 3 of this Law.

All data in terms of paragraph 1 of this Article shall be recorded in numerated register signed by the responsible person of a trade company carrying out the games of chance.

Keeping data

Article 20

The entities are obliged to keep any data about the client's identity or transaction provided on the basis of this Law for at least 10 years following the performed transaction i.e. from the last transaction when it is a case of several transactions comprising one whole or at least 10 years from the date the agreements expire.

The entities are obliged to keep all data in a manner they submitted to the Directorate, at least 10 years from the day of their submission.

Data referring to a client with whom a longer-lasting business relation is established in terms of this Law shall be kept at least 10 years from the day when the business relation expires.

The Customs Administration is obliged to keep all data referring importing or exporting money or securities through the customs line for at least 10 years from the day of performed transfer.

The register under Articles 17, 18 and 19 shall be compulsory kept for at least 10 years from the last recorded data.

In a case of ceasing of the entity, a duty to keep data in term stipulated in paragraph 1 of this Article shall be transferred to the legal successors of the entity.

In case the entity does not have legal successors, a duty to keep data under paragraph 1 of this Article shall be transferred to its founders.

Data confidentiality

Article 21

Any data provided under this Law shall be confidential and may be

used only for the purpose of detecting and preventing money laundering or financing terrorism.

Submission of data to the Directorate under paragraph 1 of this Article shall not be considered as disclosing professional or business secret.

The employees in the entities having responsibility to undertake measures and actions due to detect and prevent money laundering, in accordance with this Law, may not use personal data from the client's files for any other purpose except for performing actions of detection and prevention of money laundering and financing terrorism.

The entities and their employees may not notify the client or a third party for submission of data to the Directorate or for any other measures or actions undertaken in terms of this Law.

IV. SUBMISSION OF DATA TO THE DIRECTORATE

Article 22

The entities are obliged to collect the data, information and documents regarding the performed transactions to submit to the Directorate in any of the following cases:

- a) for transactions when a suspicion for their relation with money laundering exists;
- b) when a cash transaction is in amount of 15.000 EUR or more;
- c) when several connected cash transactions are in amount of 15.000 EUR or more.

The entities are obliged to collect the data, information and documents regarding performed transactions under paragraph 1 align b) and c) to submit to the Directorate latest in term of three working days from the day when the transaction has been performed.

The entities submit the data, information and documents from paragraph 1 to the Directorate in a form of report.

Article 23

Beside the entities competent to undertake measures and actions stipulated in this Law, in cases of existing suspicion for money laundering and financing terrorism written reports may be submitted to the Directorate as well by the Ministry of Interior, Financial Police, Public Prosecution, National Bank of the Republic of Macedonia, State Commission on the Prevention of Corruption, supervision and audit authorities within the Ministry of Finance and other state administration bodies.

Article 24

The reports regarding transactions under Article 22 of this Law shall be submitted to the Directorate in electronic form or via telecommunication means (phone, fax), and in case when it is not possible in other written forms.

The reports submitted via phone must be confirmed with a fax, electronic or other written document latest in term of three days following their submission.

The Minister of Finance shall issue the content of the reports under paragraph 1 of this Article.

The Directorate may not reveal the identity of an employee in the entity submitting the report, except in cases when suspicion exist that the employee or the entity committed a crime of money laundering or upon written request by the competent court is necessary for determining the facts in a criminal procedure.

Notification upon data reception

Article 25

The Directorate may notify the entity about the data reception, submitted under Article 22 align a) of this Law.

In case when the submitted data, according to the assessment of the Directorate, is insufficient, it may request additional information.

The Directorate shall on regular basis, and at least once a year, notify the entities that submitted data pursuant to this Law for the performed reviews.

The competent public prosecutor is obliged to notify the Directorate for any initiated procedure of criminal offence of money laundering.

Article 26

Any data and report received, analyzed and processed by the Directorate shall be regarded as a professional secret and the officers in the Directorate are not allowed to use them for any other purposes, except for those determined by this Law.

The Directorate is obliged to keep all data or reports related to certain transactions, or entity, at least 10 years from their receipt and following the expiry of this period it may destroy them.

Access and exchange of information

Article 27

The Directorate in addition of performing its competencies, may request data and documentation from all state bodies, financial institutions or other legal or natural entities.

The Directorate may upon need, exchange information with the bodies responsible for carrying out the investigation, except in cases when information is provided by the authorized bodies for combating money laundering or financing terrorism in other states, which requests their prior consent.

Article 28

In each case when grounds for suspicion of committed criminal offence money laundering or financing terrorism exists, the Directorate at once shall prepare and submit a report enclosed with its opinion to the competent state bodies making decisions for any further actions.

Provisional Measures

Article 29

In case of existing justified suspicion for criminal offence of money laundering or financing of terrorism, the Directorate in term of 24 hours latest from the finding that a transaction is under carrying out, shall submit to the competent public prosecutor elaborated initiative for submitting request for imposing provisional measures for terminating the transaction and temporary confiscation of money or asset.

The Directorate in term under paragraph 1 of this Article shall submit to the entity a written order for temporary postponement of transaction informing it thereof for the initiative for submitting request for determining provisional measures.

Postponement of transaction shall endure since the decision is made upon request, and latest 72 hours from postponement of the transaction.

Article 30

The initiative for submitting request for determination of provisional measures under Article 29 of this Law, shall contain data for the criminal offence for which a temporary measure is requested, the facts and circumstances justifying the need for temporary measure and it shall achieve the goal for prevention and detection of serious crimes, data for the natural or legal entity performing the transaction and the entity where transaction is carried out.

Article 31

The competent public prosecutor shall investigate the initiative for submitting request for determination of provisional measures and if find it justifiable, without any delay and latest in term of 24 hours from the receipt of the initiative shall submit the request for determining temporary measures to the investigative judge of the competent first degree court.

In case the competent public prosecutor finds out that the initiative for submitting request for determination of provisional measures under Article 29 paragraph 1 of this Law is unjustified, he is obliged without any delay to notify the Directorate, and afterwards the Directorate at once shall inform the entity.

Article 32

The investigative judge of the competent first degree court is obliged in term of 24 hours from the receipt of the request under Article 31 paragraph 1 of this Law, to make a decision and without any delay to notify the competent public prosecutor, the entity and the client.

The competent public prosecutor is obliged to immediately notify the Directorate about the decision of the investigative judge from paragraph 1 of this Article.

The competent public prosecutor and the client can appeal on the decision of the investigative judge from paragraph 1 of this Article in front of the Court Chamber of the competent first degree court (Art.22 para.6 Law on criminal procedure) in a period of three days since the receipt of the decision, which does not delay the execution of the decision.

Programs for money laundering prevention

Article 33

The entities are obliged to prepare programs for implementation of the measures and actions, providing thereof:

- (a) Centralization of data regarding clients' identity, the bearers of rights, consignees, authorized representatives and consignors as well of data for suspicious transactions;
- (b) Appointment of responsible persons in charge of the program implementation on a central managerial level, as well in each organizational part, for whose appointment the Directorate shall be notified in written form;
- (c) Plan for permanent training of the responsible persons and the other employees;
- (d) Instruments for internal audit of the implementation of the measures and actions;
- (e) Co-operation with the Directorate.

Article 34

The responsibilities stipulated by this Law shall not refer to the attorneys and notaries during execution of their task to defend or represent the client or at the time of the court procedure or other procedure.

Exemption from the responsibility for notifying and postponing

Article 35

A procedure for determining the responsibility for disclosing business or professional secret cannot be initiated against the persons or the employers and the employees within the entities who submitted information or reports with regard to the suspicious money laundering transactions.

A procedure for civil or criminal responsibility cannot be initiated against the authorized or the responsible persons, employers or the employees within the entities who submitted information or reports according to the provisions of this Law, even in a case when the investigation upon the submitted information and reports did not result in determining the

responsibility i.e. an irrevocable judgment.

A procedure for civil or criminal responsibility cannot be initiated against the authorized or the responsible persons, employers and the employees within the entities due to any tangible or intangible damage that occurred as a consequence of the postponement of the transactions according to the provisions of this Law, except if such postponement fulfils the elements of certain crime.

Business and Professional Secret

Article 36

The reference to a business or a professional secret shall not be accepted as a ground for the refusal to submit data according to this Law.

International cooperation

Article 37

The Directorate, within the framework of the international cooperation, may, at their request and under condition of reciprocity, submit data received pursuant to this Law to the authorized bodies and organizations of other states in the combat against money laundering, as well to international organizations acting in the field of detection and prevention of money laundering and financing terrorism.

The Directorate may conclude co-operation agreements with authorized bodies of other states, as well with international organizations acting in the field of detection and prevention of money laundering and financing terrorism.

V. SUPERVISION

Article 38

Supervision to the measures and actions shall be performed by:

- the National Bank of the Republic of Macedonia for the banks, saving houses, exchange offices and service providers for fast money transfer;
- the Ministry of Finance for the insurance companies;
- the Securities and Exchange Commission for the stock exchange, broker companies and investment funds;
- the Public Revenue Office for the other financial institutions, trade companies carrying out the games of chance and other legal and natural entities being subject of those measures and actions.

Article 39

The Chambers of attorneys and the chambers of notaries, as well other professional associations of auditors, accountants and other persons independently performing legal and financial actions are obliged to establish commissions for performing supervision of the measures and actions stipulated by this law undertaken by its members.

The members of the commissions under paragraph 1 shall be appointed for a period of four years without a right of reappointment.

For the appointments and composition of the commissions, the chambers or associations shall notify the Directorate.

Article 40

The bodies and institutions from article 38 and the commissions from article 39 performing supervision to the entities are obliged to notify the Directorate for the request submitted to carry out an infraction procedure for

the committed infraction in terms of Article 41, 42 and 43 of this Law by the subjects performing supervision.

The Directorate may submit elaborated request to the bodies and institutions from article 38 and the commissions from article 39 performing supervision for the entities for a long-term or occasionally supervision of certain entities, which oblige them to proceed upon this request and to notify the Directorate for the results from the supervision carried out.

VI. PENALTY PROVISIONS

Article 41

The legal entity shall be fined for an offence with 250,000.00 to 300,000.00 denar should:

- they fail to determine the identity of the client while performing the transaction or when establishing other form of business or contractual relationship (Article 7);
- pays or receive cash money exceeding an amount of 15.000 EUR in a form of one or several connected transactions not performed through the bank (Article 13);
- they not request information about the transaction or they fail to submit a written report for the transaction that follows (Article 14);
- they fail to inform the Directorate for the transaction related with terrorist action and financing terrorism (Article 15);
- they fail to maintain the data provided on the basis of this Law at least 10 (ten) years after the performed transaction i.e. after the termination of the business relation i.e. the performed transfer (Article 20 paragraph 2);
- the data in a manner submitted to the Directorate and provided on the basis of this Law, shall not keep at least 10 (ten) years from the day of their submission (Article 20 paragraph 2);
- they fail to keep the register at least 10 (ten) years from the last recorder data (Article 20 paragraph 5);
- data provided in terms of this Law are used contrary to the purpose stipulated in this Law (Article 21);

- they fail to submit a report to the Directorate for performed transactions (Article 22);
- they perform transaction contrary to the order of a Directorate or provisional measures imposed by the court (from Article 29 to Article 32);
- they fail to prepare programs for protection against money laundering (Article 33).

The responsible person within the legal entity shall also be fined for the offence as referred to in paragraph 1 of this Article with 40,000.00 to 50,000.00 denar.

Article 42

The legal entity shall be fined for an offence with 150,000.00 to 250,000.00 denar, should:

- it fail to comply with this Law when determining the identity of the client (Article 8);
- it fail to determine the identity of the client when making cash transaction above the amount stipulated with this Law (Article 9);
- the identity of the consignor and of the person on whose behalf the transaction is made is not determined (Article 10);
- it fail to reject or terminate unidentified transaction (Article 12);
- it fail to declare importing or exporting of cash money or securities through the customs line, exceeding the amount determined, and in cases a ground for suspicion of money laundering or financing terrorism exists (Article 16);
- it fail to determine the identity of the client when exchanging currency in an amount higher than the amount stipulated by this Law or fail to identify the client immediately when entering the casino (Articles 17 and 19);
- it fails to submit the gathered data, information and documents for the performed transactions to the Directorate (Article 22).

The responsible person within the legal entity shall also be fined for the

offence as referred to in paragraph 1 of this Article with 40,000.00 to 50,000.00 denar.

Article 43

The natural entity shall be fined for an offence with 40,000.00 to 50,000.00 denar, should within its work:

- fails to determine the identity of the client while performing the transaction or when establishing other form of business or contractual relationship (Article 7);
- it fails to reject or terminate unidentified transaction (Article 12);
- it fails to request an evidence for transaction performed through a bank;
- it fails to inform the Directorate for a transaction related with terrorist action or financing terrorism (Article 15);
- it fail to determine the identity of the client when exchanging currency in an amount higher than the amount stipulated by this Law or fail to identify the client immediately when entering the casino (Articles 17 and 19);
- it fail to determine the identity of the client prior each transaction higher then 2.500 EUR (Article 18);
- the data gathered in terms of this Law fail to keep as long as stipulated by this Law (Article 20);
- data provided in terms of this Law are used contrary to the purpose stipulated in this Law (Article 21);
- it fails to submit gathered data, information and documents for performed transactions to the Directorate (Article 22) and
- it performs transaction contrary to the order of a Directorate or provisional measures imposed by the court (from Article 29 to Article 32).

For the infraction committed under paragraph 1 of this Article beside a cash fine a security measure prohibition of performing particular profession, activity or duty may be imposed in duration of three months to one year.

VII. TRANSITIONAL AND FINAL PROVISIONS

Article 44

The Chambers or professional associations of attorneys, notaries, auditors, accountants and other persons independently performing legal and financial actions are obliged to establish the commissions in terms of Article 39 of this Law and notify the Directorate for this purpose at latest 90 days from the day of entering into force of this Law.

Article 45

The Directorate in co-operation with parties and authorities performing supervision over their work shall determine the Lists of indicators due to identifying suspicious transactions under Article 4 of this Law, not later than 18 months from the day of entering into force of this Law.

Article 46

On the day when this Law shall enter into force, the Law on Money Laundering Prevention shall cease to be valid ("Official Gazette of the Republic of Macedonia" No 70/01 of September 5, 2001).

Article 47

This Law shall enter into force on the eight day following its publication in the "Official Gazette of the Republic of Macedonia".