**COMPLIANCE QUESTIONNAIRE LAWYERS**

**A. General information**

If operating as a sole practitioner: Your name and address

If answering as a partner, administrator or employee: Organization’s legal name and operating name:

Head Office address:

Entity legal status (Select one only): Partnership, Limited Liability Partnership (LLP), Corporation, (If other, specify \_\_)

Please indicate the type of premises for the above address: Commercial / Retail, Residential / Dwelling House, or (If other, specify)

Name and title of the individual completing questionnaire:

Contact information:

Business telephone:

Business fax:

E-mail:

1. Do you (or your organization) prepare for or carry out transactions for clients concerning activities[[1]](#footnote-2) covered by the AML/CFT Law? Since the commencement of the AML/CFT Law, have you (operating as a sole practitioner) or your organization (for which you are a partner, administrator or employee) engaged[[2]](#footnote-3) in or given instructions, in respect to any of the activities carried on behalf of another person or entity (other than your employer) as specified in the AML/CFT Law?

**If you answered ‘no’ to question A1 -** None of the above activities apply (PLEASE COMPLETE THE FIRST PAGE AND RETURN TO FIU)

**If you answered yes**, please provide a summary of the above activities you are engaged in and under what circumstances.

If you are operating as a sole practitioner, please proceed to question A9, otherwise please continue to question A2.

1. Does your organization operate in any other location?
2. If you answered yes to question A2, indicate the name and address. If there is not enough room below, attach a separate sheet to provide all the relevant information, indicating that this information belongs in answer A3.
3. Is your organization a fully owned subsidiary of any other entity subject to the AML/CFT Law or similar laws in other jurisdictions? If so, what is the name and address of the parent organization?
4. Does your organization own any other entities that are subject to the AML/CFT Law? If so, what are the names and addresses of these entities? If there is not enough room here, attach a separate sheet to provide all the relevant information. Make sure to indicate that this information belongs in answer A5.
5. Does your organization have an office outside of Mongolia?
6. If you answered yes to question A6, list in which countries? If there is not enough room here, attach a separate sheet to provide all the relevant information. Make sure to indicate that this information belongs in answer A7.
7. Indicate the number of professional members in your organization including details of the name of the law society to which they belong:
8. What is your or your organization's primary bank? (Please provide name and address).
9. What is your or your organization’s secondary bank? (Please provide name and address).
10. Indicate in what type of business you or your organization operates and the approximate annual % of activity (gross revenue) it represents. (Check all that apply) Annual %: Purchase and sale of real estate\_\_\_: Arranging shareholdings\_\_\_; Establishing legal personalities & arrangements\_\_\_; Other (please specify)
11. What is your or your organization's approximate annual volume of business in MNT (in relation to the activities described in question A11)?
12. Please indicate the number of clients for whom you manage funds, act as a director or secretary of a legal entity.

**B. – Compliance Officer**  
  
Compliance officer

1. Name and title of the compliance officer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-mail \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Person that completed this questionnaire

2. Name and title of the person that completed this questionnaire (if different from compliance officer)   
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Telephone : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-mail \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**C – Management and governance**

1. Please describe the management structure of your entity (including attaching an organizational chart), if applicable. Provide additional information in an annex if necessary. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Who is the beneficial owner of your entity? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Is the owner:

a) A Mongolian resident? \_\_\_\_\_\_\_\_\_

b) A non-resident? \_\_\_\_\_\_\_\_\_

1. On what date did your entity start its operations in Mongolia? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. What reach does your entity have (select all that are applicable)

a) Provincial? \_\_\_\_\_\_\_\_\_\_\_

b) National? \_\_\_\_\_\_\_\_\_\_\_

c) International? \_\_\_\_\_\_\_\_\_\_\_

1. Is your entity controlled by a foreign entity?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Do you use the internet to advertise and offer services to customers?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**D – Structure and size of the entity**

1. Number of employees? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Do you have branches or subsidiaries?

In Mongolia?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Abroad?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

If yes, where? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| --- |
| **E. – Clientele** |
|  |

1. What is the approximate number of clients annually? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Are some of your clients:

E2.1 Residents of countries at higher risk of ML/FT[[3]](#footnote-4)?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of clients annually: \_\_\_\_\_\_

E2.2 Mongolian expatriates?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of clients annually: \_\_\_\_\_\_

E2.3 Non-residents from other countries

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of clients annually: \_\_\_\_\_\_

E2.5 Mongolian Nationals

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of clients annually: \_\_\_\_\_\_

E2.6 Politically exposed persons?[[4]](#footnote-5)

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of clients annually: \_\_\_\_\_\_

E2.7 Individuals that act on behalf of another individual or entity?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of clients annually: \_\_\_\_\_\_

E2.8 Legal persons?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of clients annually: \_\_\_\_\_\_

**F. Products/Services**

**F.1** Do you accept cash from customers?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**F.2** What payments methods do you accept from clients for services?

2.1 Cash

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

If yes, up to what amount? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2.2 Wire transfers

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

2.3 Cheque

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**F.3**  Please indicate the number of cash transactions in excess of the reporting threshold specified in the AML/CFT Law you have received within the past 12 months:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**G. Distribution channels**

**G.1** Do you conduct non face-to-face transactions where you never meet the client?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approximate number of transactions annually: \_\_\_\_\_\_\_\_

**H. Compliance officer**

**H.1** Have you appointed a compliance officer?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_

**H.2** Is your compliance officer part of management?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_

**I. Policies and procedures  
  
I.1** Has your organization developed and implemented policies and procedures to comply with the AML/CFT Law, Preventive Measures Regulation and [Insert Laws on TF and PF] (for example requirements related to customer due diligence, record keeping and reporting)?

a) No \_\_\_\_\_\_\_\_\_ b) Partially\_\_\_\_\_\_\_\_\_ c) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**I.2** If yes, are your policies and procedures written?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_

**J. Risk Assessment**

**J.1** Have you identified and assessed the ML/FT risks related to your activities?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**J.2** Have you implemented risk mitigation strategies?  
a) No \_\_\_\_\_\_\_\_\_ b) Partially\_\_\_\_\_\_\_\_\_ c) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**J.3** How often do you undertake risk monitoring?

a) Less than quarterly \_\_\_\_\_\_\_  
b) Quarterly \_\_\_\_\_\_\_  
c) Monthly \_\_\_\_\_\_\_

**K. Internal Audit**

**K.1** Has your organization conducted an internal audit of its AML/CFT policies and procedures?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**K.2** If yes, who conducted the internal audit?

a) Self audit \_\_\_\_\_\_\_

b) Internal audit unit \_\_\_\_\_\_\_

c) External auditor \_\_\_\_\_\_\_

**K.3** If yes, what is the frequency of the AML/CFT audit?

a) Every year \_\_\_\_\_\_

b) Less than every two years \_\_\_\_\_\_

c) More than every two years \_\_\_\_\_\_

**L. Staff Training and Screening**

**L.1** Have you organized training for your employees related to AML/CFT risk and obligations?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**L.2** If yes, what is the frequency of the training?

a) Once a year or more frequently \_\_\_\_\_  
 b) When an employee is hired \_\_\_\_\_  
 c) Less than once a year \_\_\_\_\_  
 d) Never \_\_\_\_\_

**L.3** If yes, what type of individuals participate in the training?

a) All employees including management \_\_\_\_\_\_  
 b) Only employees that interact with clients \_\_\_\_\_\_  
 c) Only owners and managers \_\_\_\_\_\_  
 d) No training \_\_\_\_\_\_

**L.5** Do you screen employees to ensure that they are fit and proper?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**M. Identification/Client due diligence**

**M.1** Do you identify and verify the identity of all your clients if they conduct cash transactions in excess of MNT 20 million or its equivalent in foreign currency?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**M.2** Do you update client information when conducting a transaction?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**N. New technologies**

**N.1** Have you completed an assessment of the risks related to new technologies?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**O. Enhanced due diligence[[5]](#footnote-6)**

**O.1** Is enhanced due diligence applied to high-risk situations or clients?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**O.2** Do you apply enhanced customer due diligence measures for politically exposed persons?  
a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**O.3**  Do you apply enhanced customer due diligence measures for high-risk jurisdictions?  
a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**P. Record keeping**

**P.1** Do you maintain records related to transactions, business relationships and STRs?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Q. Reporting and monitoring**

**Q.1** Have you sent a suspicious transaction report to FIU?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

If yes, how many? \_\_\_\_\_\_\_\_\_\_\_\_\_

**Q.2** Have you sent a cash transaction report to the FIU?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

If yes, how many? \_\_\_\_\_\_\_\_\_\_\_\_

**Q.3** Have you sent a report to the FIU in relation to United Nations Regulations?

a) No \_\_\_\_\_\_\_\_\_ b) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

If yes, how many? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**R. Information on Compliance**

**R.1** Do you consider that you are compliant with AML/CFT obligations?

a) No \_\_\_\_\_\_\_\_\_ b) Partially\_\_\_\_\_\_\_\_\_ c) Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The activities specified are:

   * buying and selling of real estate;
   * managing of client’s assets;
   * management of bank, savings or securities accounts;
   * organising of contributions for the creation, operation or management of companies;
   * creation, operation or management of legal persons or arrangements, and buying and selling of business entities

   [↑](#footnote-ref-2)
2. Engaged in means to carry out the described activities. However, this does not mean that a formal engagement letter needs to be drawn, or fees charged to be "engaged in" one of those activities. If an accountant carries out the activities, he/she is covered. [↑](#footnote-ref-3)
3. Countries at higher risk of ML/FT as identified by the Financial Action Task Force, the Asia Pacific Group on Money Laundering (APG) or the Government of Mongolia. Information on high risk countries can be found on the FIU’s website. [↑](#footnote-ref-4)
4. FIU to consider including a definition of PEP. [↑](#footnote-ref-5)
5. Enhanced due diligence refers to an increase in the degree and nature of monitoring of business relationships in order to determine whether those transactions or activities appear unusual or suspicious and can include obtaining additional information on the customer and the intended nature of the business relationship. [↑](#footnote-ref-6)