

Associazione Volontari per il Servizio Internazionale

**INTERNAL PROCEDURE FOR COUNTERACTING MONEY LAUNDERING AND  
TERRORIST FINANCING PURSUANT TO ARTICLE 50 OF THE ACT OF 1 MARCH 2018 ON  
COUNTERACTING MONEY LAUNDERING AND TERRORIST FINANCING  
(i.e. Journal of Laws of 2021, item 1132, as amended)**

**§ 1**

**General**

1. This internal procedure for counteracting money laundering and terrorist financing (hereinafter referred to as the "Procedure") has been established pursuant to Article 50 of the Act of 1 March 2018 on Counteracting Money Laundering and Terrorist Financing (i.e. Journal of Laws of 2021, item 1132, as amended) (hereinafter referred to as the "Act").
2. The procedure takes into account the nature, type and size of the business, as well as the rules of conduct applied in the AVSI POLSKA association.
3. AVSI POLSKA has the status of an obligated entity pursuant to Article 2(1)(22) of the Act to the extent that it accepts or makes payments in cash with a value equal to or exceeding the equivalent of EUR 10,000, regardless of whether the payment is carried out as a single operation or several operations that appear to be related;
4. The procedure is subject to ongoing verification and, if necessary, updates.
5. The person responsible for:
  - 1) the performance of the duties specified in the Act is the President of the Management Board
  - 2) implementation of the obligations specified in the Act is a member of the management board or management body - Mr. Donato Di Gilio,
  - 3) ensuring compliance of the activities of AVSI POLSKA and its employees and other persons performing activities for the Attorney-at-Law with the regulations on counteracting money laundering and terrorist financing – President of the Management Board Mr. Donato Di Gilio
  - 4) forwarding on behalf of AVSI POLSKA the notifications referred to in the Act - President of the Management Board Mr. Donato Di Gilio.
6. Each employee and collaborator of AVSI POLSKA is obliged to familiarize themselves with the Procedure. A template of the Declaration of familiarization with the Procedure and the obligation to apply it is attached as **Appendix No. 1** to the Procedure.
7. AVSI POLSKA provides its employees and associates with the current text of the Act and regulations related to counteracting money laundering and terrorist financing.
8. AVSI POLSKA adapts the content of the Procedure to the needs and changes in factual and legal circumstances. The introduction and updating of the Procedure is subject to the approval of Mr. Donato Di Gili, Chairman of the Board of Directors.
9. The terms used in the Procedure should be understood in accordance with their definition contained in the Act.

**§ 2**

**Scope of the procedure**

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The procedure defines the rules of conduct applied by AVSI POLSKA, taking into account the nature, type and size of AVSI POLSKA's activities and in the area of counteracting money laundering and terrorist financing, and includes in particular the following:

- 1) actions or actions taken to mitigate the risk of money laundering and terrorist financing and to properly manage the identified risk of money laundering or terrorist financing;
- 2) the rules for identifying and assessing the risk of money laundering and terrorist financing related to a given business relationship or occasional transaction, including the rules for verifying and updating the previously made assessment of the risk of money laundering and terrorist financing;
- 3) measures taken to properly manage the identified risks of money laundering or terrorist financing related to the business relationship or occasional transaction in question;
- 4) rules for the application of financial security measures;
- 5) rules for storing documents and information;
- 6) the rules for the performance of duties including providing the Inspector General with information on transactions and notifications;
- 7) the principles of disseminating knowledge among AVSI POLSKA employees in the field of anti-money laundering and counteracting the financing of terrorism regulations;
- 8) rules for reporting actual or potential violations of anti-money laundering and counter-terrorism financing regulations by employees;
- 9) the principles of internal control or supervision of the compliance of AVSI POLSKA's operations with the regulations on counteracting money laundering and terrorist financing and the rules of conduct set out in the internal procedure;
- 10) the rules for recording discrepancies between the information collected in the Central Register of Beneficial Owners and the information on the client's beneficial owners determined in connection with the application of the Act;
- 11) the rules for documenting difficulties found in connection with the verification of the identity of the beneficial owner and the actions taken in connection with the identification of a natural person holding a senior managerial position as the beneficial owner.

**§ 3**

**Conversion of amounts expressed in euros**

The amounts expressed in EUR in the Act are converted according to the average exchange rate announced by the National Bank of Poland (NBP) in force on the day of the transaction, on the date of ordering the transaction or on the date of issuing the decision to impose a fine.

**§ 4**

**Responsibilities of AVSI POLSKA**

AVSI POLSKA's obligations under the Act include, among others:

- 1) identification and assessment of money laundering and terrorist financing risks relating to AVSI POLSKA's business, taking into account at least risk factors relating to customers, countries or geographical areas, products, services, transactions or

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their supply channels, - on the basis of Article 27 section 1 and section 3 of the Act. A sample risk assessment template is attached **as Appendix 2** to the Procedure,

- 2) identification of the risk of money laundering and terrorist financing related to business relations or occasional transactions and assessment of the level of identified risk – pursuant to Article 33(2) of the Act,
- 3) documentation of the identified risk of money laundering and terrorist financing related to business relations or occasional transactions and its assessment, taking into account in particular factors concerning:
  - a) type of customer;
  - b) geographical area;
  - c) the purpose of the account;
  - d) the type of products, services and how they are distributed;
  - e) the level of assets deposited by the client or the value of transactions carried out;
  - f) the purpose, regularity or duration of the business relationship

- pursuant to Article 33(3) of the Act. A template of the document containing the assessment of the identified risk related to money laundering and terrorist financing related to business relations or occasional transactions is attached **as Appendix 3** to the Procedure;

- 4) application of financial security measures - pursuant to Article 34 et seq. Act
- 5) providing persons performing activities in the field of counteracting money laundering and terrorist financing in training programs - pursuant to Article 52 of the Act,
- 6) implementation of the anti-money laundering procedure and the procedure for anonymous reporting of violations of the provisions on counteracting money laundering and terrorist financing – pursuant to Article 50 and Article 53 of the Act,
- 7) Maintaining the secrecy specified in the Act – pursuant to Article 54 et seq. of the Act on the Functioning of the Civil Code. Act
- 8) providing information and notifications to the Inspector General – pursuant to Article 74 et seq. of the Civil Code. Act
- 9) providing information and notifications to the prosecutor - pursuant to Article 89 et seq. of the Criminal Code. Act
- 10) application of risk mitigation measures - pursuant to Article 117 et seq. of the Civil Code. Act.

**§ 5**

**Risk assessment**

1. AVSI POLSKA prepares risk assessments in paper or electronic form.
2. AVSI POLSKA, if necessary, at least every 2 years, updates the risk assessment, in particular in connection with changes in risk factors concerning customers, countries or geographical areas, products, services, transactions or their supply channels or documents. In the case of high-risk customers or in the event of a significant change in the risk factors of customers, countries or geographical areas, products, services, transactions or their supply channels or documents, AVSI POLSKA reviews the risk once every 1 year.

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3. When assessing the risk, AVSI POLSKA may take into account the national risk assessment, available at: <https://www.gov.pl/web/finanse/krajowa-ocena-ryzyka-prania-pieniedzy-oraz-finansowania-terroryzmu>), as well as reports of the European Commission.

**§ 6**

**Low risk**

A low level of risk, justifying the application of simplified financial security measures, may be evidenced by:

- 1) The fact that the customer is:
  - 1) a public finance sector unit referred to in Article 9 of the Act of 27 August 2009 on public finance (Journal of Laws of 2019, item 869),
  - 2) a state-owned enterprise or a company with a majority stake of the State Treasury, local government units or their associations,
  - 3) a company whose securities are admitted to trading on a regulated market subject to disclosure requirements on its beneficial owner under the laws of the European Union or the corresponding provisions of the law of a third country, or a company with a majority shareholding of such a company,
  - 4) resident of a Member State,
  - 5) a resident of a third country which, according to data from reliable sources, has in place anti-money laundering and counter-terrorism financing regulations corresponding to the requirements arising from the European Union regulations on counteracting money laundering and terrorist financing;
- 2) linking a business relationship or occasional transaction with:
  - a) Member State,
  - b) a third country identified by reliable sources as a country with a low level of corruption or other criminal activity;
  - c) a third country which, according to data from reliable sources, has in place regulations on counteracting money laundering and terrorist financing corresponding to the requirements resulting from the European Union regulations on counteracting money laundering and terrorist financing.
- 3) The occurrence of other circumstances indicated in Article 42 of the Act.

**§ 7**

**Normal Risk**

The normal risk group includes those clients with whom cooperation may mean a normal risk of money laundering and terrorist financing.

**§ 8**

**High level of risk**

1. A high level of risk, justifying the application of increased financial security measures, may be evidenced by the occurrence of a situation, for example:
  - 1) establishing business relationships in unusual circumstances;

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- 2) that the client is:
  - a) a legal person or an organizational unit without legal personality, whose activity is used to store personal assets,
  - b) a company in which bearer shares have been issued, whose securities are not admitted to organised trading, or a company in which the rights attached to shares are exercised by entities other than shareholders;
  - c) resident of the country referred to in point 10)
- 3) the subject of the client's business activity involving the conduct of a significant number or large amounts of cash transactions;
- 4) the client's unusual or overly complex ownership structure, taking into account the type and scope of their business activity;
- 5) the customer's use of services or products offered as part of private banking;
- 6) use by the customer of services or products that promote anonymity or hinder their identification, including the service consisting in the creation of additional account numbers marked in accordance with the regulations issued on the basis of Article 68(3) and (4) of the Banking Law Act of 29 August 1997 and Article 4a(5) the Act of 19 August 2011 on payment services linked to an account, in order to make them available to other entities for the identification of payments or the principals of these payments;
- 7) entering into or maintaining a business relationship or carrying out an occasional transaction without the physical presence of the customer – where the associated higher risk of money laundering or terrorist financing has not been mitigated in any other way, including through the use of electronic identification means and trust services enabling electronic identification within the meaning of Regulation 910/2014;
- 8) ordering transactions by unknown or unrelated third parties to the client, the beneficiary of which is the client;
- 9) covering new products or services in business relationships or transactions, or offering products or services using new distribution channels or new technological solutions;
- 10) linking a business relationship or occasional transaction with:
  - a) a high-risk third country (the list of countries and territories that may indicate a high risk of money laundering and terrorist financing is attached as **Appendix 4** to the Procedure),
  - b) a country defined by reliable sources as a state with a high level of corruption or other criminal activity, a state financing or supporting the commission of terrorist acts, or with which the activities of terrorist organizations are associated,
  - c) a country against which the United Nations or the European Union has decided to impose sanctions or specific restrictive measures,

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- 11) in relation to politically exposed persons, family members of the politically exposed person and persons known as close associates of the politically exposed person;
- 12) linking the business relationship or occasional transaction with petroleum, weapons, precious metals, tobacco products, cultural artefacts, ivory, protected species or other items of archaeological, historical, cultural and religious significance or of special scientific value;
- 13) linking a business relationship or occasional transaction with a customer who is a third-country national and applies for a right of residence or nationality in a Member State in exchange for capital transfers, acquisitions of real estate or government bonds, or investments in corporate entities in that Member State.
  2. AVSI POLSKA applies enhanced financial security measures in cases of business relationships or transactions related to a high-risk third country, identified by the European Commission in a delegated act adopted pursuant to Article 9 of Directive 2015/849, in the framework of which it takes at least the following actions:
    - 1) obtains additional information about:
      - a. the client and the beneficial owner,
      - b. the intended nature of the business relationship,
    - 2) obtains information about the source of the client's and beneficial owner's assets and the source of the assets at the disposal of the client and the beneficial owner as part of business relationships or transactions;
    - 3) obtains information about the reasons and circumstances of the intended or executed transactions;
    - 4) obtains the approval of senior management to establish or continue business relationships;
    - 5) intensifies the application of the financial security measure referred to in Article 34(1)(4) by increasing the number and frequency of monitoring of business relationships and increasing the number of transactions selected for further analysis.
  3. In the case of a transaction involving a high-risk third country identified by the European Commission in a delegated act adopted pursuant to Article 9 of Directive 2015/849, carried out by a natural person, a legal person or an organisational unit without legal personality, AVSI POLSKA, in addition to applying the financial security measures referred to in Article 44(1), shall take at least one of the following actions to mitigate the risks associated with such a transaction:
    - 1) takes additional actions as part of the increased financial security measures applied;
    - 2) introduces intensified obligations related to the provision of information or reporting of transactions;
    - 3) limits the scope of business relationships or transactions.
    - 4) limits the scope of business relationships or transactions.



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**§ 9**

**Deal Analysis**

1. AVSI POLSKA conducts an ongoing analysis of the transactions carried out.
2. In the case of transaction disclosure:
  - 1) Complicated
  - 2) amounts of money which are not justified by the circumstances of the transaction, or
  - 3) carried out in an unusual manner, or
  - 4) appear to have no legal or economic justification,

AVSI POLSKA takes steps to clarify the circumstances in which these transactions were carried out (e.g. inquiries, analyses, contact with the Client, verification of the correctness of statements, request for further information, documents, receipt of statements from the Client, other – depending on the situation) and, in the case of transactions carried out as part of business relationships, intensifies the application of the financial security measure referred to in Article 34 section 1 item 4, business relationship in the context of which those transactions were carried out.

**§ 10**

**Financial security measures**

1. AVSI POLSKA applies financial security measures to its clients to the extent and with intensity taking into account the identified risk of money laundering and terrorist financing related to business relations or occasional transactions and its assessment. In the case of a low risk of money laundering and terrorist financing, it is possible to make an assumption about the purpose and intended nature. As appropriate, in particular in the case of non-low risk of money laundering and terrorist financing, AVSI POLSKA obtains information on their purpose and intended nature.
2. AVSI POLSKA assumes the following risk levels:
  - 1) High
  - 2) Normal
  - 3) Low

which are subject to change. Possible changes in the circumstances of performance of the agreement with the Client, change of parties to the contract, unusual behaviour of the Client, new products or services in the Client's offer and other new circumstances are the reason for the implementation of financial security measures to the full extent or for their updating on an ongoing basis. In such a case, an employee or associate of AVSI POLSKA informs AVSI POLSKA in an agreed manner about monitoring the relationship with the Customer.

3. Financial security measures are:
  - 1) customer identification and verification of their identity,
  - 2) identification of the beneficial owner and taking justified actions in order to:
    - a) verify their identity. A template of the statement confirming the identification and verification of the identity of the client, the person authorized to act on their behalf and the beneficial owner is attached **as Appendix No. 5** to the Procedure;

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- b) determination of the ownership and control structure – in the case of a client who is a legal person or an organizational unit without legal personality or a trust;
  - 3) To evaluate the business relationship and, as appropriate, to obtain information about its purpose and intended nature – e.g. during the first contact with the customer;
  - 4) ongoing monitoring of the client's business relations, including:
    - a) analysis of transactions carried out as part of business relationships in order to ensure that these transactions are consistent with AVSI POLSKA's knowledge of the client, the type and scope of their business and consistent with the risk of money laundering and terrorist financing related to this client,
    - b) examination of the source of the assets at the client's disposal - in cases justified by the circumstances,
    - c) ensuring that documents, data or information on business relationships are kept up to date
- e.g. inquiries, analyses, contact with the Client, verification of the correctness of statements.
4. AVSI POLSKA documents the financial security measures applied and the results of the ongoing analysis of the transactions carried out in order to demonstrate that, taking into account the level of identified risk of money laundering and terrorist financing related to the given business relationship or occasional transaction, AVSI POLSKA has applied appropriate financial security measures. Documentation includes collecting statements or evaluating transactions – in writing, document, notes, etc. – depending on the situation. A template of the document containing the result of the ongoing monitoring of the client's business relations is attached **as Appendix No. 6** to the Procedure.

**§ 11**

**When financial security measures are applied**

1. AVSI POLSKA applies financial security measures in the event of:
- 1) establishing business relations;
  - 2) alternatively, carrying out an occasional transaction with the equivalent of EUR 15,000 or more, regardless of whether the transaction is carried out as a single operation or several operations that appear to be related;
  - 3) alternatively - conducting an occasional transaction, which is a transfer of funds for an amount exceeding the equivalent of EUR 1000;
  - 4) suspicion of money laundering or terrorist financing;
  - 5) doubts as to the authenticity or completeness of the customer's identification data obtained so far, including in relation to clients with whom AVSI POLSKA maintains business relations, taking into account the identified risk of money laundering and terrorist financing, in particular when:
    - 1) there has been a change in the previously established nature or circumstances of the business relationship;
    - 2) there has been a change in previously established data concerning the customer or beneficial owner;
    - 3) AVSI POLSKA was obliged by law to contact the customer during a given calendar year in order to verify information about the beneficiaries



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in particular where such an obligation resulted from the provisions of the Act of 9 March 2017 on the exchange of tax information with other countries (Journal of Laws of 2021, item 626).

**§ 12**

**Establishing business relationships**

1. When establishing business relations with a client, AVSI POLSKA is obliged to:
  - 1) identify the customer and verify their identity,
  - 2) identify the person acting on behalf of the client and verify their identity and authority to act on behalf of the client,
  - 3) identify the beneficial owner and take reasonable steps to: verify their identity, determine the ownership structure and control – in the case of a client who is a legal person or an organizational unit without legal personality.
2. Verification of the identity of the customer and the beneficial owner takes place before establishing business relations. If it is necessary to ensure the continuity of business activity and where there is a low risk of money laundering and terrorist financing, the verification of the identity of the customer and the beneficial owner may be completed as soon as possible from the moment of starting the business relationship.
3. AVSI POLSKA obtains a current copy of the client from the Central Register of Acquires and Statistics (CEiDG), a current copy from the National Court Register, a copy of the client from the Central Register of Beneficial Owners (hereinafter: CRBO), and obtains other documents.

**§ 13**

**Customer identification**

Customer identification consists in determining, in the case of:

- 1) natural person:
  - a) name and surname,
  - b) Citizenship
  - c) the Universal Electronic System of Population Registration (PESEL) number or date of birth - if no PESEL number has been assigned, and the country of birth,
  - d) series and number of the document confirming the identity of the person,
  - e) address of residence - if you have this information,
  - f) name, tax identification number (NIP) and address of the main place of business - in the case of a natural person conducting business activity;
- 2) a legal person or an organizational unit without legal personality:
  - a) Name
  - b) organizational form,
  - c) address of the registered office or business address,
  - d) NIP (Tax Identification Number), and in the absence of such a number - the country of registration, the name of the relevant register and the number and date of registration,
  - e) identification data (name, surname, PESEL) of the person representing this legal person or organizational unit without legal personality.

**§ 14**

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**Identification of the beneficial owner**

Identification of the beneficial owner includes determining the name and surname and citizenship, and if the attorney-at-law has information – PESEL number or date of birth – if no PESEL number has been assigned and the country of birth, series and number of the document confirming the identity of the person and the address of residence.

**§ 15**

**Identification of the person authorized to act on behalf of the client**

Identification of a person authorized to act on behalf of the client includes determining the name, surname, citizenship and PESEL number or date of birth - if no PESEL number has been assigned, country of birth, series and number of the document confirming the identity of the person.

**§ 16**

**Identity verification**

1. Verification of the identity of the customer, the person authorized to act on their behalf and the beneficial owner consists in confirming the established identification data on the basis of a document stating the identity of a natural person, a document containing current data from an extract from the relevant register or other documents, data or information from a reliable and independent source, including, if available, from electronic identification means or from relevant services Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 2014, p. EU L 257 of 28.08.2014, p. 73, hereinafter referred to as Regulation 910/2014).
2. In the case of identification of the beneficial owner who is a natural person holding a senior managerial position, in the event of documented inability to determine or doubts as to the identity of the natural persons referred to in Article 2(2)(1)(a), first-fourth indents<sup>1</sup> AVSI POLSKA shall document:
  - 1) all difficulties resulting in the inability to determine or doubts as to the identity of natural persons referred to in Article 2(2)(1)(a), first and fourth indents;

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<sup>1</sup> Whenever a beneficial owner is referred to, in the case of a legal person other than a company whose securities are admitted to trading on a regulated market subject to disclosure requirements under the laws of the European Union or the corresponding provisions of the law of a third country:

- a natural person who is a shareholder or shareholder who has the ownership right to more than 25% of the total number of shares or stocks of this legal person,
- a natural person holding more than 25% of the total number of votes in the decision-making body of that legal person, also as a pledgee or usufructuary, or on the basis of agreements with other persons entitled to vote,
- a natural person exercising control over a legal person or legal persons who jointly hold the ownership right to more than 25% of the total number of shares or which jointly hold more than 25% of the total number of votes in the decision-making body of that legal person, also as a pledgee or usufructuary, or on the basis of agreements with other persons entitled to vote,
- a natural person exercising control over a legal person by holding the rights referred to in [Article 3\(1\)\(37\)](#) of the Accounting Act of 29 September 1994 (Journal of Laws of 2021, item 217),

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- 2) all difficulties related to justified steps taken to verify the identity of the beneficial owner.
- 3) Verification of the identity of the beneficial owner may be carried out on the basis of information contained in the Central Register of Beneficial Owners or the relevant register maintained in the relevant Member State. The person verifying the identity documents:
  - 4) all difficulties resulting in the inability to determine or doubts as to the identity of natural persons who are beneficial owners,
  - 5) all difficulties related to legitimate steps taken to verify identity beneficial owner.
3. In the case of establishing business relations or conducting an occasional transaction with a client subject to entry in the CRBO, AVSI Polska obtains an excerpt from the CRBO and has the right to request information or documents from the client allowing for the identification of the identity of the beneficial owners.
4. AVSI POLSKA notes discrepancies between the information collected in the Register and the information about the beneficial owner of the client established by the Register and takes steps to explain the reasons for these discrepancies. In such a case, AVSI POLSKA may in particular ask the Client for immediate explanations in writing or in electronic or document form (e.g. e-mail, SMS). If the discrepancies are confirmed, AVSI POLSKA shall provide the Minister for Public Finance with verified information on these discrepancies, together with the justification and documentation concerning the discrepancies. A template of the statement on noting discrepancies is attached **as Appendix No. 7** to the Procedure.
5. In the case of identification of the beneficial owner who is a person referred to in Article 2(2)(1)(a), fifth indent of the Act, AVSI POLSKA shall document:
  - 1) all difficulties resulting in the inability to determine or doubts as to the identity of natural persons referred to in Article 2(2)(1)(a), first and fourth indents;
  - 2) all difficulties related to justified steps taken to verify the identity of the beneficial owner.

**§ 17**

**Ongoing monitoring of the client's business relations**

1. Ongoing monitoring of the client's business relations includes in particular:
  - 1) analysis of transactions carried out as part of business relationships in order to ensure that these transactions are consistent with AVSI POLSKA's knowledge of the client, the type and scope of their business and consistent with the risk of money laundering and terrorist financing related to this client,
  - 2) examination of the source of the assets at the client's disposal - in cases justified by the circumstances,
  - 3) ensuring that the documents, data or information held regarding business relationships are updated on an ongoing basis.

Monitoring the Client's business relations consists in ongoing analysis of the client and determining whether the client's profile, in particular its core business learned in the course of cooperation, has not changed, and if so, whether these changes may indicate the risk of money laundering and terrorist financing. The results of the ongoing monitoring of the Client's business relations are documented (e-mail, a note from a conversation with a client or a meeting, photocopies of contracts, documents, e.g. KP, WZ, PZ and other accounting documents).

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2. Circumstances that should be taken into account when monitoring business relations on an ongoing basis include, for example:
  - 1) cases indicating fictitious, sham activity,
  - 2) suspicion of mixing income from legal business activity with property values that may come from illegal sources,
  - 3) unjustified changes in the nature of the business and its size,
  - 4) economic relations with third countries.
3. The activities of monitoring the client's business relationships take place on an ongoing basis, and their analysis – once every two years (low-risk clients) or annually (normal risk clients or high-risk clients).
4. Where:
  - 1) there has been a change in the previously established nature or circumstances of the business relationship,
  - 2) there has been a change in the previously established data regarding the customer or beneficial ownerAVSI POLSKA applies financial security measures adapted to the situation.

**§ 18**

**Inability to apply financial security measures**

1. In the event that AVSI POLSKA cannot apply one of the financial security measures:
  - 1) does not establish economic relations;
  - 2) does not carry out an occasional transaction;
  - 3) does not carry out transactions through a bank account;
  - 4) dissolves economic relations.

and assesses whether the inability to apply financial security measures constitutes grounds for submitting a notification to the Inspector General of suspected money laundering or terrorist financing.

2. The provision of paragraph 1 does not apply to the Attorney-at-Law to the extent that AVSI POLSKA determines the legal situation of the client in connection with court proceedings, the performance of duties consisting in defending, representing or representing the client in court proceedings or providing the client with legal advice on initiating court proceedings or avoiding such proceedings.

**§ 19**

**Business relationship with a politically exposed person**

1. In order to determine whether the client or beneficial owner is a politically exposed person, AVSI POLSKA implements risk-based procedures, or may accept a statement from the client, in writing or in documentary form, that the client is or is not a person holding such a position, made under penalty of perjury. The person making the statement is obliged to include the following clause in it: "*I am aware of the criminal liability for making a false statement*". This clause replaces the instruction on criminal liability for making a false statement. A template of the declaration on holding a politically exposed position is attached **as Appendix 8 to the Procedure**.
2. In the case of business relations with a politically exposed person, AVSI POLSKA applies financial security measures and takes the following actions:
  - 1) obtains approval from senior management to establish or continue a business relationship with a politically exposed person;

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- 2) determines the sources of the client's assets and the sources of the assets at the client's disposal as part of business relations or transactions - inquiries, analyses, contact with the client, verification of the correctness of statements;
- 3) intensifies the use of financial security measures in the form of ongoing monitoring of the client's business relations.
4. In the period from the date of ceasing to hold a politically exposed position by a person to the date of establishing that this person does not entail a higher risk, but not less than for 12 months, AVSI POLSKA applies to such a person measures taking into account this risk.
5. The above provisions apply mutatis mutandis to family members of a politically exposed person and persons known as close associates of the politically exposed person.
6. AVSI POLSKA may use professional IT tools to verify the status of the Client and/or beneficial owner.

**§ 20**

**Personal data, processing and storage**

1. AVSI POLSKA may process information contained in the identity documents of the client and the person authorized to act on their behalf and make copies thereof for the purposes of applying financial security measures.
2. Prior to entering into a business relationship or carrying out an occasional transaction, AVSI POLSKA informs the customer about the processing of their personal data, in particular about the obligations arising from the regulations regarding the processing of such data. The template of the statement on the processing of personal data is attached **as Appendix No. 9** to the Procedure.
3. AVSI POLSKA stores for a period of 5 years, counting from the date of termination of business relationship with the customer or from the date of the occasional transaction:
  - 1) copies of documents and information obtained as a result of the application of financial security measures, including information obtained by means of electronic identification means and trust services enabling electronic identification within the meaning of [Regulation 910/2014](#);
  - 2) evidence of transactions carried out and records of transactions, including original transactions documents or copies of documents necessary to identify the transaction.
4. AVSI POLSKA stores the results of the current analysis of the transactions for a period of 5 years, counting from the date of their Carry out.
5. In the event of liquidation, merger, division or transformation, the records are stored in accordance with the the provisions of Article 76(1) of the Accounting Act of 29 September 1994.

**§ 21**

**Internal procedure for anonymous reporting of breaches of anti-money laundering and counter-terrorism financing regulations**

AVSI POLSKA implements a system for counteracting irregularities, including an internal procedure for anonymous reporting of actual or potential violations of anti-money laundering and counter-terrorism financing regulations by employees or other persons performing activities for AVSI POLSKA.

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§ 22

1. Prevention of irregularities is about creating an organizational culture that reduces the occurrence of irregularities.
2. In order to reduce the risk of irregularities, AVSI POLSKA:
  - 1) applies internal supervision,
  - 2) analyzes the risk of breaches,
  - 3) analyzes the causes of irregularities,
  - 4) implements risk mitigation solutions,
  - 5) informs the Employee and the person performing activities for AVSI POLSKA about the most important risks,
  - 6) supports behaviour in accordance with the law and ethical principles,
  - 7) responds to employees' doubts,
  - 8) considers each report concerning the revealed phenomena and takes action in such cases in accordance with the Procedure.
3. An employee and a person performing activities for AVSI POLSKA may provide information about a violation of the regulations by anonymous reporting.
4. The person responsible for receiving applications is the President of the Management Board, Mr. Donato Di Gilio. The person responsible for receiving reports keeps separate records of reports in paper or electronic form, protected against access by third parties. The template of the record of reports of infringements is attached **as Appendix No. 10**.
5. Ways of receiving applications:
  - 1) by e-mail - sending to the following address: [digilio@avsipolska.org](mailto:digilio@avsipolska.org)
  - 2) by phone or text message - directly to the number: 608 000 510
  - 3) by mail to the following address: 9/2 Flory Street, Warsaw 00-586,
  - 4) to the person responsible for receiving reports.
6. The application should include:
  - 1) indication of the nature of the infringement,
  - 2) justification of the infringement,
  - 3) date or period during which the infringement occurred.
7. Upon receipt of the report, the President of the Management Board or the person responsible for receiving the reports, within a period of no more than 3 (three) business days from the date of receipt of the report, shall carry out activities aimed at determining the actual circumstances or potential violations of anti-money laundering regulations in order to take further action. A report is prepared from these activities, which includes a detailed description of the report made and the violations of regulations indicated therein, actions taken by the taken by AVSI POLSKA, the identification of the persons involved and their role in the report, and the final findings regarding the information provided in the report.



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8. AVSI POLSKA undertakes follow-up actions on its own to prevent the occurrence of such violations in the future – training, analysis, dissemination of regulations, implementation of other procedures, informing employees and persons performing activities for the attorney-at-law, preventive actions, etc.

**§ 23**

1. The identity of the employee and the person performing activities for AVSI POLSKA is subject to legal protection in accordance with the provisions on the protection of personal data, in particular in accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27.04.2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Journal of Laws of the Republic of Poland). EU L 119, p. 1).
2. AVSI POLSKA undertakes to exercise due diligence in order to maintain the highest degree of confidentiality in the event of disclosure of the identity of the person making the report and the person who is alleged to have committed the violation, including in a situation where the identity of these persons can be determined.
3. Personal data contained in the submitted report are stored for the duration of the explanatory proceeding, and after its completion for the time necessary to remove the consequences of the identified irregularities and hold the persons involved in the identified activities liable, if required by the provisions of generally applicable law, but not shorter than 5 years from the date of reporting to the responsible person.

**§ 24**

1. The liability of the Employee and the person performing activities for AVSI POLSKA due to the breach of legally protected secrecy or infringement of personal rights is excluded. In particular, the application may not constitute:
  - 1) the reasons for the termination of the employment contract with the employee and the person performing activities for AVSI POLSKA,
  - 2) the reasons for termination of a contract concluded on a basis other than an employment contract,
  - 3) the application of penalties against the reporting person,
  - 4) grounds for withdrawing or not granting bonuses, awards, promotions, the granting of which is justified on the basis of  
on the basis of the regulations in force in AVSI POLSKA.
2. AVSI POLSKA protects the Employee and the person performing activities for AVSI POLSKA against repressive actions, discrimination or other types of unfair treatment affecting the deterioration of the legal or factual situation or consisting in making threats, in particular:
  - 1) unacceptable behavior of co-workers,
  - 2) unacceptable behavior of superiors.
3. An employee and a person performing activities for AVSI POLSKA exposed to the activities referred to above are entitled to report cases of such activities to the Inspector General.

**§ 25**

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**Ensure participation in training programs**

1. AVSI POLSKA provides persons performing duties related to counteracting money laundering and terrorist financing in the law firm in training programs related to the performance of these duties, taking into account issues related to the protection of personal data.
2. Training programs should take into account the nature, type and size of activities carried out by AVSI POLSKA and provide up-to-date knowledge in the field of performing the obligations of AVSI POLSKA.

**§ 26**

**Secrecy of information**

1. AVSI POLSKA, its employees and other persons acting on behalf of and for AVSI POLSKA keep secret:
  - 1) the fact of providing the Inspector General or other competent authorities with the information specified in Chapters 7 and 8 of the Act;
  - 2) information on the planning of the initiation and on the conduct of money laundering or financing analysis Terrorism.
2. The obligation to maintain secrecy does not apply to the provision of information in the circumstances referred to in Article 54(2) of the Act, in particular it does not apply to information provided to the client in order for the client to cease to conduct illegal activity or to prevent the client from undertaking such activity.
3. The performance of reporting or information obligations by an attorney-at-law or the attorney-at-law's employees does not result in disciplinary, civil, criminal or other liability specified in separate regulations.

**§ 27**

**Transactions over €15,000**

AVSI POLSKA, among others:

- 1) does not accept deposits and does not make withdrawals of funds with the equivalent of more than EUR 15,000,
  - 2) does not transfer funds with the equivalent of more than EUR 15,000,
- therefore, it is not obliged to provide the Inspector General with information in this regard. Otherwise, Article 72 et seq. of the Civil Code will apply. Act.

**§ 28**

**Notice**

1. AVSI POLSKA notifies the Inspector General of circumstances that may indicate a suspicion of committing a crime of money laundering or terrorist financing.
2. The notification is submitted immediately, but no later than within 2 working days from the date of confirmation of the suspicion.
3. The notification shall include:
  - 1) AVSI POLSKA's customer identification data;
  - 2) the identification data of natural persons, legal persons and organizational units without legal personality, who are not clients of AVSI POLSKA providing the notification;
  - 3) the type and size of property values and the place where they are stored;

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- 4) the number of the account held for the client of AVSI POLSKA providing the notification, identified by an IBAN or an identifier containing a country code, and an account number in the case of accounts without an IBAN;
- 5) information held by AVSI POLSKA in relation to transactions or attempts to carry them out;
- 6) an indication of the country of the European Economic Area with which the transaction is linked, if it was carried out as part of a cross-border activity;
- 7) information held about the identified risk of money laundering or terrorist financing and about the prohibited act from which assets may originate;
- 8) justification for the notification.

**§ 29**

1. At the request of the Inspector General, AVSI POLSKA shall immediately provide or make available free of charge the information or documents necessary for the performance of the Inspector General's tasks specified in the Act, including those concerning:
  - 1) Clients;
  - 2) the type and size of property values and the place where they are stored;
  - 3) financial security measure;
  - 4) IP addresses from which the connection to the AVSI POLSKA ICT system was made and the times of connection with this system.
2. The Inspector General may indicate in the request:
  - 1) the date and form of providing or making available information or documents;
  - 2) the scope of information and the deadline for obtaining it in connection with the application of the financial security measure referred to in Article 34(1)(4) or in connection with certain occasional transactions.
3. The information and documents referred to in paragraphs 1 and 2 shall be provided and made available free of charge.

**§ 30**

1. AVSI POLSKA shall immediately notify the Inspector General, by means of electronic communication, of the event of a reasonable suspicion that a specific transaction or certain assets may be related to money laundering or terrorist financing.
2. In the notification, AVSI POLSKA provides information in its possession related to the suspicion and information about the expected date of the transaction referred to in paragraph 1.
3. The rules for suspending transactions or blocking an account by the Inspector General are set out in Article 86 sections 3 – 13 and Articles 87-88 of the Act.
4. The performance of the obligations referred to in sections 1-2 by AVSI POLSKA does not result in disciplinary, civil, criminal or other liability specified in separate regulations.

**§ 31**

1. AVSI POLSKA shall immediately notify the Inspector General, by means of electronic communication, of a transaction that may be related to money laundering or terrorist financing, if it was impossible to provide the notification before the transaction was carried out. In the AVSI notification

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POLAND shall justify the reasons for the earlier failure to provide the notification and provide information in its possession confirming the suspicion.

2. The performance of the obligations referred to in paragraph 1 by AVSI POLSKA does not give rise to disciplinary, civil, criminal or other liability specified in separate regulations.

**§ 32**

1. AVSI POLSKA shall immediately notify the competent prosecutor of the case of a justified suspicion that the assets which are the subject of the transaction or accumulated on the account originate from an offence other than the offence of money laundering or terrorist financing or from a fiscal offence or are related to an offence other than the offence of money laundering or terrorist financing or a fiscal offence.
2. In the notification, AVSI POLSKA provides information in its possession related to the suspicion and information about the expected date of the transaction.
3. The rules for the suspension of transactions or blocking of an account by the competent prosecutor are set out in Article 89 paragraphs 3 - 8 of the Act.
4. The performance of the obligations referred to in sections 1-2 by AVSI POLSKA does not result in disciplinary, civil, criminal or other liability specified in separate regulations.

**§ 33**

1. AVSI POLSKA shall immediately notify the competent prosecutor of any transaction that may be related to money laundering or terrorist financing, if it was impossible to provide the notification before the transaction was carried out. In the notification, AVSI POLSKA justifies the reasons for the earlier failure to submit the notification and provides information in its possession confirming the suspicion.
2. The performance of the obligations referred to in paragraph 1 by AVSI POLSKA does not give rise to disciplinary, civil, criminal or other liability specified in separate regulations.

**§ 34**

1. In order to perform the obligations referred to in § 28, § 30, § 31, § 32 of the Procedure for the first time, AVSI POLSKA submits an identification form to the Inspector General. In the event of a change in data, AVSI POLSKA will immediately update it.
2. The identification form contains:
  - 1) name (business name) along with the organizational form of AVSI POLSKA;
  - 2) NIP AVSI POLSKA;
  - 3) specify the type of activity carried out by AVSI POLSKA;
  - 4) registered office address or business address;
  - 5) name, surname, position, telephone number and e-mail address of the President of the Management Board or an employee of AVSI POLSKA responsible for the performance of duties under the Act and Procedures;
  - 6) names, surnames, positions, telephone numbers and e-mail addresses of other employees responsible for the implementation of the provisions of the Act, whom AVSI POLSKA wants to indicate for contact with the Inspector General;

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- 7) name (business name) and NIP (Tax Identification Number) or name, surname and PESEL number of the intermediary entity, in the case of using the intermediation of this entity.
3. AVSI POLSKA transmits by means of electronic communication: identification form, notifications information referred to in this Procedure.

**§ 35**

1. The Inspector General accepts reports of actual or potential violations of anti-money laundering and counter-terrorism financing regulations from employees, former employees of AVSI POLSKA or other persons who perform or have performed activities for AVSI POLSKA on a basis other than an employment relationship. Submission of the report does not violate the obligation of professional secrecy.
2. The Inspector General ensures the protection of personal data of persons making a report or persons who are accused of violating anti-money laundering and counter-terrorism financing regulations. Personal data is collected in a separate data set.

**§ 36**

**Specific restrictive measures**

1. AVSI POLSKA applies special restrictive measures against persons and entities indicated for:
  - 1) lists issued by the Inspector General on the basis of United Nations Security Council resolutions issued on the basis of Chapter VII of the United Nations Charter concerning threats to international peace and security caused by terrorist acts, in particular on the lists referred to in paragraph 3 of United Nations Security Council Resolution 2253 (2015) or in paragraph 1 of United Nations Security Council Resolution 1988 (2011) United States,
  - 2) the list of persons and entities against whom special restrictive measures are applied published in the Public Information Bulletin on the subject page of the minister competent for public finances, at:
    - a. <https://www.giif.mofnet.gov.pl/api/web/listysankcyjne/?u=https://scsanctions.un.org/al-qaida/>
    - b. <https://www.giif.mofnet.gov.pl/api/web/listysankcyjne/?u=https://scsanctions.un.org/taliban/>
  - 3) alternatively, other available sanctions lists, consistingof:
  - 1) freezing of assets owned, held, controlled directly and indirectly by persons and entities, as well as benefits derived from such assets, which is understood as preventing their transfer, alteration or use, as well as conducting any operation with the participation of these assets in any way that may result in a change in their size, value, place, ownership, possession, nature, purpose or any other change that can make it possible to benefit from them;
  - 2) not making assets available directly or indirectly to persons and entities, or for their benefit, which is understood in particular as not granting loans, consumer credit or mortgage credit, not making donations, not making payments for goods or services,in accordance with the procedure provided for in Article 119 et seq. Act.



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2. In case of doubts as to the rules for the application of special restrictive measures and sanction lists, AVSI POLSKA may send a relevant question to the dedicated e-mail box: [srodkiograniczajace@mf.gov.pl](mailto:srodkiograniczajace@mf.gov.pl)

**§ 37**

**Final provisions**

1. The procedure comes into force on 14.01.2022.
2. Any changes to the Procedure must be made in writing.
3. In matters not regulated by the Procedure, the provisions of generally applicable law shall apply,



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## List of Annexes to the Procedure

### **Appendix No. 1**

Template of the Declaration of familiarization with the Procedure and obligation to apply it (§ 1 section 6 of the Procedure)

### **Appendix No. 2**

Sample risk assessment template (§ 4 point 1 of the Procedure)

### **Appendix No. 3**

Template of a document containing an assessment of the identified risk related to money laundering and terrorist financing related to business relations or occasional transactions (§ 4 point 3 letter f) of the Procedure)

### **Appendix No. 4**

List of countries and territories that may indicate a high risk of money laundering and terrorist financing (§ 8 section 1 item 10 letter a) of the Procedure)

### **Appendix No. 5**

Template of the statement confirming the identification and verification of the identity of the client, the person authorised to act on their behalf and the beneficial owner (§ 10 section 3 point 2 letter a) of the Procedure)

### **Appendix No. 6**

Template of a document containing the results of ongoing monitoring of the client's business relations (§ 10 section 4 of the Procedure)

### **Appendix No. 7**

Template of the statement on noting discrepancies (§ 16 section 4 of the Procedure)

### **Appendix No. 8**

Template of the declaration on holding a politically exposed position (§ 19 section 1 of the Procedure)

### **Appendix No. 9**

Template of the statement on the processing of personal data (§ 20 section 2 of the Procedure)

### **Appendix No. 10**

Template of the record of reports of infringements (§ 22 section 4 of the Procedure)



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**Appendix No. 1**

**Template of the Declaration of familiarization with the Procedure and commitment to its application**

**STATEMENT**

I, the undersigned..... I declare that:

- 1) I have read the Internal Procedure for Counteracting Money Laundering and Terrorist Financing in force at AVSI POLSKA, I fully understand the provisions of the Internal Procedure, as well as any doubts regarding the Internal Procedure and its application have been clarified,
- 2) I undertake to follow the Internal Procedure,
- 3) I have been informed of the identity of the persons who have been designated to comply with the provisions of the Internal Procedure,
- 4) I will not use the Internal Procedure on my own, not related to the performance of activities for AVSI POLSKA, I will not make the Internal Procedure available to a third party for a fee or free of charge,
- 5) I am aware of the liability (including civil and criminal) related to the unlawful and unauthorized use of the Internal Procedure in violation of the provisions on copyright and related rights and the provisions on combating unfair competition and other provisions of generally applicable law.

.....  
*(date and signature of an AVSI POLSKA  
employee/collaborator)*



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## **Appendix No. 2**

### **Sample assessment template**

AVSI POLSKA identifies and documents the risks of money laundering or terrorist financing identified in the course of business relationships with customers and occasional transactions. The level of risk assessment determines the scope of financial security measures applied to the client.

As a result of the risk assessment, AVSI POLSKA may decide not to establish or terminate existing business relationships with the client or not to carry out transactions.

In the risk assessment, AVSI POLSKA takes into account, in particular, risk factors related to AVSI POLSKA's operations, related to the type of customer, geographical areas, types of products, services, transactions and methods of their distribution. Factors related to the type of customer take into account both the category of customer and the industry in which it operates. In the case of high-risk industries and categories of clients, clients from high-risk countries and politically exposed persons, AVSI POLSKA applies increased financial security measures. These actions are to be proportionate to the nature and size of the obliged institution (Article 27(1) of the Act).

Financial security measures consist in identifying the customer and verifying his identity, identifying the beneficial owner and taking reasonable steps with due diligence to verify his identity and determining the ownership and control structure of the customer, obtaining information on the purpose and nature of the business relationship with the customer, ongoing monitoring of these relationships, including the examination of transactions carried out in order to ensure that that the transactions carried out are consistent with AVSI POLSKA's knowledge of the client and its business profile as well as with the risk, as well as in cases justified by the circumstances - examination of the source of assets and ongoing updating of the documents and information held.

Financial security measures are applied at every stage of cooperation with the client, i.e. when concluding an agreement with the client, during the course of business relations, when conducting an occasional transaction with the client, when there is a suspicion of money laundering or terrorist financing regardless of the value of the transaction, when there is a doubt whether the data about the client is true or complete.

The process of comprehensive analysis of money laundering risk may consist of the following steps:

1. Risk identification, i.e. determining how criminals could use AVSI POLSKA's products, services, IT systems, employees and other resources for illegal activities.
2. Development of an assessment system, i.e. the creation of a point scale, on the basis of which risk assessment will be made and decisions will be made about dealing with a given customer and a specific transaction.

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3. Developing a list of alarm signals that should arouse particular vigilance and change the behaviour towards the customer or transaction in order to prevent money laundering or terrorist financing incidents.

**REMARK!**

Unanimously with Methodology Assessment Risk (Scripture UKNF with  
10 04 2020 Year

[https://www.knf.gov.pl/knf/pl/komponenty/img/Stanowisko\\_UKNF\\_dot\\_oceny\\_ryzyka\\_instytucji\\_obowiazanej.pdf](https://www.knf.gov.pl/knf/pl/komponenty/img/Stanowisko_UKNF_dot_oceny_ryzyka_instytucji_obowiazanej.pdf) The minimum methodological standard to be taken into account in the development of the risk assessment (with some discretion in relation to the methodology used) will include 4 elements:

- 1) inherent risk assessment, i.e. the risk occurring in the absence of action taken to reduce the probability of risk occurrence and/or limit its effects, in relation to each risk factor listed in Article 27(1) of the Act (*e.g. as a table – risk factor and probability of occurrence, e.g. on a scale from 1-5*)
- 2) identification of risk mitigation agents (risk mitigation measures) and assessment of their effectiveness,
- 3) assessment of residual risk, i.e. the risk remaining after the introduction of risk control procedures, mitigation agents and after assessing their effectiveness,
- 4) defining planned actions to manage residual risk (if planned).

**Examples of risk factors**

Risk factors are (for example)

- 1) Customers
  - clients who avoid meeting with a legal advisor, absent from the signing of the contract,
  - unjustified reluctance to present the required information or documents by the Client,
  - clients dealing with e.g. trading in virtual currencies, in the area of: fuel, stones and precious metals, transactions with contractors from outside the European Union, from Africa, stock exchange, art galleries, exchange offices, restaurants and gastronomy,
  - customers generating a lot of cash transactions, coming from unknown entities, from people
- Physical
- 2) Countries or geographical areas
  - countries outside the European Union, Customers outside the European Union
- 3) Products, services, transactions
  - virtual office services,
  - representing the Client in welds other than those related to the subject of the contract,
- 4) Distribution/supply channels
  - Internet
- 5) Internal (regarding AVSI POLAND)
  - high employee turnover, frequent changes in regulations, lack of IT tools supporting counteracting money laundering and terrorist financing

**Ways to mitigate risk**



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External factors: interview with the Client, obtaining documents, receiving statements, Internal factors:

- training employees, regular verification of the application of the Procedure, internal meetings, conversations with colleagues, keeping track of new areas where risk may occur, taking care of GDPR procedures

On this basis, I assess that the risk of money laundering and terrorist financing related to business relationships or occasional transactions is as follows:

- low risk,
- normal risk,
- high risk.

**Final conclusions**

AVSI POLSKA strives to minimize the risk of money laundering and terrorist financing on an ongoing basis. Further actions in this direction are and will be continued.

.....  
**(city and date)**

.....  
**(signature)**



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**Appendix No. 3**

**Template of a sample document containing an assessment of the identified risks related to money laundering and terrorist financing related to business relationships or an occasional transaction**

[.....], on [.....] r.

Example – donation agreement

Type of customer – *a natural person conducting business activity*

Geographical area – *Poland*

Purpose of the account – *not applicable*

Type of products, services and methods of their distribution – *(e.g.) monetary donation agreement*

The level of assets deposited by the client or the value of transactions carried out – ... *PLN (donation value)*

Purpose, regularity or duration of business relationships – *one-off contract*

Other – *none*

\*

|  |                       |
|--|-----------------------|
| <b>Degree of identified risk of money laundering and terrorist financing (circle as appropriate)</b> | low<br>normal<br>high |
|  | * * *                 |

.....  
(date and signature)



#### **Appendix No. 4**

#### **List of countries and territories that may indicate a high risk of money laundering and terrorist financing:**

1. Afghanistan
2. Principality of Andorra
3. Anguilla - Overseas Territory of the United Kingdom of Great Britain and Northern Ireland,
4. Antigua and Barbuda,
5. Aruba - Territory of the Kingdom of the Netherlands,
6. Commonwealth of the Bahamas,
7. Kingdom of Bahrain,
8. Barbados
9. Belize
10. Bermuda - Overseas Territory of the United Kingdom of Great Britain and Northern Ireland,
11. Burma
12. British Virgin Islands - United Kingdom Overseas Territory 13. Great Britain and Northern Ireland,
13. Cook Islands - Self-Governing Associated Territory with New Zealand,
14. Dominica Community,
15. Gibraltar - an overseas territory of the British Crown,
16. Grenada
17. Guernsey/Sark/Alderney - British Crown Dependencies,
18. Hong Kong - Special Administrative Region of the People's Republic of China, Iran,
19. Jersey - a dependent territory of the British Crown,
20. Cayman Islands - Overseas Territory of the United Kingdom of Great Britain and Northern Ireland,
21. Republic of Liberia,
22. Principality of Liechtenstein,
23. Laos
24. Macau - Special Administrative Region of the People's Republic of China,
25. Pakistan
26. Republic of Maldives,
27. Isle of Man - a dependent territory of the British Crown,
28. Republic of the Marshall Islands,
29. Republic of Mauritius,
30. Principality of Monaco
31. Montserrat - Overseas Territory of the United Kingdom of Great Britain and Northern Ireland,
32. Republic of Nauru,
33. Netherlands Antilles - the territory of the Kingdom of the Netherlands,
34. Niue - Self-Governing Associated Territory with New Zealand,
35. Republic of Panama,
36. Independent State of Samoa,
37. Republic of Seychelles,
38. Federation of Saint Christopher and Nevis,
39. Saint Lucia



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40. Saint Vincent and the Grenadines,
41. Kingdom of Tonga,
42. Turks and Caicos Islands - Overseas Territory of the United Kingdom of Great Britain and Northern Ireland,
43. Thailand
44. Turkey
45. U.S. Virgin Islands - U.S. Unincorporated Territory,
46. Republic of Vanuatu.



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**Appendix No. 5**

**Template of the statement confirming the identification and verification of the AVSI POLSKA client, the person authorized to act on his behalf and the beneficial owner.**

**Result of verification of the identity of a customer who is a natural person**

Name and surname .....  
citizenship..... PESEL number or date of  
birth (if there is no PESEL number)..... series and number of the  
document stating the identity of the ..... address of residence - if AVSI  
POLSKA has this information,  
.....  
NIP (Tax Identification Number) and address of the main place of business – in the case of a natural person  
conducting business activity  
.....

*The above was established on the basis of: ID card series and number ..... ,  
Passport series and number..... ,  
Other:.....*

**Result of verification of the identity of a client who is a legal person or an organizational unit without legal personality**

Name (company) ..... Organizational  
form of .....  
Registered office or business address ..... NIP (Tax Identification  
Number), and in the absence of such a number - the countries of registration, the name of the relevant  
register and the number and date of registration .....  
Names and surnames of the person representing the client who is a legal person or an organizational unit  
without legal personality .....  
PESEL number or date of birth – if no PESEL number has been assigned to a person representing a client  
who is a legal person or an organizational unit without legal personality.....

*The above was established on the basis of: ID card series and number ..... ,  
Passport series and number..... ,  
Other:.....*

**The result of the verification of the identity of the person authorized to act on behalf of the client (e.g. an attorney)**



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Full names .....  
Citizenship.....  
PESEL number or date of birth - if no PESEL number has been assigned ..... Country of birth –  
if ..... can be determined  
Series and number of the identity document .....

*The above was established on the basis of: ID card series and number ..... ,  
Passport series and number..... ,  
Other:.....*

**Beneficial owner identification data**

Full names .....  
Citizenship.....

(\* *from 31 October 2021 - if the Attorney-at-Law has information*): PESEL number or date of  
birth - if no PESEL number has been assigned ..... series and number of the document  
confirming the identity of the ..... address of residence  
.....

*The above was established on the basis of: ID card series and number ..... ,  
Passport series and number..... ,  
Other:.....*

.....  
(date and signature AVSI POLSKA)



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**Appendix No. 6**

**Template of a document containing the results of ongoing monitoring of the client's business relations**

[.....], on [.....]

I, the undersigned, [.....] (*name and surname*) I declare that in relation to [.....] (*Client's designation*), I carried out activities constituting ongoing monitoring of the Client's business relations.

In particular, the activities carried out by me constituted the following activities:

- identification and verification of the identity of the client, beneficial owner and person acting on behalf of the client, determination of the ownership and control structure of the client who is a legal person or an organizational unit without legal personality or trust,
- assessing the business relationship and, as appropriate, obtaining information on its purpose and intended nature
- analysis of transactions carried out as part of business relationships in order to ensure that these transactions are consistent with AVSI POLSKA's knowledge of the client, the type and scope of its business and in line with the risk of money laundering and terrorist financing related to this client,
- examination of the source of the assets at the client's disposal - in cases justified by the circumstances,
- ensuring that the documents, data or information held regarding business relationships are updated on an ongoing basis.

Other circumstances justifying the Client's assessment: .....

Information on the circumstances found *tick accordingly*) suspicious transactions that can be considered as made for the purpose of money laundering and terrorist financing.

| Ongoing monitoring of the client's economic relations |  |
|---|--|
| Date of completion of the activity                    |  |
| Information on the identified circumstances           |  |
|   |  |

Low Normal High

|   |                       |
|---|-----------------------|
|   |                       |
| <b>Degree of risk of money<br/>laundering and terrorist financing<br/>(circle as appropriate)</b> | low<br>normal<br>high |

.....  
(signature)

**Appendix No. 7**

**Template of the statement on noting discrepancies**

**1. Method of recording discrepancies between the information collected in the Central Register of Beneficial Owners and the information on the client's beneficial owners determined in connection with the application of the Act (tick or supplement as appropriate);**

- 1) no discrepancies were noted
  - 2) the following discrepancies were observed between the information collected in the Central Register of Beneficial Owners and the information on the client's beneficial owners determined in connection with the application of the Act
- .....
- .....

**REMARK!**

*If the discrepancies are confirmed, AVSI POLSKA submits verified information on these discrepancies to the authority competent for the Central Register of Beneficial Owners (the minister competent for public finances) along with justification and documentation regarding the discrepancies noted (Article 61a(2) of the Act).*

**2. Method of documenting difficulties found in connection with the verification of the identity of the beneficial owner and actions taken in connection with the identification of a natural person holding a senior managerial position as the beneficial owner**

The identity of the beneficial owner was verified at:

*tick the appropriate mark (examples of circumstances, others can be indicated)*

- 1) when establishing business relations with the Client, e.g. signing a contract with the Client
- 2) when carrying out an occasional transaction,
- 3) Other..... Difficulties found in

connection with the verification of the identity of the beneficial owner: tick the appropriate (examples of circumstances, others may be indicated)

- 1) lack of knowledge about the identity of the beneficial owner,
- 2) lack of willingness of the Client to disclose the beneficial owner,
- 3) Other..... Steps taken to

identify the beneficial owner as a natural person: tick as appropriate (examples of circumstances, others may be indicated)

- 1) obtaining a copy from the National Court Register (KRS),
- 2) obtaining a copy from the CRBO (Central Register of Beneficial Owners),
- 3) obtaining a copy or extract from the relevant register of a third country,
- 4) receipt of statements from the Client,
- 5) obtaining information directly from the Client, or from the Client's documents
- 6) Other.....





**Associazione Volontari per il Servizio Internazionale**

..... (date and signature AVSI POLSKA)



Associazione Volontari per il Servizio Internazionale

**Appendix No. 8**  
**Politically Exposed Position Declaration template**

[.....], on [.....]

**Statement**

I, the undersigned [.....] (*name and surname*) I declare that:

- 1) I am/am not\* (*delete as appropriate*) a politically exposed person,
- 2) I am/am not\* (*delete as appropriate*) a person known as a close associate of a politically exposed person,
- 3) I am/am not\* (*delete as appropriate*) a family member of a politically exposed person.

**I am aware of the criminal liability for making a false statement.**

.....  
(*date and signature of the person making the declaration*)

[.....], on [.....] 2021

**Statement**

I, the undersigned [.....] (*name and surname*) I declare

beneficial owner [.....]:

- 1) is/is not\* (*delete as appropriate*) a politically exposed person,
- 2) is/is not\* (*delete as appropriate*) a person known as a close associate of a politically exposed person,
- 3) is/is not\* (*delete as appropriate*) a family member of a politically exposed person.

**I am aware of the criminal liability for making a false statement.**

.....  
(*date and signature of the person making the declaration*)

**If it is determined that the applicant or beneficial owner is a politically exposed person, the source of the Client's assets is indicated:**

**Associazione Volontari per il Servizio Internazionale**

.....  
.....  
(date and signature of the person making the declaration)

**If it is determined that the applicant or beneficial owner is a politically exposed person, the source of the assets at the client's disposal is indicated:**

.....  
.....  
(date and signature of the person making the declaration)

*Excerpt from the Act of 1 March 2018 on Counteracting Money Laundering and Terrorist Financing: Article*

2(2)(11)

*Whenever the Act refers to **politically exposed persons**, it shall be understood, with the exception of groups of middle and lower-level positions, persons holding significant public positions or performing significant public functions, including:*

- a) Heads of State, Heads of Government, Ministers, Deputy Ministers and Secretaries of State,
- b) members of parliament or similar legislative bodies,
- c) members of the governing bodies of political parties,
- d) members of supreme courts, constitutional courts and other high-level judicial bodies whose decisions are not subject to appeal, except in extraordinary procedures;
- e) members of the Courts of Auditors or the Boards of Directors of central banks,
- f) ambassadors, chargés d'affaires and senior officers of the armed forces,
- g) members of administrative, management or supervisory bodies of state-owned enterprises, companies with State Treasury shareholding, in which more than half of the shares or shares belong to the State Treasury or other state legal persons,
- h) directors, deputy directors and members of bodies of international organisations or persons holding equivalent functions in these organisations,
- i) directors-general in the offices of the supreme and central state bodies and directors-general of voivodeship offices,
- j) other persons holding public positions or performing public functions in state bodies or central government administration bodies;

*Article 2(2)(12)*

*Whenever the Act refers to **persons known as close associates of a politically exposed person**, it shall be understood as:*

- a) natural persons who are beneficial owners of legal persons, organizational units without legal personality or trusts jointly with a politically exposed person or maintaining other close relations with such a person related to their business activity,
- b) natural persons who are the sole beneficial owner of legal persons, unincorporated organisational units or trusts, which are known to have been established for the purpose of obtaining a genuine benefit by a politically exposed person;

*Article 2(2)(3)*

*Whenever the Act refers to **family members of a politically exposed person**, it is understood as:*

- a) a spouse or a person cohabiting with a politically exposed person,
- b) the child of a politically exposed person and their spouse or cohabitant,
- c) parents of a politically exposed person;

*Article 2(2)(1):*

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*Whenever the Act refers to a **beneficial owner** – it* means any natural person exercising direct or indirect control over the client through the rights held, which result from legal or factual circumstances, enabling the exertion of a decisive influence on the activities or actions taken by the client, or any natural person on behalf of whom business relations are established or a transaction is carried out occasional, including:

- a) in the case of a legal person other than a company whose securities are admitted to trading on a regulated market subject to disclosure requirements under the laws of the European Union or the corresponding provisions of the law of a third country: – a natural person who is a shareholder or shareholder who has the ownership right to more than 25% of the total number of shares or stocks of that legal person,  
– a natural person holding more than 25% of the total number of votes in the decision-making body of that legal person, also as a pledgee or usufructuary, or on the basis of agreements with other persons entitled to vote,  
– a natural person exercising control over a legal person or legal persons who jointly hold the ownership right to more than 25% of the total number of shares or which jointly hold more than 25% of the total number of votes in the decision-making body of that legal person, also as a pledgee or usufructuary, or on the basis of agreements with other persons entitled to vote,  
– a natural person exercising control over a legal person by holding the rights referred to in [Article 3\(1\)\(37\)](#) of the Accounting Act of 29 September 1994 (Journal of Laws of 2021, item 217), or  
– a natural person holding a senior managerial position in the event of documented inability to determine or doubts as to the identity of the natural persons referred to in the first to fourth indents and in the event of no suspicion of money laundering or terrorist financing,
- b) In the case of a trust:
- Founder
  - Trustee
  - supervisor, if appointed,
  - the beneficiary or, where the natural persons benefiting from the trust have not yet been identified, the group of persons in whose principal interest the trust was established or operates;
  - another person exercising control over the trust,
  - another natural person with powers or performing duties equivalent to those specified in the first to fifth indents,
- c) in the case of a natural person conducting business activity, in respect of whom no premises or circumstances have been found that may indicate the fact that another natural person or natural persons exercise control over him/her, it is assumed that such a natural person is at the same time the beneficial owner;

**Appendix No. 9**  
**Template of the statement on the processing of personal data**

**Information on the processing of personal data, in particular on the obligations resulting from the Act of 1 March 2018 on Counteracting Money Laundering and Terrorist Financing with regard to the processing of this data**

Please be advised that your data will be processed for the purpose of verifying and confirming your identity, as well as recognizing the risk of money laundering and terrorist financing related to business relations or occasional transactions and in connection with the obligation to apply financial security measures to AVSI POLSKA customers.

Data processing is carried out on the basis of the Act of 1 March 2018 on Counteracting Money Laundering and Terrorist Financing (Journal of Laws of 2021, item 1132, as amended), in accordance with Article 6(1)(c) of the GDPR<sup>2</sup>.

You have the right to request access, update, restriction of processing, deletion, transfer to another administrator and object to further data processing, unless otherwise provided by law.

The data may be made available to entities that are authorized to do so under the law and to entities to which the administrator has entrusted the data in order to properly perform the services for the purpose and to the extent necessary for these activities.

You have the right to lodge a complaint about the manner of data processing to the President of the Office for Personal Data Protection.

The data will be processed for a period of 5 (five) full calendar years, counting from the end of the calendar year in which they were obtained.

Explanations in matters related to personal data are provided by you    (*name and surname*).

.....  
.....  
(*date, signature AVSI POLSKA*)

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<sup>2</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation). EU L 119 of 04.05.2016, p. 1).



**Appendix No. 10**  
**Other findings, final conclusions**

| Nr | Event date/period | How to receive your report | Findings included in the notification | Date of the event or period covered by the report | Follow-up reporting | Other findings, final conclusions |
|----|-------------------|----------------------------|---------------------------------------|---|---------------------|-----------------------------------|
|    |                   |                            |                                       |   |                     |                                   |
|    |                   |                            |                                       |   |                     |                                   |
|    |                   |                            |                                       |   |                     |                                   |
|    |                   |                            |                                       |   |                     |                                   |