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Teema: Küllus OÜ - KYC/AML/CTF procedure clarifying question

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To: Financial Intelligence Unit of Republic of Estonia

Inquiry

Dear representatives of the Financial Intelligence Unit of Republic of Estonia

I am reaching out with an inquiry on behalf of our company, Küllus OÜ, reg nr. 10526186, VAT ID EE100199280, engaged in ship agency services (type of activity of business Tegevusala: Muud veetransporti teenindavad tegevusalad, EMTAK kood: 52229 (EMTAK 2008), NACE kood 52)
). Specifically, we provide services for vessels arriving in the territory of Estonia.

We would like to seek clarification regarding KYC/AML/CTF procedures in our industry, considering that we are not a financial institution and not a bank and not financial advisors.

In connection with this, we kindly request clarification on the following questions:

1. Are we obligated to conduct KYC/AML/CTF procedures for our shipowner clients, given that we do not provide financial services but engage in ship agency, providing services for vessels arriving in Estonia?

2. If the answer to the first question is affirmative, to what extent should these procedures be conducted, considering the specifics of our activities?

3. We are considering the possibility of using company checks against the FATF, OMFC, and EU sanctions lists. Is this sufficient to comply with KYC/AML requirements?

Currently, we conduct checks on shipowners and vessels using the following sources:
- Checking the country of the shipowner's company against the FATF blacklist (https://www.fatf-gafi.org/en/countries.html).
- Checking the company and cargo on the vessel for sanctions imposed by Estonia, the EU, and the United States using the following links:
  * *Rahvusvahelise sanktsiooni seadus* https://www.riigiteataja.ee/akt/108032022003
  * *Regulation (EU) No. 833/2014* https://eur-lex.europa.eu/legal-content/En/TXT/HTML/?uri=CELEX:02014R0833-20230624
  * *OFAC, Sanctions List Search* https://sanctionssearch.ofac.treas.gov/
  * *OFAC Sanctions Lists* https://ofac.treasury.gov/ofac-sanctions-lists

* *Specially Designated Nationals and Blocked Persons List (SDN)* https://ofac.treasury.gov/specially-designated-nationals-and-blocked-persons-list-sdn-human-readable-lists
* *Other OFAC Sanctions Lists* https://ofac.treasury.gov/other-ofac-sanctions-lists

We appreciate your attention to this inquiry and look forward to your recommendations.

Best Regards,

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