Saatja: RAB rahapesu <info@fiu.ee>
Saadetud: 22.05.2023 16:20
Adressaat: Tamar <tamar@lexlaw.ee>
Teema: Answer to Your 21.04.2023 information request
Manused: image002.png

Dear Tamar Gvarishvili,

In response to your recent query to Estonian FIU about the certificate of the criminal records database, we explain the following.

The Money Laundering and Terrorist Financing Prevention Act (the Act) § 70 section 3 subsection 8 stipulates that where the undertaking, a member of its management body, procurator, beneficial owner or owner is a foreign national or where the undertaking is a foreign service provider, a certificate of the criminal records database or an equivalent document issued by a competent judicial or administrative body of its country of origin, which certifies the absence of a penalty for an offence against the authority of the state or a money laundering offence or another intentionally committed criminal offence and has been issued no more than three months ago and has been authenticated by a notary or certified in accordance with an equivalent procedure and legalised or certified with a certificate replacing legalisation (apostille), unless otherwise provided by an international agreement.

According to the EU regulation 2016/1191 of the European Parliament and the Council the criminal record of the citizens of the EU does not have to be apostilled. Estonia accepts criminal records accompanied with multilingual standard form issued by the EU member states' public institution without the apostille.

Hopefully the above explanations were helpful.

Kind Regards,

Lingi tud pilti ei...

Rahapesu andmebüroo | Estonian Financial Intelligence Unit
Pronksi 12, Tallinn | www.fiu.ee

From: Tamar <tamar@lexlaw.ee>
Sent: Friday, April 21, 2023 1:53 PM
To: RAB rahapesu <info@fiu.ee>
Subject: Criminal record

Hello,

I would like to ask if a criminal record accompanied with multilingual standard form issued by the foreign public institution in EU for its citizen will be accepted instead of the apostilled document for the

licensing purposes.
In other words, does “unless otherwise provided by an international agreement” in art. 70(8) of Money Laundering and Terrorist Financing Prevention Act include EU Regulation 2016/1191 on Public Documents?

Regards,

Tamar Gvarishvili

Legal Intern
+372 5885 7554
tamar@lexlaw.ee
www.lexlaw.ee

Lingitud pilti ei saa kuvada. Võimalik, et fail on teisaldatud, ümber nimetatud või kustutatud. Veenduge, et link viitaks õigele failile või asukohale.