

AML CTF Questionnaire - FDJ

N°	Question	Article ref.	Answer	Comment
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I. Risk assessment

<i>Has your organisation established a risk classification covering :</i>				
I.1	-All products, services or means of payment?	L561-4-1 CMF	Yes	
I.2	-The particular conditions of all transactions (nature, complexity)?	L561-4-1 CMF	Yes	
I.3	-All distribution channels used?	L561-4-1 CMF	Yes	
I.4	-The characteristics of all customers?	L561-4-1 CMF	Yes	
I.5	-All countries or the regions of origin or destination of funds?	L561-4-1 CMF	Yes	
I.6	Has your organisation included terrorist financing risk factors in its risk classification?	L561-4-1 CMF	Yes	
I.7	Do your organisation's prior approval procedures for new products include an assessment of money laundering and terrorist financing risks?		Yes	
I.8	In your most recent financial year, did any internal or external events affect your organisation's exposure to ML/TF risks and prompt an update of your risk classification?	L561-4-1 CMF	Yes	
I.9	Specify the date of the last update of the risk classification.		dec-21	

II. Organisation of the AML/CFT system

Organisation and governance				
<i>Does your organisation have a system for combating money laundering and the financing of terrorism that includes :</i>				
II.1	-The appointment within its management body of a person in charge of implementing the system for assessing and managing money laundering and terrorist financing risks as specified in Article L561-32 of the Monetary and Financial Code (CMF)?	L561-32 CMF	Yes	
II.2	-The appointment of one or more reporting officers tasked with submitting suspicious transaction reports to Tracfin?	R561-23 CMF	Yes	
II.3	-The appointment of one or more correspondents in charge of responding to Tracfin requests?	R561-24 CMF	Yes	
II.4	Have the identities of the reporting officers and Tracfin correspondents appointment by your organisation been communicated in writing to the authority designated in Article L561-36 of the CMF?	R561-23 and R561-24 CMF	Yes	
II.5	Is the organisation of the AML/CFT system based on the existence of a department dedicated to combating money laundering and terrorist	L561-32 CMF	Yes	

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II.6	Does your organisation ensure that changes in the applicable AML/CFT regulations are identified and taken into account?		Yes	
<i>Does your organisation centralise or coordinate:</i>				
II.7	-The analysis of detected anomalies?		Yes	
II.8	-The implementation of reporting obligations?		Yes	
II.9	-Responses to judicial or administrative requests and to the rights of communication exercised by		Yes	
AML/CFT procedures				
<i>Does your organisation have internal AML/CFT procedures in place covering :</i>				
II.10	-All of your organisation's activities exposed to ML/TF risks?	L561-32, I CMF	Yes	
II.11	-All applicable AML/CFT obligations?	L561-32, I CMF	Yes	
II.12	-The methods and procedures for identifying and knowing customers?		Yes	
II.13	-The methods and procedures for detecting unusual or suspicious transactions?		Yes	
II.14	-The methods and procedures for implementing Tracfin reporting requirements?		Yes	
II.15	-The methods and procedures for storing collected information and supporting documents?		Yes	
II.16	Are the AML/CFT procedures regularly updated?		Yes	
II.17	Specify the date of the last update of the AML/CFT procedures.		mar-22	
Information and training				
<i>Does your organisation train and regularly inform people acting in its name and on its behalf by providing :</i>				
II.18	-Content adapted to the activities of these persons and their exposure to money-laundering and terrorist-financing risks?	L561-34 CMF	Yes	
II.19	-A procedure for assessing staff knowledge of anti-money laundering?		Yes	

III. Internal control of the AML/CFT system

Permanent control				
III.1	Does your organisation have a control system for verifying compliance with internal AML/CFT procedures?	L561-32,II and R561-38-3, R561-38-8 CMF	Yes	
<i>In particular, does the permanent control check the due diligence performed as part of :</i>				
III.2	-Business relationships identified as at risk?		Yes	
III.3	-Products, services or distribution channels considered as high risk?		Yes	
<i>Does the permanent control ensure:</i>				
III.4	-The updating of KYC items at a frequency appropriate to the risks?		Yes	
III.5	-The diligent handling of ML/TF alerts?		Yes	

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III.6	-Due diligence relative to reporting?		Yes	
Periodic control				
<i>Does the periodic control specifically check :</i>				
III.7	-The relevance of the classification of ML/TF risks developed by your organisation?	L561-32,II CMF	Yes	
III.8	-The consistency of the classification with AML/CFT procedures?		Yes	
III.9	-The effectiveness of the system for detecting and analysing unusual transactions, including the relevance of significance thresholds and criteria?		Yes	
III.10	-That transactions that should give rise to a suspicious transaction report are detected and reported to Tracfin?		Yes	
AML/CFT outsourcing				
III.11	Does your organisation use service providers to carry out operational activities related to AML/CFT obligations on its behalf?		Yes	
III.12	If yes, please specify.	FDJ uses service providers located in France in connection with obligations related to the identification and verification of customers' identity.		
III.13	Does your organisation check that its AML/CFT procedures are effectively implemented by the provider?		Yes	

IV. Group approach

IV.1	Is your organisation a parent company of a group within the meaning of Article L561.33 of the CMF?	L561-33 CMF	Yes	
IV.2	Has your organisation appointed a person at the group level to be in charge of implementing the AML/CFT system?	L561-32 CMF	Yes	
IV.3	Does the person in charge of implementing the group system ensure that the group entities apply the procedures defined by the parent company in a consistent manner?	L561-32 CMF	Yes	
IV.4	Does the person in charge of implementing the group system ensure that measures at least equivalent to those in force in France are applied in relation to customer due diligence, information sharing and storing, and data protection in its branches and subsidiaries located in the EU, EEA or third countries?	L561-33, II, 1° CMF	Yes	

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V. Due diligence measures adapted to ML/TF risks and the detection of suspicious transactions

Customer identification obligations				
<i>As part of the business relationship, does your system provide for :</i>				
V.1	-The identification of the natural person customer and the verification of his/her identity?	L561-5 and L561-5-1 CMF	Yes	
V.2	-The verification of the identity of the natural person customer on presentation of a valid official identity document?	R561-5-1 CMF	Yes	
V.3	-The elaboration of a profile of the business relationship?	L561-32, I CMF	Yes	
V.4	-The collection of information on the professional, economic and financial situation of the customer according to the risks involved in the business relationship?	L561-5-1 CMF	Yes	
V.5	Does your organisation plan to verify the identity of the customer at the time of registration or within 30 days?	L561-5 CMF	Yes	
V.6	If it were not possible to verify the identity of the customer, would your organisation refrain from entering into the business relationship?	L561-8 CMF	Yes	
<i>For occasional customers, does your system provide for:</i>				
V.7	-The identification and verification of the identity of the natural person customer betting or winning sums greater than €2,000 per transaction?	L561-5, II and R561-10, 6° bis CMF	Yes	
V.8	-The identification and verification of the identity of the natural person customer where a suspicion of money laundering exists ?	L561-5, II CMF	Yes	
V.9	-The verification of the identity of the customer on presentation of a valid official identity document?	L561-5 CMF	Yes	
Politically exposed persons				
<i>Does your system allow for the detection of politically exposed persons:</i>				
V.10	-When entering into a business relationship?	L561-10, 1° and R561-20-2, 1° CMF	Yes	
V.11	-During the business relationship?	L561-10, 1° and R561-20-2, 1° CMF	Yes	
V.12	Does your system provide for the authorisation to enter into a business relationship with a person referred to in 1° of Article L561-10 of the CMF to be given by a member of the executive body or any person authorised to do so by the executive body?	L561-10, 1° and R561-20-2, 1° CMF	Yes	
V.13	Does the system provide for your organisation to find out the origin of the PEPs' funds?	L561-10, 1° and R561-20-2, 2° CMF	Yes	

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Supplementary due diligence measures				
V.14	Does your system provide for supplementary due diligence measures to be implemented when the business relationship or transaction falls within one of the cases mentioned in L561-10 of the CMF?	L561-10 CMF	Yes	
Enhanced due diligence measures				
V.15	Does your system provide for the application of enhanced due diligence measures for high ML/TF risks other than those foreseen by the AML/CFT	L561-4-1 CMF	Yes	
V.16	Does your system provide for the implementation of appropriate due diligence measures in situations where Tracfin designates high-risk transactions or customers?	L561-26 CMF	Yes	
V.17	Did Tracfin identify any high-risk transactions or customers in your organisation in the last financial year?	L561-26 CMF	Yes	
System for monitoring transactions				
V.18	Does your organisation have automated tools to detect unusual or suspicious transactions?		Yes	
Enhanced review				
V.19	In the context of enhanced reviews, do the procedures provide for enquiries about the origin of funds?		Yes	

VI. Reporting obligations

VI.1	Does your system provide for a suspicious transaction report to be filed in the event of sums or transactions that you know, suspect or have good reason to suspect originate from an offence punishable by a prison sentence of more than one year or are linked to terrorist financing?	L561-15, I CMF	Yes	
VI.2	Does your system provide for a suspicious transaction report to be filed in the event of sums or transactions that you know, suspect or have good reason to suspect are the result of tax fraud?	L561-15,II CMF	Yes	
VI.3	Does your system provide for an analysis of the need to file a suspicious transaction report when the business relationship is terminated under the conditions of Article L561-8, I of the CMF?	L561-8, I and L561-15 CMF	Yes	
VI.4	Is information that could invalidate, confirm or modify the information contained in a suspicious transaction report brought to the attention of Tracfin in an appropriate and timely manner in each	L561-15, IV CMF	Yes	
VI.5	Do your procedures contain provisions on the confidentiality of the existence, content and follow-up of a suspicious transaction report?	L561-18 CMF	Yes	

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VII. Asset freezing and restrictive measures

<i>Do you have an effective and appropriate system for detecting persons subject to an asset freeze order :</i>				
VII.1	-When entering into a business relationship?	L562-2, L562-3, L562-3-1 and L713-16 CMF	Yes	
VII.2	-During the business relationship?	L562-2, L562-3, L562-3-1 and L713-16 CMF	Yes	
VII.3	Does your system enable the implementation of asset-freeze measures as soon as they come into force by blocking the execution of transactions prohibited by the measures?	R562-1 CMF	Yes	
VII.4	If your organisation has an automated detection tool, does it take into account spelling variations in the first and last names of people on the European and national freeze lists?	R562-1 CMF	Yes	
<i>Does your organisation have a procedure for the implementation of national and European asset freezing measures notably providing for :</i>				
VII.5	-The processing of transactions or the business relationship with a person or entity subject to a freeze order?	R562-3 CMF	Yes	
VII.6	-The steps to be taken for processing alerts, including homonyms?	R562-3 CMF	Yes	
VII.7	Does your organisation immediately inform the Directorate General of the French Treasury of funds or economic resources held or received on behalf of persons or entities subject to a freeze order and of any action to implement a freeze order?	R562-3 CMF	Yes	