



REPUBLIC OF SLOVENIA
MINISTRY OF FINANCE
**OFFICE FOR MONEY LAUNDERING
PREVENTION**
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**DATA FROM THE REPORT ON ACTIVITIES OF THE
OFFICE FOR MONEY LAUNDERING PREVENTION OF
THE REPUBLIC OF SLOVENIA FOR THE YEAR 2011**

Ljubljana, October 2011

1 PREAMBLE

The Act on the Prevention of Money Laundering and Terrorist Financing (Official Gazette of the Republic of Slovenia No. 60/07, 19/10 and 77/11 - hereinafter: APMMLFT) in its Article 72 stipulates that the Office for Money Laundering Prevention (hereinafter: OMLP) shall submit to the Government of the Republic of Slovenia a report on its activities at least once annually.

The report on the activities of the OMLP for the year 2011 has been already the sixteenth report to the Government and refers to the period from 1 January 2011 until 31 December 2011. The stated period has been shown separately regarding statistical and other numerical data; to allow for year-by-year comparison also certain data from previous years has been stated in the report and its attachments.

By the implementation of the preventive acts on the prevention of money laundering and terrorist financing¹ and the establishment of the offices for money laundering prevention almost 20 years ago, the system of detection of money laundering has intended a special role also to the obliged entities (financial and non-financial institutions) and afore mentioned offices as well. The international expression for those offices is “Financial Intelligence Unit – FIU”, meaning that one of its duties is also sending financial and other intelligence to the competent authorities. This duty has been stipulated by the definition of the Financial Action Task Force (FATF)², according to which the office for money laundering prevention is the “**central state authority for receiving, analyzing and informing competent authorities on suspicious transactions and other available data on money laundering or terrorist financing**”.

The FIUs can be administrative, police, judicial/court and hybrid types, the majority of them is administrative. Almost half of the FIUs from EU member states are administrative FIUs. Slovenia has also decided for the administrative type of the FIU, which does not have police competences, but has a special role at detection and prevention³ of money laundering and terrorist financing. The advantage of such FIUs is also the possibility to develop trust and cooperation of the FIU with financial institutions, especially banks. Namely, the OMLP is the administrative office within the Ministry of Finance and acts as a clearing house between the financial institutions and law enforcement authorities. Within its competences, OMLP analyses suspicious transactions sent by the obliged entities and if it establishes the reasons for the suspicion of money laundering, terrorist financing or other criminal offences, it forwards gathered data as notification or information to the competent authorities (Police,

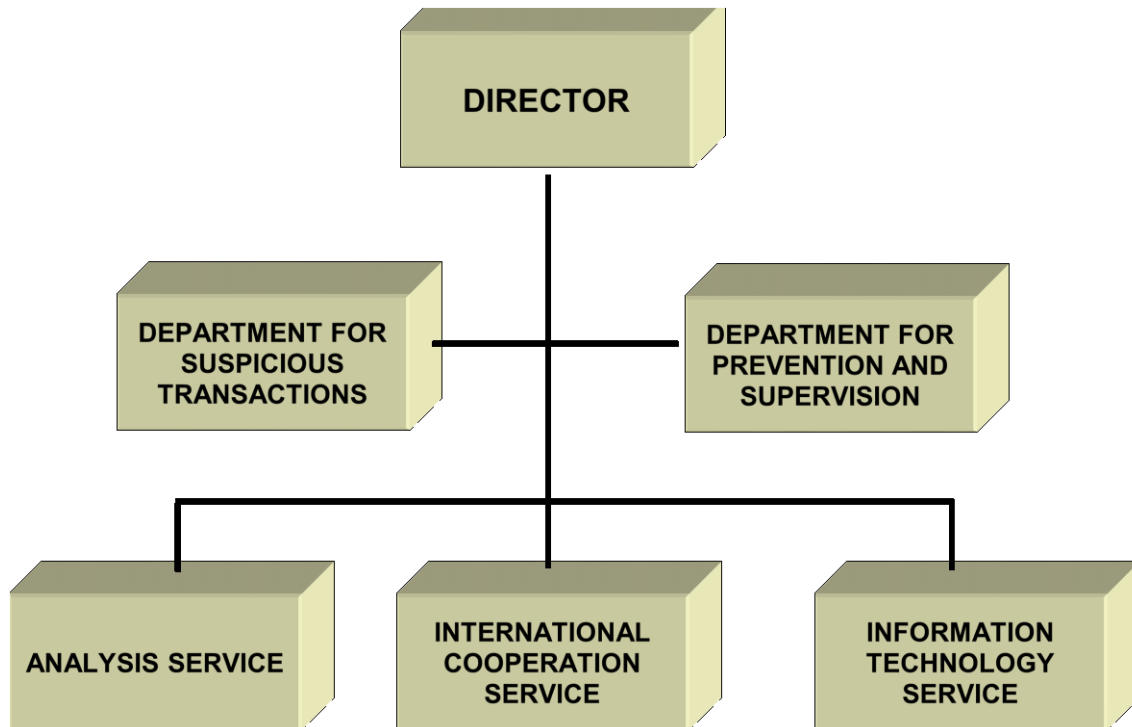
¹ The criminal offence of money laundering has been in our national legislation legalized in the Criminal Code from the year 1995. On the same year, the first Act on the Prevention of Money Laundering came into force and the Office for Money Laundering Prevention was established.

² Financial Action Task Force is the leading international body for the fight against money laundering and terrorist financing, which places the international standards in this field (40 FATF Recommendations + 9 Special FATF Recommendations). It works under the cover of OECD, but it is not its body. Slovenia has not been the member of this group due to the strategic decision of FATF that only rare countries can become its permanent members (taking into account the biggest possible size of FATF, proportionate representation of the member states and importance or strength of the particular economy).

³ Duties of OMLP, referring to the prevention of money laundering and terrorist financing are proposing the competent authorities changes and amendments to regulations, participating at drawing up the guidelines for obliged entities, participating in drawing up the list of indicators for recognizing the suspicious transactions, participating in professional training of the staff of obliged entities, recognizing the typologies and trends of money laundering and terrorist financing.

State Prosecutor Office) for further investigation. With regards to the notifications of OMLP is necessary to point out, that these are intelligence data containing sensitive financial data, and not criminal reports in the sense of the Criminal Procedure Act.

The organizational chart of the OMLP is as follows:



2 ACTIVITIES OF THE OMLP IN THE FIELD OF CASH TRANSACTIONS

The OMLP receives from organizations, which are obliged entities according to the Article 4 of the APMLTF (hereinafter: organizations) data on all cash transactions exceeding 30.000 EUR and from Customs data on transfers of cash exceeding 10.000 EUR when crossing the Slovenian part of the EU border, according to the Regulation of the European Parliament and Council on Cash Movements entering or leaving EU.

2.1 Cash transactions exceeding 30.000 EUR

In the year 2011, the OMLP received reports on **16.793 cash transactions** exceeding 30.000 EUR, which was 9,4% more than in the year 2010. The total value of all transactions was **1.310.187.305 EUR** (in the year 2010 the total value was 1.197.785.163 EUR). Among all cash transaction reports, 64,5% of transactions were performed for natural persons, 34,5% for domestic legal persons and persons performing their own activities (sole traders) and 2% for foreign legal persons.

The detailed review of the number of cash transactions can be found in the Table 1.

Table 1: Number and share of cash transactions exceeding 30.000 EUR in the period 2010-2011 by reporters

<i>Organizations</i>	<i>2010</i>		<i>2011</i>		
	<i>Number</i>	<i>Share</i>	<i>Number</i>	<i>Share</i>	<i>Index</i>
<i>Banks</i>	13.494	87,6 %	17.475	87,8%	109
<i>Post Office</i>	811	5,3 %	877	5,2%	108
<i>Gaming houses</i>	726	4,7 %	805	4,8%	111
<i>Savings banks</i>	247	1,6 %	276	1,6%	112
<i>Gaming Saloons</i>	130	0,8 %	87	0,5%	67
<i>Savings and Credit houses</i>	3	0,019 %	3	0,02%	100
<i>Exchange offices</i>	1	0,006%	0	0%	0
TOTAL CASH TRANSACTIONS	15.412	100,00 %	16.793	100,0%	109

2.2 Transfers of cash exceeding 10.000 EUR across the EU border

As stipulated by the Article 73 of the APMLFT, Customs authorities are obliged to report to OMLP, at the latest within three days, the data on any declared import or export of cash amounting to or exceeding 10.000 EUR when entering or leaving EU.

In the year 2011, there were **177 of cash transfers TO Community**, which was 6,8% less than in the year 2010 and **90 of cash transfers FROM Community**, which was 34,3% more than in the year 2010. 94,4% of cash transfers TO Community referred to the natural persons, 3,4% to domestic legal persons and 2,3% to foreign legal persons. On the other hand, 94,4% of cash transfers FROM Community referred to the natural persons, 2,2% for domestic legal persons and 3,3% for foreign legal persons. 252 cash transfers were performed for natural persons, which was 2% more than in the year 2010.

In the year 2011 (in comparison with the year 2010), the number of discovered violations of the obligation to report cash transfers across the EU border increased for 8 transfers, which means for 73%. In the year 2010 the number of discovered violations was 11, **in the year 2011 this number was 19**. Among all discovered non-reported cash transfers, there were 10 transfers TO Community and 9 transfers FROM Community. All non-reported transfers (with the exception of one transfer TO Community) were performed for natural persons.

3 ACTIVITIES OF THE OMLP IN THE FIELD OF SUSPICIOUS TRANSACTIONS

The OMLP receives from organizations, which are obliged entities according to Article 4 of the APMLTF (organizations from the Paragraph 1, Article 4 of the APMLFT, lawyers, law firms and notaries from Paragraph 2, Article 4 of the APMLFT) data on suspicious transactions regardless the amount and data on persons, whereby the reasons for the suspicion on money laundering and terrorist financing activity are raised. On the basis of Article 60 of the APMLTF, the OMLP can also start investigations in certain cases on the basis of the initiatives of the state and supervisory authorities stated in those articles and on the basis of the

discovered facts of the Central Securities Clearing Corporation and stock exchange as stipulated by the Article 74 of the APMLFT and supervisory authorities from the Article 89 of the APMLFT.

In addition the OMLP receives, on the basis of Articles 64 and 65 of the APMLFT and a condition of the actual reciprocity, certain data from its foreign counterparts and checks its database of cash transactions and transfers of cash across EU borders, that can also be used as the basis to start gathering of data on suspicious transactions, assets and persons.

Paragraph 2 of Article 53 of the APMLFT stipulates that OMLP receives, collects, analyses and forwards data, information and documentation obtained on the basis of the APMLFT, and authorizes the OMLP in its Articles 61 and 62 to inform competent authorities if it considers that in connection with a transaction or person there are grounds to suspect money laundering, terrorist financing or other criminal offences, stated in the Article 62.

3.1 Cases with the reasons for the suspicion on money laundering and terrorist financing

According to the provisions of the APMLFT, the OMLP **opened 327 new cases in the year 2011 (40% more than in the year 2010)** . In 323 cases appeared some reasons for the suspicion on committing the criminal offence of money laundering according to the Article 245 of the Criminal Code and in 4 cases a suspicion on committing the criminal offence of terrorist financing has been raised according to Article 109 of the Criminal Code.

3.1.1.1 Reporters

Detailed data on reporters of suspicious transactions and persons, on the basis of which the OMLP opened and investigated particular cases in the year 2011, can be seen in the Table 4 (together with comparative data for the period from 2006 until 2011). The table contains only reporters, explicitly determined by the APMLTF, as the OMLP could start the investigation of the certain case and use its authorizations only on the basis of the provisions of Article 53.

Table 2: Number and share of cases by reporters in the period from 2006 - 2011

REPORTERS	2006	2007	2008	2009	2010	2011
1. SUSPICIOUS TRANSACTIONS ACCORDING TO THE ARTICLE 38 OF APMLTF	127	164	193	160	176	260
	77,90%	85,40%	77,82%	80,40%	75,54%	79,51%
Banks	123	157	175	151	164	238
Savings banks	2	5	13	4	5	7
Post Office	2	2	2	2	1	4
Brokerage companies and management companies of investment funds			1		1	1
Leasing					1	1
Auditors and accountants			2		1	
Organizers of the games of chance				3		1
Dealers with precious stones					2	8

Real Estate Agencies					1	
2. REPORTING ACCORDING TO THE ARTICLE 49 OF APMLTF	0	1	2	3	2	2
	0,00%	0,50%	0,81%	1,51%	0,86%	0,61%
Notaries		1			1	
Lawyers			2	3	1	2
3. INITIATIVES ACCORDING TO THE ARTICLE 60 OF APML	16	7	13	23	24	28
	9,80%	3,60%	5,24%	11,56%	10,30%	8,56%
Ministry of Interior, Criminal Police Directorate	10	5	8	15	18	17
State Prosecutor`s Office	4		1		2	2
Court						3
Ministry of Finance, Customs Administration Office	2		4	2	1	1
Commission for the Prevention of Corruption		2		1	3	3
Slovenian Intelligence and Security Agency				5		2
4. REPORTING ACCORDING TO THE ARTICLE 89 of APMLTF	2	3	3	0	6	4
	1,20%	1,60%	1,21%	0,00%	2,58%	1,22%
Securities Market Agency			1			
Ministry of Finance, Tax Office	2	3	2		2	1
Market Inspectorate					1	2
Bank of Slovenia					3	1
5. EXCLUDED BY THE OFFICE FROM CASH TRANSACTIONS	8	6	27	3	4	17
	4,85%	3,10%	10,89%	1,51%	1,72%	5,20%
6. FOREIGN COUNTERPARTS	12	11	10	10	21	16
	7,27%	5,70%	4,03%	5,03%	9,01%	4,89%
TOTAL	165	192	248	199	233	327

In this table can be seen that in the year 2011, **the organizations from the Paragraph 1, Article 4 of APMLFT (among them especially banks) sent to the OMLP the majority of suspicious transaction reports** on the basis of Article 38 of the APMLFT. Every year (including 2011), the banks forward to the OMLP the highest number of suspicious transactions. Namely, in the year 2011, 238 transactions (from all 327 opened cases) were sent to the OMLP by the banks, which represents 72,78% of all reports. In the year 2011, some suspicious transaction reports were also received from the dealers with the precious stones.

3.1.2. Number and dynamics of opened and concluded cases

In the Table 3 you can find the number of opened and concluded cases in the period from 2006 until 2011, which were investigated by the OMLP due to the reasons for the suspicion on committing the criminal offences of money laundering and terrorist financing.

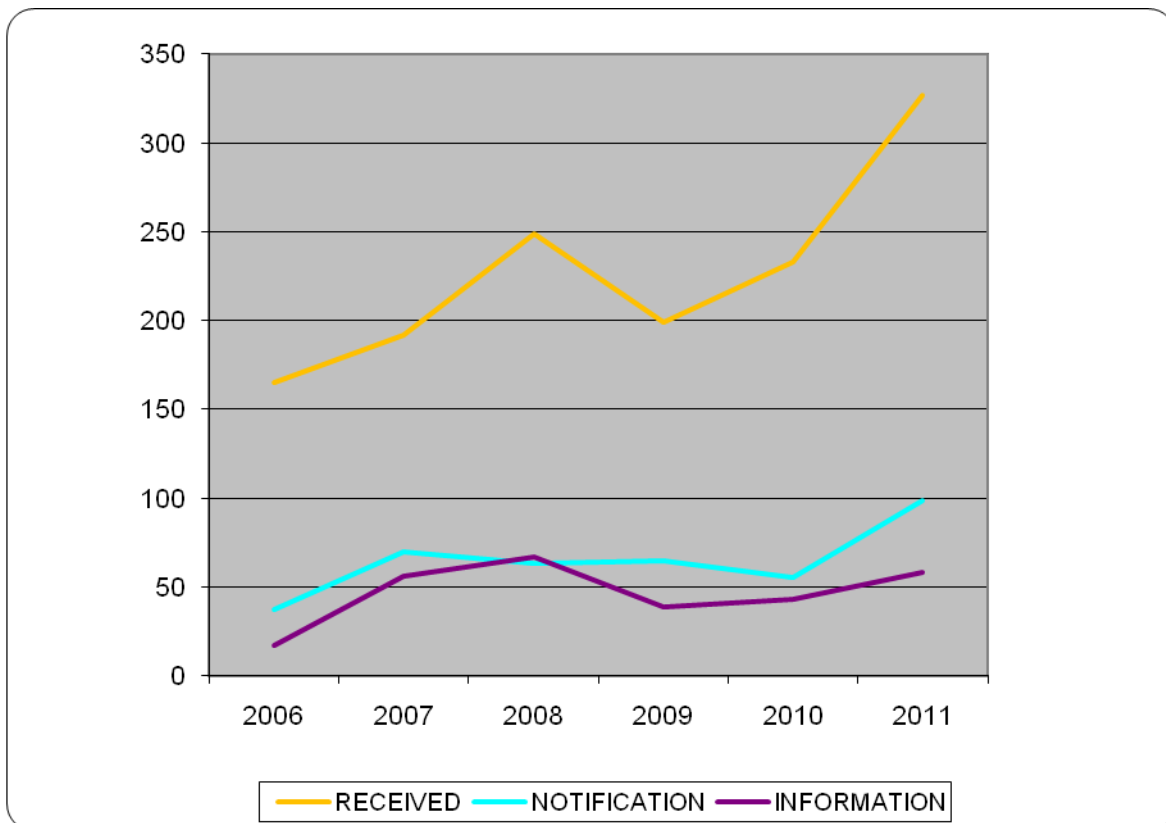
Table 3: Opened and concluded cases for the period from 2006 until 2011

<i>YEAR</i>	<i>Opened</i>	<i>Notification</i>	<i>Information</i>	<i>AA in OMLP</i>	<i>Concluded TOTAL</i>
2006	165	37	17	51	105
2007	192	70	56	59	185
2008	248	63	67	61	191
2009	199	65	39	111	215
2010	233	55	43	109	207
2011	327	99	58	99	256
TOTAL	1364	389	265	500	1110

From the Table 3 can be seen, that **in the year 2011 the OMLP opened 327 new cases and concluded 256 cases, out of which it sent 157 cases to the competent authorities: 99 cases were sent as written notifications to the competent law enforcement authorities (Police/State Prosecutor Office) due to the reasons for the suspicion of money laundering and 58 cases were sent as information to the Tax Office due to the suspicions on committing the other criminal offences.**

In Graph 1 you can find the data on number of received cases (by years) in relation to the number of concluded cases (sent notifications and information on suspicious transactions) for the period from the year 2006 until 2011.

Graph 1: Number of all received and concluded cases and sent notifications and information on suspicious transactions for the period 2006 - 2011



It can be seen, that the number of received cases increased from the year 2006 until 2008. In the year 2009, the number of received cases decreased from 248 opened cases (year 2008) to 199 in the year 2009, but **in the years 2010 and 2011 the number of new cases increased by 40%, namely from 233 to 327 cases.** Below in the report you will find data on cases, sent as notifications and information to the competent authorities for further proceedings.

3.1.3. Cases, forwarded to the Criminal Police Directorate of the Ministry of Interior and/or State Prosecutor`s Office due to the suspicion of money laundering according to the Article 245 of the Penal Code

Among concluded cases, the OMLP forwarded to the Criminal Police Directorate of the Ministry of Interior and/or State Prosecutor`s Office, those cases which were suspected to be connected with the criminal offence of money laundering, together with documentation on the basis of Article 61 of the APMLFT.

In the year 2011, during its analysis the OMLP discovered by 99 cases the reasons for the suspicion of committing the criminal offence of money laundering, which he sent (in 84 written notifications) to the Criminal Police Directorate of the Ministry of Interior. That was 44 cases (45%) more than in the year 2010. The reason, that the number of cases was higher than the number of notifications was that some notifications contained several connected cases. Beside the afore mentioned notifications, the OMLP forwarded in the year 2011 to the Criminal Police Directorate of the Ministry of Interior and/or to the State Prosecutor`s Office, also 11 completions of already sent notifications on suspicious transactions, concluded in the previous years.

Within its competences for detection of reasons for the suspicion of ML, the OMLP can not definitively establish, which predicate criminal offence was committed, but it can estimate on the basis of gathered data, which predicate criminal offences have most probably been committed. In the year 2011 was discovered, that predicate criminal offences, from which the dirty money originated, were in most cases “abuse of position or trust at economic activities” according to the Article 240 of the Criminal Code and “tax evasion” according to the Article 249 of the Criminal Code. In our notifications of suspicious transactions have been mentioned (as most probable predicate criminal offences) also “robbery” according to the Article 213 of the Criminal Code, “abuse of position or trust” according to the Article 244 of the Criminal Code, “big theft” according to the Article 205 of the Criminal Code, “fraud” according to the Article 211 of the Criminal Code, “unlawful manufacture and trade of narcotic drugs” according to the Article 186 of the Criminal Code and “unjustified acceptance of gifts” according to the Article 241 of the Criminal Code. In some cases, it could not be established which predicate criminal offence has most probably been committed.

3.1.4 Cases forwarded to the Criminal Police Directorate of the Ministry of Interior and/or State Prosecutor`s Office due to the suspicion of committing the criminal offence of financing of terrorism according to Article 109 of the Criminal Code

As it was already mentioned, OMLP opened 4 cases in the year 2011, where the suspicions of committing the criminal offence of financing of terrorism according to Article 109 of the Criminal Code were raised. Three cases were concluded within the OMLP in the year 2011, as suspicions were not confirmed, but in one case the suspicions were confirmed and its data will be shown in OMLP's report for the year 2012.

3.1.5. Cases forwarded to the Criminal Police Directorate of the Ministry of Interior and other competent state authorities due to suspicion of committing other criminal offences

On the basis of Article 62 of the APMLTF in cases where the reasons for the suspicion on committing other criminal offences were found, the OMLP forwarded in the year 2011 to the competent authorities **58 cases described in 48 written information, which is 15 cases (35% more) than in the year 2010.**

Written information were sent to the following competent state authorities regarding to the type of discovered criminal offences:

- Criminal Police Directorate of the Ministry of Interior, Tax Office (37 written information)
- Criminal Police Directorate of the Ministry of Interior (6 written information)
- Tax Office (5 written information).

The majority of written information referred to the suspicion on committing the criminal offence of "tax fraud" according to Article 249 of the Criminal Code or the "abuse of position or trust at performing economic activities" according to Article 240 of the Criminal Code. Seven written information referred to the suspicions of committing the criminal offences of "fraud" according to the Article 211 of the Criminal Code or "business fraud" according to the Article 228 of the Criminal Code and one information to the committing of the criminal offence of the "abuse of position or trust at performing economic activities".

In the year 2011, the OMLP sent **56 written information** to the Tax Office, which was 32 more than in the year 2010. Similar as in the previous years, the OMLP in the year 2011 discovered, that at performing of the natural /legal persons some suspicions of committing the criminal offence of tax evasions were raised. In cases, connected with the suspicion of tax evasion with regard to the natural persons, the findings were in majority connected with the evasion of the income tax obligations, hidden payments of the profit and the difference between the actual assets (disposed by the tax obligors) and incomes, reported to the Tax Office.

In cases, connected with the suspicion of tax evasion with regard to the legal persons, the suspicions were in majority of the cases connected with the activities of the companies "missing traders", issuing of fictive invoices, cash activities and mostly (as in the previous years) with the systematic evasion of the "tax added value". In the year 2011, the increase has been discovered referring to the companies, suspected to be "conduit companies" in the system of the settling of the "tax added value" or abuse of the companies for the purpose of the mechanism of "tax carousel" to conceal the "tax added value".

The Tax Office reacts to the information of OMLP promptly and effectively. Similar as in

the previous years, the Tax Office introduced certain measures and procedures in the majority of the cases connected with our information and additionally established and settled tax evasions from direct and indirect taxes. The feedback of the Tax Office does not show the amount of the additionally established tax obligations, but from the information gathered so far in five larger cases could be seen, that the amount was at least 2.500.000 EUR.

In the majority of cases, the results of the inspections and supervisions on the basis of the information of the OMLP confirmed its suspicions on committing the criminal offence of tax evasion, as also other irregularities and violations of tax legislation have been established. The OMLP has (beside its basic role of detection and prevention of the criminal offence of money laundering) also an important role at detection and prevention of other criminal offences, among them also tax evasions.

3.1.6. Value of the provisionally secured proceeds in money laundering cases

Table 4 shows data on the number of money laundering cases, where the court in the period from the year 2006 until 2011 in different stages of criminal procedure, ordered provisional securing of the request for the confiscation of proceeds, and their value.

Table 4: Seized funds in the period 2006 – 2011 (by foreign currencies)

YEAR	EUR	USD	GBP
2006	1x real property		
2007	4.767.503	60.345	7.500
2008	1.925.828		
2009	3.225.415		
2010	45.593.694	1.107.000	
2011	330.592		
TOTAL	54.843.032	1.167.345	7.500
TOTAL in EUR	55.754.202		

Table 4 shows that the courts in the period from the years 2006 until 2011 ordered seizure or provisional securing of the request for confiscation of proceeds in the total value of **55.754.202 EUR**⁴. Provisional securing referred to altogether 31 natural and 7 legal persons in 21 cases with regard to grounded suspicions of committing the criminal offence of money laundering. Courts ordered afore mentioned measure: in the year 2006 in one case, in 2007 in three cases, in 2008 in two cases, in 2009 in five cases, in 2010 in eight cases and 2011 in 2 cases. From all the cases, the provisional securing expired in 7 cases (1 from the year 2006, 2 from 2007, 2 from 2008 and 2 from 2010), therefore the value of the assets from those cases have not been included in the current value of the secured assets.

In the year 2011, the courts (on proposal of prosecutor`s offices) provisionally secured proceeds in the total amount of **330.592 EUR**. Provisional securing referred to 3 natural persons investigated by the prosecutor`s office in 3 cases due to the grounded suspicions of committing the criminal offence of money laundering. The exact amount of the provisionally

⁴ Amounts in USD and GBP were calculated into EUR according to the ECB exchange rate of 31 December 2011.

secured proceeds can not be determined, because the value of certain proceeds is unknown or has been changing

The value of seized proceeds (still secured by decrees of the courts on 31 December 2011), regardless to when the measure of provisional securing became valid, was **55.739.682,08 EUR** (calculated according to the ECB exchange rate on 31 December 2011 or exchange rate, valid when the exchange was made). The majority of the assets referred to the provisionally secured proceeds in a large quantity of securities, real assets and shares of the companies in the total value of **44.067.890 EUR**. Part of the proceeds was on the accounts of the District Courts of Slovenia or seized cash (altogether **10.816.238 EUR**), as the seizure of **1.107.000 USD** referred to the amount, with which the claim was bought.

The exact amount of the provisionally secured proceeds can not be determined. Namely, in some cases the courts degrees on the provisional securing refer also the real assets or securities, value of which has been constantly changing, the securities which have not been listed at Ljubljana stock exchange and shares of the companies, which value can be estimated only by the accounting value.

4 COOPERATION WITH OTHER STATE AUTHORITIES AT DETECTION, INVESTIGATION AND PROSECUTION OF MONEY LAUNDERING

In this period, at detection and prevention of the criminal offence of money laundering, OMLP especially cooperated with the Criminal Police Directorate of the Ministry of Interior (Police), Special Group of Prosecutors for the Fight Against Organized Crime at Supreme State Prosecutor's Office, Bank of Slovenia, Securities Market Agency, Tax Office, Customs and Slovenian Intelligence and Security Agency. OMLP also closely cooperated in concrete cases with criminalists from several police directorates and other state prosecutor's offices. Cooperation with afore mentioned state authorities has been taken at the level of principals and operative level between the authorized representatives of authorities.

More precise estimation of the activities in the field of the fight against money laundering referring to the police, state prosecutor's office and courts, can be seen below.

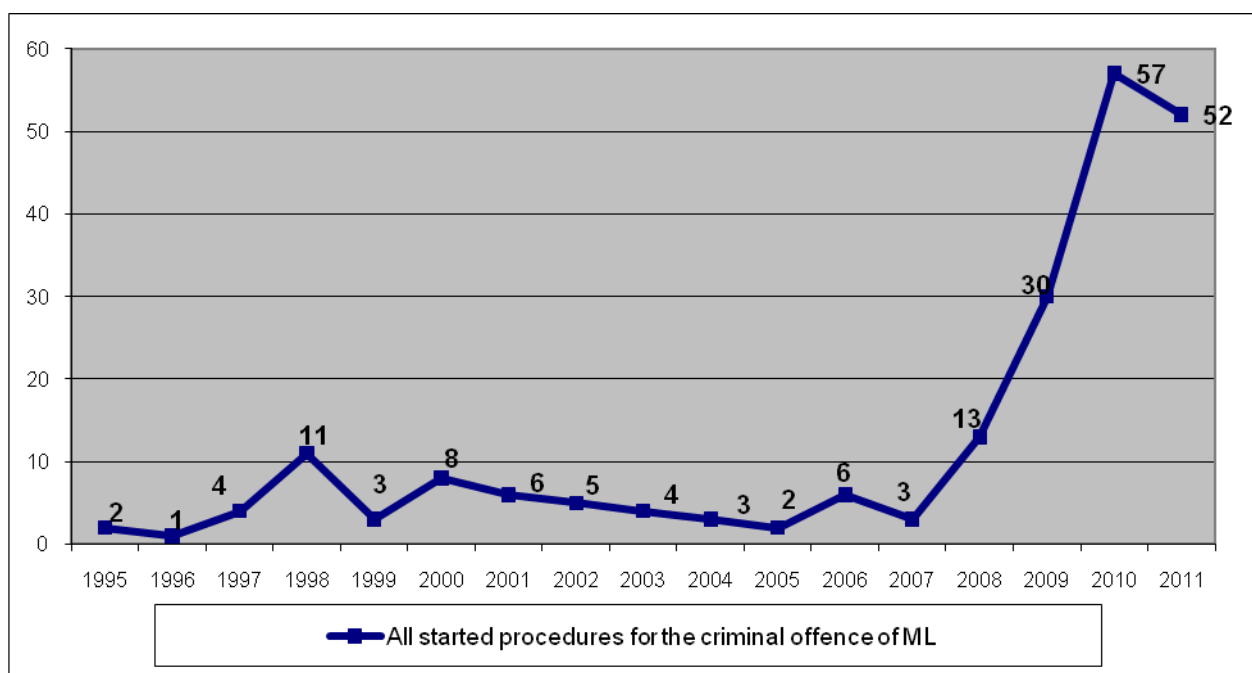
4.1 Criminal offences and performing of Article 75 of the APMLTF

Article 75 of the APMLTF determines, that due to centralization and analysis of all data related to money laundering, courts, State Prosecutor's Offices and other state authorities are obliged to forward to the OMLP data on the offences as provided by the APMLTF and criminal offences on money laundering. On the basis of this article, the state authorities are obliged to forward data to the OMLP in each case and annually inform the OMLP on their findings referring to the received notifications and information. On the other hand, the State Prosecutor's Offices and the courts should send to the OMLP twice annually (in July and January) the data on persons and procedures against whom the criminal or administrative proceedings have been raised.

4.1.1. Criminal offence of money laundering

On the basis of data on filed criminal reports, that has to be sent to OMLP by the Police⁵, can be seen, that the number of criminal reports for the criminal offence of money laundering in the year 2011 slightly decreased in comparison with the year 2010. In the year 2010, the Police filed 47 criminal reports for money laundering, as **in the year 2011 the number was 38**. As the State Prosecutor's Office introduced the procedure in another 14 cases, **the new criminal reports were filed or procedures introduced in 52 ML cases in the year 2011** (in 2010 in 57 cases).

As can be seen from the **Graph 2**, the criminal reports were filed and procedures were introduced in **210 cases** between 1995 and 2011, due to the grounded suspicious of committing the criminal offence of money laundering.



4.1.2. Criminal reports and proceedings with regard to money laundering, where OMLP took part

According to Criminal Procedure Act, the Police is the competent authority for detection of criminal offences (including money laundering), as State Prosecutor's Office is competent for prosecution of criminal offences. Criminal offence of money laundering was the first time stipulated in the Criminal Code from the year 1995, when also the first Act on Prevention of Money Laundering (hereinafter: APML) came into force. In accordance with international standards, APML introduced a system of fight against money laundering in Slovenia, which gave a certain role at detection of money laundering also to obliged entities (financial and non-financial institutions), especially as the obligation to report suspicious transactions to the

⁵ Police provides the OMLP with the information on findings, to which it turned up on the basis of information and notification of OMLP – so called “feedback”. Feedback represents the important parameter of efficiency of OMLP and Police. Before the year 2007, the Police provided the OMLP with feedback informally on the basis of the agreement, after the year 2007 this obligation was formally stipulated by the new APMLFT.

OMLP. Therefore, the obligation of detection of the reasons for the suspicion of money laundering was given to obliged entities and the OMLP, meaning that the effective detection, investigation and prosecution of criminal offences of money laundering depended on the cooperation between the obliged entities and the OMLP at one side, and Police and State Prosecutor`s Office at the other side.

In continuation you will find statistical data on number and share of cases, where also the OMLP took part with its notifications, as mediator between the obliged entities and law enforcement authorities (Police, State Prosecutor Office).

In Table 5 you will find the number of all introduced preliminary criminal procedures and criminal procedures in the year 2011 due to the grounded reasons for the suspicion of committing the criminal offence of money laundering, with regard to the source of the first data on reasons for the suspicion of money laundering, which encouraged the investigation of the Police in this field.

Table 5: Number of all introduced procedures due to the grounded suspicions of committing the criminal offence of money laundering in the year 2010 with regard to the source of information (detection of reasons for the suspicion)

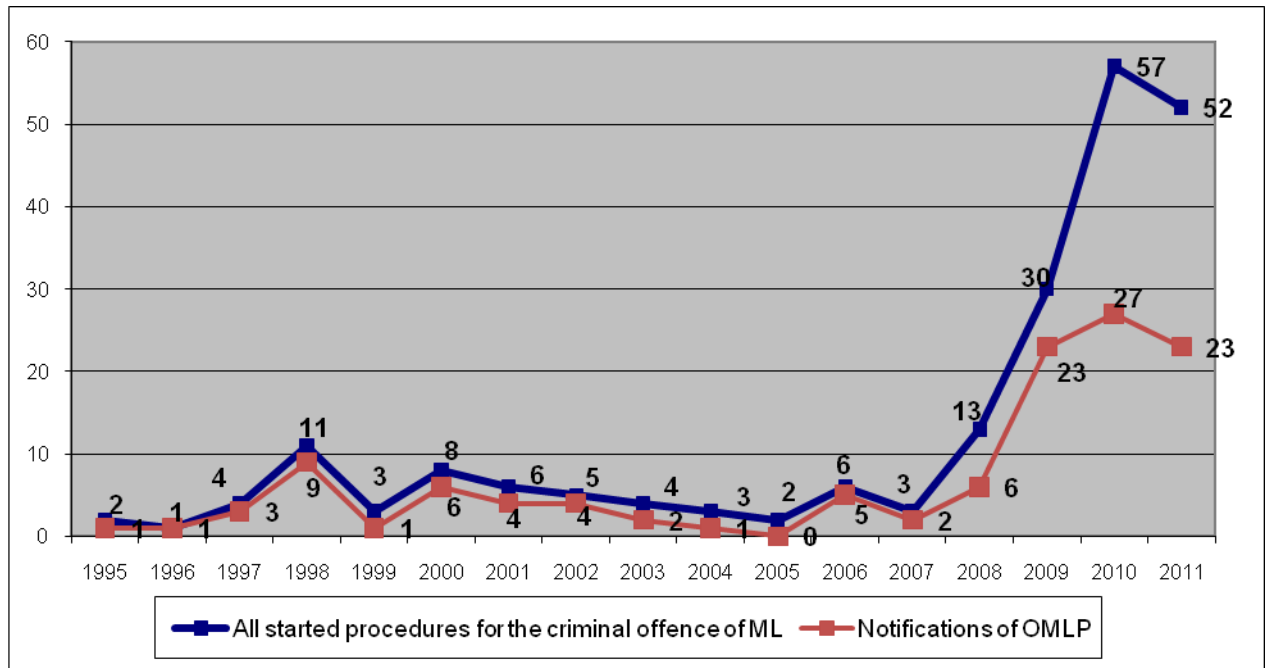
Source of information	Reporter	Number of cases	%
Notifications and information of the OMLP	Obliged entites according to the APMLFT	19	36,53%
	Initiatives of the Criminal Police Directorate of the Ministry of Interior	2	3,84%
	Foreign FIU	1	1,92%
	Obliged entity and the initiative of the Police	1	1,92%
State Prosecutor`s Office independently		11	21,15%
Police independently		18	34,61%
TOTAL		52	

From the Table 5 can be seen, that in the year 2011 **23 cases (or 44,23%) of all 52 new cases** (suspected to be connected with money laundering) **based on information and notifications of the OMLP**. In the year 2011, 19 cases began on the basis of data reported to the OMLP as STRs by the obliged entities (similar as in the previous years), 2 cases began on the basis of the initiative of the state authorities, and in 1 case the OMLP started collecting data on the basis of both – STRs of the obliged entities and initiatives . In the year 2011, the Police and State Prosecutor`s Office autonomously (without the cooperation of OMLP) began preliminary criminal procedure or criminal procedure due to money laundering in 29 cases.

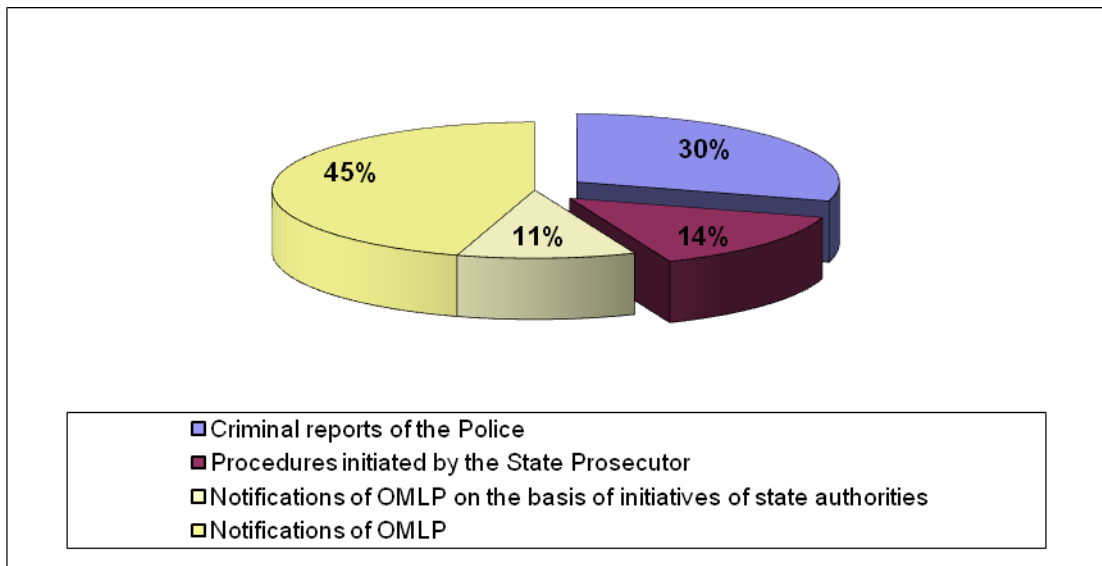
Below you will find data on all introduced procedures for money laundering for the period from 1995 until 2011. It can be seen, that the competent Police directorates filed altogether **163 criminal reports to the competent State Prosecutor`s Offices, as in 47 cases the State Prosecutor`s Office itself** directly filed the demand for investigation or indictment. In the period from 1995 until 2011, the procedures in **210 cases** were introduced due to the grounded suspicion of committing the criminal offence of money laundering according to the Article 245 of the Criminal Code.

In Graph 3 you will find the number of all introduced preliminary criminal procedures and criminal procedures with regard to the criminal offence of money laundering and the number of those procedures, that began on the basis of data from the notifications of OMLP in the period 1995 – 2011.

Graph 3: Number of all introduced procedures for money laundering (210 procedures) by separate years and number of cases, based on notifications of OMLP (comparison)



In the period from 1995 until 2011, **118 cases from altogether 210 money laundering cases (or 56%)** based on the information and notification of OMLP, which started the cases on the basis of the STRs of the obliged entities from the Article 4 of APMLFT, data received from the foreign FIUs or data from the database of cash transactions. **41% of cases (or 86 cases of 210 cases) started on the basis of the information, reported to OMLP by the obliged entities according to the APMLFT.** This data have been introduced in Graph 4, where you can find shares of all introduced procedures due to the grounded reasons for the suspicion of committing the criminal offence of money laundering in the period from 1995 until 2011 with regard to the source of information, on the basis of which the procedures began.



As can be seen from the Graph 4, in the period from 1995 until 2011, 56% of all 210 cases connected with the criminal offence of money laundering began on the basis of the information and notification of OMLP. The obliged entities had an important role at detections of reasons for the suspicion of committing the criminal offence of money laundering, but it is also obvious, that the Police activities significantly increased as well.

According to the Article 75 of APMLFT, the Police has to inform OMLP annually on its findings on the basis of received notification and information of OMLP. From Police data until the end of the year 2011 can be seen, that on the basis of notifications and information of OMLP, the **Police has filed the criminal reports for other criminal offences (without money laundering) on the basis of 210 of information and written notifications of the OMLP** – like tax evasion, abuse of position or trust at performing economic activities, frauds etc.. This data shows an important role of OMLP at detection of suspicions on committing the criminal offences of money laundering and other criminal offences.

4.1.3. *Statistical data related to the given criminal reports*

From the data received for the year 2011 from the State Prosecutor`s Offices and Courts can be seen, that with regard to those 210 cases (against 458 natural and 65 legal persons), the preliminary criminal procedures and criminal procedures were in the following stages on 31 December 2011:

Table 8: Stage of procedures of cases connected with the criminal offence of money laundering on 31 December, 2011

	STAGE OF PROCEDURE	No. of Cases	No. of persons	% cases
1	SP*: criminal report rejected	17	38	8,09%
2	SP: decision has not been made yet	75	195	35,71%
3	SP: demand for investigation	30	71	14,28%
4	IJ: investigation has been introduced	25	73	11,90%

5	SP/COURT: indictment	27	57	12,85%
6	COURT: convictions, which are not final yet	2	5	0,95%
7	COURT: final verdicts of non guilty	10	20	4,76%
8	COURT: final convictions	5	8	2,38%
9	SP/COURT: withdrawal of prosecution, limitation etc.	15	50	7,14%
10	COURT: forwarding of criminal files abroad	4	6	1,90%
	TOTAL:	210	523	100%

* SP means State Prosecutor Office

** IJ means Investigative Judge

It has been established, that in the years 2010 and 2011 there was a significant increase of the cases, where the procedures with regard to the criminal offence of money laundering were running, namely from 101 cases at the end of 2009 to 158 cases at the end of 2010 and 210 cases at the end of the year 2011. The number of the cases, where at least the grounded suspicion of committing the criminal offence of money laundering was established was more than doubled in the last two years.

From the Table 6 can be seen, that on 31 December 2011, 51 (of 210) cases connected with the criminal offence of money laundering, **became final** as follows:

- In 17 cases, State Prosecutor`s Office rejected the criminal report
- **In 10 cases, the final verdict of non guilty⁶ was passed**
- **5 cases ended with the final conviction⁷**
- In 15 cases, State Prosecutor`s Offices withdrew of prosecution or the court stopped the criminal prosecution
- 4 cases were forwarded abroad for further procedures.

In other **75 cases**, the State Prosecutor`s Office has not decided on the criminal prosecution, but **in 82 cases**, the State Prosecutor`s Office began with the criminal proceedings at court, namely:

- In 30 cases, it demanded investigation (increase for 15 cases in comparison with 2010)
- In 25 cases, the investigation has been introduced (increase for 2 cases in comparison with 2010)
- In 27 cases, the indictment has been filed (increase for 10 cases in comparison with 2010)

⁶ Since the criminalization of the criminal offence of money laundering in the Criminal Code on 1 January 1995 until this day, 15 final verdicts have been passed in Slovenia (10 of non guilty, 5 convictions). First verdict, that was passed for the criminal offence of money laundering in Slovenia was the verdict of non guilty from October 1999, which became final in February 2001, when the complaint of the State Prosecutor`s Office was rejected. In the next years, another 9 verdicts of non guilty were passed, the last one in the year 2009. It has to be pointed out, that this number includes also the verdict which was at the court of the first degree passed in March 2001 as the conviction, but it was abolished in the same year. The court had an opinion, that the activity was not illegal and the verdict did not contain the methods of hiding of the illegally derived proceeds. The case was in the year 2002 delivered to another expert, but was stopped two years later due to the death of the defendant.

⁷ First conviction, that became final in Slovenia, was passed in May 2006, another 4 convictions followed – one in the year 2008, one in the year 2010 and 2 in the year 2011.

In 2 cases, the court already passed the convictions, but they have not been final yet as the complaints have been filed.

In Table 7 you will find the number of all cases on the last day of the particular year, where the criminal proceedings due to the criminal offence of money laundering have started.

Table 7: Comparison of the number of cases connected with committing the criminal offence of money laundering with regard to the stages of procedures on the last day of the particular year

Stage of Procedure	2005	2006	2007	2008	2009	2010	2011
SP: criminal report rejected	13	13	14	14	14	15	17
SP: decision has not been made	2	4	3	7	22	59	75
SP: demand for investigation	4	6	5	11	14	15	30
IJ: investigation has been introduced	7	6	8	9	16	23	25
SP/COURT: indictment	7	7	9	8	8	17	27
COURT: convictions, which are not final yet	/	/	/	/	1	1	2
COURT: final verdicts of non guilty	6	7	7	8	10	10	10
COURT: final convictions	0	1	1	2	3	3	5
SP/COURT: withdrawal of prosecution, limitation etc.	5	7	7	8	9	11	15
COURT: forwarding of criminal files abroad	4	4	4	4	4	4	4
TOTAL	48	55	58	71	101	158	210

From the Table 7 can be seen, that the number of rejected cases stayed almost the same as in the previous years, as the State Prosecutor`s Office in the year 2011 rejected just two criminal reports for money laundering. In comparison with the year 2011, the number of withdrawal of prosecutions has slightly changed (1 case), in three cases the prosecution was out of date, as the number of the criminal files forwarded abroad remained unchanged. The number of indictments of non-guilty has not changed as well, but the number of convictions which have not been final yet increased for 1 judgment. The number of final convictions increased for two judgments in comparison with the year 2010. The number of judgments have been increasing in the last six years (in 2011 the courts issued two final convictions), but still the number of the final judgments has still been relatively low. On the other hand, the number of money laundering cases which already are in the criminal procedures (in stages of the demand for investigation, investigation or indictment) increased significantly. **Number of those cases increased from 55 cases in the year 2010 to 82 cases in the year 2011. Such trend has been noticed since 2009, when the number of cases in those final stages increased for 10 cases, in 2010 for 17 cases and in 2012 for already 27 cases.**

It has been estimated that such a high number of cases in the stages of the demand for investigation, investigation or indictment will soon result in the higher number of the final judgments. The higher number of the judgments (both non-guilty and guilty) will influence to the court practice in cases related to the criminal offence of money laundering. Namely, the court practice will concretize some basic elements of the criminal offence of money laundering, which will have future impact to all proceedings referring to the prosecution of the criminal offence of money laundering, so that they will be more prompt and obvious. Consequently, the prevention of money laundering in the Republic of Slovenia will become more effective.

5 PREVENTION AND SUPERVISION

In the year 2010, the activities of the OMLP in the field of prevention and supervision were as follows:

- preparation of the proposals changes and amendments of the APMLFT;
- preparation of opinions and views with regard to the implementation of the APMLTF and bylaws, issued on its basis;
- cooperation at amending other Slovene legislation, which directly and indirectly refers to the prevention and investigation of money laundering and financing of terrorism;
- participation in the bodies of Council of Europe and European Union, which deal with the prevention and detection of money laundering and terrorist financing,
- preparation of the Action Plan with regard to the 4th Round Evaluation Report, referring to the evaluation of measures for the fight against money laundering and terrorist financing, performed by MONEYVAL (Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism)
- supervision on the implementation of the provisions of the APMLTF by organizations stated in Article 4 of the APMLTF;
- participation in the professional training of staff of the obliged entities, state authorities, organizations with public authorizations, cooperation in the training of the foreign counterparts and bodies
- informing the public and running of the procedures on the access to the information of public character;
- ongoing editing of the website of the OMLP in accordance with the Act on the Access to the Information of Public Character
- collaboration in a special working group (together with other competent bodies from different fields) for the preparation of measures for prevention of tax evasions at cash activities
- collaboration in a special working group (together with other competent bodies from different fields) for the establishment of the Asset Recovery Office (ARO)
- collaboration in the Council for the Crime Statistics at the Slovenian Statistics Office.

5.1 Activities in the field of changing and amending of regulations

5.1.1 Regulations from the field of prevention and investigation of money laundering

5.1.1.1 Changes and amendments of APMLFT

On the basis of the initiative of the group of delegates of the Parliament, the Article 38 of APMLFT was amended and the completely new Article 70a of APMLFT was adopted. Delegates wanted to achieve the transparency of the transfers of funds to territories, known as off-shore centres. Transparency and in some way the preventive measures to subject, performing the transactions to those territories, supposed to be reached by the publishing of those data at the website of the OMLP. By the adoption of the Article 70a, the OMLP gained

the possibility of receiving, analysing and handling of certain statistical data, on which basis the OMLP could detect and foresee possible trends of money laundering and terrorist financing. Most of all, the anomalies in the financial system of the Republic of Slovenia would be detected and the financial flows would be analysed. The OMLP will inform the public (via its website) and the Government of the Republic of Slovenia with special reports (or with its regular annual reports) on its findings, results of analysis, established risks, trends and forms of money laundering and terrorist financing.

5.1.1.2 Written opinions and instructions of the OMLP regarding the implementation of the APMLTF

In the year 2011, the OMLP issued 40 written opinions or interpretations regarding the explanation of APMLFT as the answers to several questions of the obliged entities.

The OMLP gave opinions and interpretations, which referred mostly to the questions of the operative nature:

- customer due diligence by opening of the accounts or establishment of the permanent business relationship
- customer due diligence at establishment of the additional business relationship
- exemption from the obligation to carry out customer due diligence for certain products
- performing of the paragraph 2, Article 38 of APMLFT
- risk analysis
- identification and procedure in the case of the foreign politically exposed person
- customer due diligence via third parties
- retention of data and documentation
- application of measures for detection and prevention of money laundering and terrorist financing in branches and majority-owned subsidiaries located in third countries
- reporting of cash transactions exceeding 30.000 EUR
- reporting of suspicious transactions
- performing of other duties according to the APMLFT.

The majority of the OMLP's written opinions have been published on the website of the OMLP to be available to all organizations and other obliged entities.

5.2 Activities within the international bodies

The activities of the OMLP were in 2011 in a large extent connected with the MONEYVAL Committee at the Council of Europe and Committee for the Prevention of Money Laundering and Terrorist Financing at European Commission.

5.2.1 Council of Europe

In the year 2011, there were three Plenary Meetings of MONEYVAL in Strasbourg, participated also by the representatives of OMLP, their contents can more precisely be seen below:

35th Plenary Meeting MONEYVAL (April 11 – 14, 2011)

The members of the Slovenian delegation (consisted from the representatives of the Bank of Slovenia, Ministry of Interior and OMLP) participated at this meeting, where the reports on 4th Round Evaluation of MONEYVAL of Albania and Czech Republic were discussed and adopted, as well as the First Progress Report for Bosnia and Herzegovina, second Progress Report for Bulgaria and Croatia and reports within special compliance enhancing procedures for Moldova, Bosnia and Herzegovina and Albania. The following issues were discussed at the meeting as well:

- The request of Vatican/City State to be included in the international activities from the field of the prevention of money laundering and financing of terrorism
- Convention N.198 of the Council of Europe on laundering, search, seizure and confiscation of the proceeds from crime – 22 countries ratified this convention and additional 12 countries signed it
- Activities in the field of the prevention of money laundering and terrorist financing in other international organizations (FATF, International Monetary Fund, World Bank, OSCE, European Union, EBRD etc.)
- Organization of the seminar on typologies of money laundering and terrorist financing in Tel Aviv from 31 October 2011 until 2 November 2011.

36th Plenary Meeting MONEYVAL (September 26 – 30, 2011)

The members of the Slovenian delegation (consisted from the representatives of the Bank of Slovenia, Ministry of Interior and OMLP) participated at this meeting, where the following reports have been discussed and adopted:

- 4th Round Evaluation Report for Slovakia, Cyprus and San Marino
- 2nd Progress Reports of the 3rd round evaluations for Russian Federation and Macedonia

Delegations of Albania, Bosnia and Herzegovina and Moldova had to report on their progress in the field of the prevention of money laundering and terrorist financing.

International organizations (FATF, International Monetary Fund, World Bank, OSCE, European Union, EBRD etc.) also presented their projects and novelties from this field.

37th Plenary Meeting MONEYVAL December 13 – 16, 2011)

The members of the Slovenian delegation (consisted from the representatives of the Bank of Slovenia, Ministry of Interior and OMLP) participated at this meeting, where the following reports have been discussed and adopted:

- 2nd Progress Reports of the 3rd evaluation rounds for Monaco, Azerbaijan, Israel, Estonia and Romania.

Delegations of Albania, Bosnia and Herzegovina, Ukraine, Georgia, Macedonia, Croatia and Moldova had to report on their progress (according to the Rules of Procedure of MONEYVAL) from the field of the prevention of money laundering and terrorist financing.

The schedule of evaluations and meetings for the year 2012 was also presented and as the usual practice, the international organizations reported on their activities from the field of the prevention of money laundering and terrorist financing.

The representative of the OMLP participated at the 10th Conference of MONEYVAL referring to the typologies of money laundering. The participants were divided in two working groups – typologies of money laundering in trade based money laundering and postponements of transactions and demands for monitoring of the financial activities of the client. The representative of OMLP was in the second working group, where the legislation

and statistical data of participating countries were presented. They also prepared the questionnaire on temporary postponement of transactions and demand for monitoring of the financial activities of the client.

5.2.2. European Union

In the year 2011, four meetings of the Committee for the Prevention of Money Laundering and Terrorist Financing were organized in Brussels, three of them were also attended by the representative of OMLP. Their contents can be seen below:

29th Meeting of Committee was organized on 16 February 2012, where the list of equivalent countries was discussed, which were not the EU members but they implemented the international standards from the field of the prevention of money laundering. The final list was not adopted yet. The participants also discussed on the document which would place the guidelines to the states with regard to the supervision and obligation to report data to FIUs in the cases, when the paying institution of one country has the agents or branch office in another country. The action plan of FATF with regard to the proliferation was introduced as well.

30th Meeting of Committee was organized on 15 June 2011, where the adjustment of the list of equivalent countries continued. It was agreed, that the third country would be put on the list on the basis of the consensus of all member states. Beside this, also other criteria would be taken into consideration, like the dissemination of corruption and organized crime, official reports of MONEYVAL and FATF, reports of non-profit organizations etc.. Korea and Aruba were put on the EU list of equivalent countries, New Zealand was excluded. The participants were acquainted with the activities referring to the revision of the Directive 2005/60/ES on the prevention of the use of the financial system for money laundering and terrorist financing. Namely, the evaluation of the influence of the existing regulation will be prepared until March 2012, on which basis the goals would be determined and the changes of the directive (on the basis of the changed FATF standards) would be prepared.

31st Meeting of Committee was organized on 17 October 2011, where the discussion on the list of equivalent countries and consensus needed for the country to stay on the list, continued. United Kingdom announced it would propose the following countries to the list: British Virgin Islands, Cayman Islands, Montserrat, Jersey, Guernsey and Isle of Man. Cyprus announced the candidacy of the certain countries, members of the MONEYVAL. The participants also discussed on the revision of the Directive 2005/60/ES on the prevention of the use of the financial system for money laundering and terrorist financing .

5.3 Participation in the professional training

Point 6 of Paragraph 1 of Article 43 of the APMLFT and the “Rules on Performing Internal Control, Authorized Person, Safekeeping and Protection of Data and Keeping of Records of Organizations, Lawyers, Law firms and Notaries” (Official Gazette of the Republic of Slovenia No. 10/08) determine that the obliged entities from Article 4 of the APMLFT have to provide for regular professional training related to the detection and prevention of money laundering and terrorist financing of all employees performing duties according to the

APMLFT. Article 70 of the APMLFT also prescribed, that the OMLP takes an active role in such an education as well.

On this basis and within the international cooperation, the representatives of the OMLP performed in the year 2011 within different seminars home and abroad altogether 47 hours 15 minutes of lectures (39 hours of lectures were performed at home and 8 hours abroad).

5.3 Information of public character

Regarding the Article 4 of Act on the Access to Information of Public Character (Official Gazette of the Republic of Slovenia No. 51/2006-UPB2), an information of a public character is every information, originating from the working field of the authority and it has a form of a document, case, file, register, evidence or documentary file and is made by an authority itself, in cooperation with the other body or it is gained from other persons.

On the basis of the Article 5 of this act, the information of public character are freely accessible to the legal and natural persons, by which every applicant has on his demand a right to have the insight into the information or gain its copy, photocopy or its electronic version. The authority can in accordance of Article 26 of this act entirely or partially refuses the demand of an applicant only if it discovers, that the requested data or document is an exception from Article 6 of the act, except if the public interest to disclose the information is stronger than the public interest or interest of other persons to limit the access to the requested information.

According to Article 37 of the afore mentioned act and Article 28 of the Decree on Communication and Re-use of Information of Public Character (Official Gazette of the Republic of Slovenia No. 76/2005), the Office has to prepare a report on the performing of this act for the previous year until the end of January .

In the year 2011, the OMLP received 57 requests for the access to the information of public character, 43 were replied entirely, 5 partially, as 9 requests were refused.

6 INTERNATIONAL COOPERATION

The legal basis for the international activities of the OMLP is determined by Articles 65, 66 and 67 of the APMLTF, authorizing the OMLP to exchange the information with foreign counterparts competent for the prevention of money laundering and terrorist financing. The chapter of the APMLTF referring to the international cooperation also determines conditions under which the OMLP can temporarily postpone a transaction on the basis of the initiative of the foreign FIU and enables the OMLP itself to give (within its obligations of the prevention of money laundering and terrorist financing) an initiative to a foreign authority for the temporary postponement of transaction on the basis of the grounded suspicion on money laundering and terrorist financing.

The OMLP has obtained certain competences on the basis of the Council of Europe "Convention No. 198 on laundering, search, seizure and confiscation of the proceeds from

crime and on the financing of terrorism” (hereinafter: Convention No. 198), which was adopted by the Board of Ministers of the Council of Europe on 16 May 2005. Slovenia signed it on 28 March 2007, ratified on 26 April 2010, so it came into force on 1 August 2010. The OMLP was foreseen as the central authority, competent for receiving and sending the requests referring to the money laundering, search, seizure and confiscation of the proceeds from crime and financing of terrorism.

Below you will find the activities of the OMLP from the field of international cooperation separately for multilateral and bilateral cooperation.

6.1 Multilateral cooperation

In this part, we present the activities of OMLP in the year 2011 in the international group EGMONT.

*6.1.1 Activities within the international group EGMONT*⁸

In the year 2011, the representative of OMLP attended the EGMONT Plenary meeting, held between July 11 until 15, 2011 in Erevan, Armenia. No representative of OMLP was present at the EGMONT Working Group meeting in Aruba in March 2011.

The activities of the Committee of the EGMONT GROUP (hereinafter: EG) and working groups (hereinafter: WG) are presented below:

The Committee of the Egmont Group discussed on the possible amendments to the document “Egmont Group Charter” and related documents (already adopted in 2007) due to the development and changes in the EGMONT Group. The Committee proposed to the heads of FIUs to speed up the exchange of information with the international partners of the EGMONT Group, which will only have partial access to the protected computer Egmont Secure Web (ESW). The discussion was also held on the budget for the years 2011 and 2012, annual contributions of the FIUs, members of the EGMONT Group, problems within the exchange of information between the counterparts (some of them do not take into consideration the Rules for the Exchange of Information), cooperation with the FATF regarding the changes of the FATF recommendations R. 26 and R.40 and possible change of the EGMONT rules for the exchange of information.

Seven new FIUs were welcomed in the EGMONT Group at this plenary meeting, namely from Azerbaijan, Kazakhstan, Mali, Morocco, Samos Islands, Salomon Islands and Uzbekistan, so at the end of the year 2011, 127 FIUs were gathered in the EGMONT Group.

Operational working group dealt with the progress at the projects of the speeding up of the information exchange, influence of the financial crisis (common project with the Wolfsberg Group) and influence of the tax criminal offences (as predicate criminal offences) to money

⁸ EGMONT group was established on 8 June, 1995 (OMLP was one of its founders) with the purpose to promote international cooperation between FIUs in the field of combating money laundering. At this time it has 127 members from all over the world, the Office is one of its founders. The goal of the EGMONT group is establishment and improvement of the cooperation between its members, exchange of information, education and establishment of new counterparts all over the world. It has 4 working groups: legal, training, operational and outreach working group.

laundering. This working group continued its work in the projects on criminal activities from the field of taxes, financing of terrorism and corruption. Beside this, the projects on suspicious transactions and market frauds have been adopted.

At its meetings, the Outreach working group discussed on the situation of FIUs, which requested for the membership in the EGMONT Group. 91 FIUs were still on that list, 16 of them were at the last stage before entering to EGMONT Group, 12 FIUs were at the first stage, as 63 FIUs were still in the monitoring process by their “sponsoring” FIUs. International organizations (World Bank, OSCE etc.) introduced their projects from the field of the prevention of money laundering and terrorist financing, performed in the countries they were competent for.

Legal working group discussed on the incorporation of the network FIU.NET to EUROPOL, the contribution of the EGMONT group to the exchange of information between the FIUs (FATF Recommendations R.26 and R.40) and proposed the study on independency of FIUs, which would be prepared by the Dutch FIU. The members of this group prepared their remarks, so that study would continue at the future EGMONT meetings in the year 2012. The World Bank introduced the conclusions of the common study with the EGMONT group, which referred to the competences of FIUs to postpone suspicious transactions.

In the year 2011, the Information Technology Working Group concluded the model FISMM (FIU Information System Maturity Model), which would enable the FIUs of different sizes to use their IT system as much as possible. The group also prepared (together with the FIU USA) the study from the field of security “Instruction for the security of the FIU”, giving the FIUs the guidelines referring to the security of the FIU as a whole, physical security, security of personnel and security of IT equipment. ICAR (International Centre for Asset Recovery) introduced the computer equipment ARIS, which enables the staff of the FIUs the access to data, referring to the natural and legal persons in a short period of time.

Training Working Group continued with its trainings in the year 2011, intended to the FIUs, members of the group EGMONT and cooperation with international organizations with the purpose to increase the effectiveness of the FIUs. The topics of trainings were strategic analysis, exchange of information, cooperation of the FIUs with the law enforcement authorities, new payments methods, corruption etc..

6.2 Bilateral cooperation

In the year 2011, several contacts between the OMLP and its foreign counterparts with the purpose to exchange the information were performed.

6.2.1 International Cooperation on the basis of the Articles 65 and 66 of the APMLTF

In the year 2011, the OMLP sent on the basis of the Article 65 of APMLFT 174 requests in 118 cases to 39 countries and on the basis of the Article 66 of APMLFT received 104 requests in 83 cases from 30 countries.

*In comparison with the year 2010, when OMLP sent 210 requests to its counterparts from 46 countries in altogether 79 cases and received 120 requests from 31 countries in altogether 91 cases, it can be established that **the number of the sent requests decreased by 17%%, and***

the number of received requests decreased for 8,6%.

Similar as the year before, the majority of the information were exchanged with the FIUs from Italy, Croatia, Cyprus, Bosnia and Herzegovina, Russia, United Kingdom, Germany and Luxembourg.

As its usual practice, the OMLP has signed the informal letters, so called Memorandum of Understanding (MOU) to improve the existing exchange of information with its foreign counterparts. In the year 2011, it signed five MOUs with the FIUs from the following countries: Honduras, Islamic Republic of Iran, Mongolia, Kingdom of Saudi Arabia and Sri Lanka. Since 1995, the OMLP signed 38 MOUs with its foreign counterparts.

7 WORK IN THE FIELD OF LOGISTICS

7.1 Financial and Material Operations

Budget funds intended for the OMLP operations in the year 2010 amounted to 676.274 EUR and were divided as follows:

- 604.672 EUR (89,41% for salaries, other personal incomes and contributions of the employer for the social security
- 62.538 EUR (or 9,24 %) for costs of goods and services
- 3.278 EUR (or 0,48%) for the membership fee of the EGMONT group.

Because of the reasons of economy, the OMLP did not have any investments.

According to the proposal of the OMLP, the structure of the planned funds within the particular items changed until the end of 2011 due to the slight re-arrangements of funds. Out of complete approved funds in the amount of 676.274 EUR, the OMLP in the year 2011 spent 670.488 EUR (or 99,14%) of all available funds.

Andrej PLAUSTEINER
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