



Instruction No. 5

List of the functions that within the Holy See and Vatican City State are qualified as politically exposed persons

THE SUPERVISORY AND FINANCIAL INFORMATION AUTHORITY

Having regard to the Law on Transparency, Supervision and Financial Intelligence, No. XVIII, dated 8 October 2013, and in particular:

- Article 1 (9), (14), (16) and (21), bearing the definitions of "family members"; "person who is entrusted with prominent public functions"; "politically exposed person"; and "closely associates";
- Article 2, bearing the scope of application of Title II on measures to prevent and counter money laundering and the financing of terrorism;
- Article 3, bearing the exclusion from the scope of application of Title II on measures to prevent and counter money laundering and the financing of terrorism;
- Article 9 (2) (b) (v), under which the Supervisory and Financial Information Authority shall indicate to obligated entities the sectors where they shall apply enhanced measures and, where necessary, the procedures and controls to be adopted;
- Article 9 (2) (b) (x), pursuant to which the Supervisory and Financial Information Authority shall publish and regularly update a list that indicates the functions that, under the existing legal framework, are considered important public functions for the purposes of Article 1 (16);
- Article 22 (3), on the risk-based approach, under which the Supervisory and Financial Information Authority identifies the cases of application of enhanced due diligence and indicates the procedures and measures to be adopted, including the requirements to be fulfilled;
- Articles 25, 28, 29 and 30 on enhanced due diligence;

having regard to the Regulation No. 4 on due diligence of the customers of the entities carrying out financial activities on a professional basis, of 19 September 2018, and in particular: Articles 13, 14, 16, 23 and 24, Annex 1, Section B.1, letters (a) (i) and (b) (iv) and Annex 3, Section B letter (c), in which procedures and measures to be adopted are indicated to comply with enhanced customer diligence obligations;

given the indications of the General Risk Assessment adopted by the Financial Security Committee, and the need to implement an effective risk-based approach;

in order to provide entities that professionally carry out activities of a financial nature and all other obligated parties with indications regarding the offices that, within the Holy See and the Vatican City State, qualify as politically exposed persons pursuant to Article 1 (16) of Law No. XVIII of October 8, 2013;

In execution of the decision taken by the Board of Directors on 15 December 2022,

PROMULGATES THE FOLLOWING INSTRUCTION

Article 1. *Subject.*

The list of the functions that, within the Holy See and the Vatican City State, are qualified as politically exposed persons is published as indicated in the Annex.

Article 2. *Update.*

The list is regularly updated by the Supervisory and Financial Information Authority and transmitted to the obliged subjects.

Article 3. *Enhanced due diligence measures.*

1. Obligated subjects are required to adopt the specific enhanced due diligence measures provided for in the case of relationships, activities, operations or transactions, even occasional, in the name of, on behalf of or for the benefit of politically exposed persons, their family members or close associates.

2. When a politically exposed person ceases to be entrusted with a prominent public function, the obliged subjects continue to apply these measures for at least 18 months after the politically exposed person has left the office and until the moment in which they believe, after accurate analysis, that the risk has ceased.

Article 4. *Final Provisions.*

This Instruction is without prejudice to the provisions of Article 40 (1) of Law No. XVIII of 8 October 2013 and Regulation No. 5 of 19 September 2018 on suspicious activity reports.

This Instruction, including the Annex, will enter into force the day of its publication on the official website of the Supervisory and Financial Information Authority.

Vatican, 20 December 2022

CARMELO BARBAGALLO
President

Seen

GIUSEPPE SCHLITZER
Director