Resolution of 10 August 2012 of the General Secretariat of the Treasury and Financial Policy, publishing the Decision of 17 July 2012 of the Commission for the Prevention of Money Laundering and Monetary Offences, determining the jurisdictions which establish requirements equivalent to those contained in the Spanish legislation on the prevention of money laundering and the financing of terrorism

To the effects and purposes of articles 1.4, 4.2, 8.2, 9.1, 10.2, 12.1 and 24.2 of Law 10/2010 of 28 April, on the prevention of money laundering and the financing of terrorism, the Commission for the Prevention of Money Laundering and Monetary Offences, at its meeting of 17 July 2012, determined –in accordance with the standards agreed by the Member States of the EU Committee for the Prevention of Money Laundering and Terrorist Financing, created by article 41 of Directive 2005/60/EC- that the following jurisdictions establish requirements equivalent to those contained in Spanish legislation: Australia, Brazil, Canada, Hong Kong, India, Japan, Mexico, Singapore, South Africa, South Korea, Switzerland and the United States.

The list is not applicable to the Member States of the European Union and of the European Economic Area, which benefit de iure from mutual recognition. The list also includes the territories and jurisdictions integrated in the delegations to the Financial Task Force of France (Mayotte, New Caledonia, French Polynesia, Saint Pierre-et-Miquelon and Wallis-et-Futuna) and of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba).

This Resolution is understood as without prejudice to the application by obliged subjects of due diligence measures on a risk sensitive basis, in accordance with article 7.1 of Law 10/2010. In particular, obliged subjects shall not apply simplified due diligence measures whenever there is suspicion of money laundering or terrorist financing. Likewise, obliged subjects shall apply enhanced due diligence measures in those situations which, by their very nature, could present a higher risk of money laundering or of terrorist financing.

Madrid, 10 August 2012.-The Secretary General of the Treasury and Financial Policy, By delegation (Resolution of 23 April 2012), the Deputy Director General for Inspection and Control of Capital Movements, Juan Manuel Vega Serrano.