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AUTHORIZATION OF REMOTE IDENTIFICATION PROCEDURES BY VIDEOCONFERENCE

Technological innovation in the financial sector has the potential to reduce costs, increase competition and provide a better service to customers. Therefore, it is convenient to promote the use of new technologies as long as they offer adequate security levels.

Thus, in accordance with article 21.1 (d) of the Regulation of Law 10/2010, of 28 April, on the prevention of money laundering and terrorist financing, the use by obliged subjects of remote identification procedures by videoconference is hereby authorized subject to the following specifications:

- Remote identification procedures by videoconference will be applicable only to customers furnished with the reliable identification documents referred to in article 6 of the Regulation of Law 10/2010.
- Prior to the effective implementation of a remote identification procedure by videoconference, the obliged subject must conduct the specific risk assessment referred to in article 32.2 of the Regulation of Law 10/2010.
- Prior to the effective implementation of a remote identification procedure by videoconference, the obliged subject must document the procedure and test its efficacy, writing down the results. The procedure must not be implemented if the results of the tests do not confirm its efficacy.
- It will be the obliged subject's responsibility to implement the technical requirements that ensure the authenticity, validity and integrity of the identification documents used and the matching between the holder and the customer subject to identification.
- Remote identification procedures by videoconference must be managed by personnel with specific training. Such training, which will be consistent with the performed duties, must be documented in accordance with article 39 of the Regulation of Law 10/2010.
- The identification process by videoconference must be recorded with confirmation of date and hour, storing the recording in accordance with article 25 of Law 10/2010. The customer must expressly consent the execution of the remote identification procedures by videoconference and its recording and storage, prior to or in the course of the procedure.



- During the videoconference, the obliged subject must adopt measures to ensure the privacy of the conversation maintained with the customer.
- In any case, in the course of the videoconference the customer subject to identification must visibly exhibit the front and back of the document used for his/her identification.
- The identification process must not be completed when (i) there is a suspicion of forgery or manipulation of the identification document, (ii) there is a suspicion of mismatch between the document's holder and the customer subject to identification, or (iii) the communication conditions prevent or hinder verifying the authenticity and integrity of the identification document and the matching between the document's holder and the customer subject to identification.
- The obliged subject must obtain and store a photography or snapshot of the front and back of the identification document. The obtained photography or snapshot must fulfil such conditions of quality and definition as to enable its use in investigations or analysis and must be stored in accordance with article 25 of Law 10/2010.
- Prior to the execution of whatever transactions, the obliged subject must verify that the customer is not subject to international financial sanctions or countermeasures, in the terms established by article 42 of Law 10/2010.
- The execution of remote identification procedures by videoconference may be outsourced, maintaining the obliged subject full responsibility.
- The external review report referred to in article 28 of Law 10/2010 must expressly assess the adequacy and operational efficacy of the remote identification procedure by videoconference.
- This authorization must be understood without prejudice of the obliged subjects' duty to comply with any other legal obligations, in particular regarding tax matters, financial prudential requirements, information and protection of consumers and personal data protection.
- The specific remote identification procedures by videoconference established by obliged subjects pursuant to this authorization will not be subject to a new authorization, without prejudice of the Executive Service's control in the exercise of its supervision and inspection powers conferred by article 47 of Law 10/2010.

This authorization will be effective as of 1 March 2016.

Madrid, 12 February 2016