

Courtesy Translation



REPUBBLIC OF SAN MARINO

LAW – DECREE no.136 of 22 September 2009

**We the Captains Regent
of the Most Serene Republic of San Marino**

Having regard to the conditions of necessity and urgency referred to in Article 2, paragraph 2, point b) of Constitutional Law no. 183 of 15 December 2005 and in Article 12 of Qualified Law no. 184 of 12 December 2005 and precisely:

- *the need to strengthen the safety and soundness of San Marino economic and financial system and international cooperation provided by the Republic of San Marino in combating money laundering and terrorist financing, as well as in protecting national and international security;*
- *the urgency to implement immediately the relevant rules and provisions, also in view of the forthcoming assessment of San Marino banking and financial system by the Moneyval Assembly ;*

*Having regard to Decision no. 1 of the State Congress adopted in its sitting of 22 September 2009;
Having regard to Article 5, paragraph 2 of Constitutional Law no. 185/2005 and Articles 9 and 10, paragraph 2 of Qualified Law no. 186/2005;*

Promulgate and order the publication of the following decree-law:

URGENT PROVISIONS ON BEARER PASSBOOKS

Article 1

1. As from the entry into force of this law-decree, new bearer passbooks shall no longer be issued.

Article 2

1. All bearer passbooks, regardless of their balance, shall be closed or converted to nominative accounts by 30 June 2010. In this regard, the provisions set forth in Decree no.136 of 31 October 2008 shall apply.

Article 3

1. As from the entry into force of this law-decree, no deposits on bearer passbooks shall be allowed.
2. Without prejudice to Article 2, bearer passbooks shall be closed or converted to nominative accounts when the first withdrawal transaction is carried out. On that occasion customer due

diligence requirements, referred to in Articles 21 and 22 of Law no.92 of 17 June 2008, shall be fulfilled.

Article 4

1. Withdrawals, closure or conversion of bearer passbooks of over € 15,000 shall be reported to the Compliance Officer as potential suspicious transactions, also for the purposes referred to in Article 36 of Law n.92 of 17 June 2008.

Article 5

1. The Financial Intelligence Agency shall carry out specific on-site inspections aimed at verifying the proper fulfilment of the obligations set forth in this law-decree.

Article 6

1. Any violation of the obligations envisaged by paragraph 2 of Article 3 of this decree shall be punished under Article 61 of Law no. 92 of 17 June 2008, as amended by Law no. 73 of 19 June 2009.

2. Any other violation of the obligations set forth in this law-decree shall be punished by terms of an administrative sanction from € 10,000 to € 50,000 imposed by the Financial Intelligence Agency.

Article 7

1. Any provision in contrast with this law-decree is repealed.

Done at Our Residence, on 22 September 2009

THE CAPTAINS REGENT
Massimo Cenci – Oscar Mina

THE SECRETARY OF STATE
FOR INTERNAL AFFAIRS
Valeria Ciavatta