Book III - Service providers

Title I ter - Asset management companies of UCITS

Chapter V - Other provisions

Section 2 - Obligations relating to the prevention of money laundering and terrorist financing

General regulation of the AMF

Article 321-146 into force since 23 April 2021

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Article 321-146

In order to establish the risk identification and evaluation systems referred to in Article 321-143, the asset management company shall compile, document and periodically update a classification of the money laundering and terrorist financing risks to which it is exposed in the course of its business. It shall assess its exposure to these risks according, in particular, to the nature of the products offered, the investment services provided or the collective management activity, the trading terms proposed, the distribution channels used, the characteristics of the clients and the country or territory of origin or destination of the funds.

To this end, in particular, the recommendations of the European Commission, the risk factors referred to in Annexes II and III of the Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015, information provided by the Financial Action Task Force (FATF) and the national risk analysis and information provided in the Minister for the Economy's orders are taken into account.

Prior to the launch of new products, services or sales practices, including the use of new distribution mechanisms and new or developing technologies, in relation to new or existing products and services, the asset management company shall also identify and assess the related money laundering and terrorist financing risks. It shall take appropriate measures to manage and mitigate these risks.

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