



**EGMONT GROUP OF
FINANCIAL INTELLIGENCE UNITS
CHARTER**

**Approved in July 2013 by the Egmont Group
Heads of Financial Intelligence Units
(Revised in July 2023)**

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EGMONT GROUP OF FINANCIAL INTELLIGENCE UNITS CHARTER

This Charter and its elements are binding. Therefore, cases of significant and relevant non-compliance will be subject to the *Egmont Group Support and Compliance Process*.

Preamble

The Financial Intelligence Units (FIUs) recognized as members of the Egmont Group of Financial Intelligence Units (Egmont Group) by the Heads of FIU (HoFIU):

Having considered:

- the international nature of money laundering and the financing of terrorism and related threats to a jurisdiction's national security interests;
- that international standards identify FIUs as key components of any comprehensive system of anti-money laundering and countering the financing of terrorism (AML/CFT);
- that the products, including financial intelligence, developed by an FIU have an important value-added role in successfully combating money laundering and the financing of terrorism;
- that as the international standards for AML/CFT have evolved, so too have the roles of FIUs at the national and international levels;
- that FIUs have common features and functions, especially in relation to receiving disclosures, providing feedback, accessing additional information, performing analysis, and exchanging information with foreign counterpart FIUs for the purposes of combating money laundering and the financing of terrorism;
- that cooperation between and among FIUs across national borders both increases the effectiveness of individual FIUs and contributes to the success of the global fight against money laundering and the financing of terrorism;
- that effective international cooperation between and among FIUs must be based on a foundation of mutual trust;

- the first international gathering of FIUs on 9 June 1995 and the decision of the participating agencies to establish the Egmont Group as an informal forum for FIUs worldwide;
- that in 2007 the Egmont Group adopted its original Charter and governance structure to carry out its mission;
- that the growing number of member FIUs and the international recognition of the Egmont Group's important role in the AML/CFT field calls for a further strengthening of its organizational structure; and
- that the Egmont Group membership is a privilege and that with membership comes obligations and benefits—the Egmont Group supports and affords full rights and privileges to all members and expects all members to support its activities.

Having reaffirmed:

- the basic principles articulated by the Egmont Group over the years and approved by the membership, as contained in the *Principles for Information Exchange between Financial Intelligence Units* (Principles); and
- that the 2012 revisions by the Financial Action Task Force (FATF) to its Recommendations on AML/CFT affect all AML/CFT competent authorities, including FIUs.

Resolve to:

- unite their efforts to further improve an effective exchange of information upon request and spontaneously to combat money laundering and financing of terrorism;
- exchange information on their respective experiences to promote the development of effective FIUs;
- support the Egmont Group members to enhance their capacity by promoting the operational independence of FIUs, offering training and technical assistance, promoting personnel exchanges, developing operational and strategic collaboration, and maintaining and granting access to a secure channel for information exchange between Egmont Group FIUs; and
- lawfully cooperate on all aspects related to this Charter.

1. Definitions

1.1 Financial Intelligence Unit

The definition of a Financial Intelligence Unit (FIU) is as stated within the text of the FATF Recommendation and Interpretative Note on Financial Intelligence Units (*Recommendation 29*).

Countries should establish an FIU that serves as a national centre for the receipt and analysis of:

- (a) suspicious transaction reports; and
- (b) other information relevant to money laundering, associated predicate offences and financing of terrorism, and for the dissemination of the results of that analysis.

The FIU should be able to obtain additional information from reporting entities and should have access on a timely basis to the financial, administrative, and law enforcement information that it requires to undertake its functions properly.

The *Interpretive Note* to Recommendation 29 is included as Appendix A of this Charter and has the same binding effect as the definition above.

1.2 Consensus

“Consensus” is a general agreement having noted and given due consideration to any formal and substantiated objection.¹

1.3 Members

A member is considered to be in good standing unless that member has been suspended or expelled for non-compliance with this Charter or the Principles.

All members are encouraged to actively participate and contribute to the work of the Egmont Group. Active members are those who contribute through projects, initiatives, leadership roles and other considerable means to pursue the mandate of the Egmont Group.

1.4 Egmont Documents

This Charter and the Principles are binding to all members. Therefore, cases of significant and relevant non-compliance with these documents will be subject to the *Egmont Group Support and Compliance Process*. The *Operational Guidance for FIU Activities and the Exchange of Information* is not binding. However, members are highly encouraged to implement the guidelines to the greatest extent possible.

¹ “Given due consideration” means having resolved or addressed a substantiated objection. The Chair will have the authority to (a) determine if any objection is substantiated and (b) ensure no single member is able to block the process of consensus building if, in the opinion of the Chair, that member’s objection has been addressed.

2. Statement of Purpose

The FIUs participating in the Egmont Group are:

- **finding** that FIUs exchange financial information and intelligence products internationally that have increasingly become valuable tools in the global fight against the financing of terrorism by supporting the work of other national agencies;
- **convinced** that cooperation between and among FIUs across national borders both increases the effectiveness of individual FIUs and contributes to the success of the global fight against ML/TF;
- **mindful** of both the sensitive nature of disclosures of financial information and the value of the FIUs established to protect the confidentiality of such disclosures, analyze them and refer them, as appropriate, to the competent authorities for investigation, prosecution, or trial for administrative, investigative, prosecutorial or judicial purposes;
- **acknowledging** the important role of international organizations and the various other national government agencies—such as finance and justice ministries, the police, customs, taxation, national security, anti-corruption agencies, and supervisory and regulatory agencies—as allies in the fight against ML/TF;
- **having annually convened** Egmont Plenary meetings to discuss issues common to FIUs and to foster such international cooperation among established FIUs, to assist and advise FIUs under development, and to co-operate with representatives of other government agencies and international organizations interested in the international fight against ML/TF;
- **having also agreed** upon a definition of “Financial Intelligence Unit,” prepared a model Memorandum of Understanding for exchanging information, created the Egmont Secure Web (ESW) to facilitate information exchanges, embarked upon numerous initiatives to develop the expertise and skills of FIUs’ staff and contribute to the successful investigation of matters within FIUs’ jurisdictions;
- **aware** that obstacles continue to limit information exchange and effective cooperation between some FIUs and that those obstacles may include legal restrictions and/or the very nature of the FIUs themselves (administrative, judicial or law enforcement); and
- **convinced** that there exists both significant potential for broad-based international cooperation among the FIUs and a critical need to enhance such cooperation.

HEREBY AFFIRM their commitment to encourage the development of FIUs and cooperation between and among them in the interest of combating ML/TF.

Statement of Purpose (Continued)

We affirm our commitment to this Charter, which forms a unique integral body of standards together with this Statement of Purpose.

We believe developing an information exchange network based on the Principles for Information Exchange between Financial Intelligence Units is crucial.

We believe it is crucial for the organization to own a secure, reliable, and future-proof IT system that facilitates information exchange and cooperation among member FIUs.

Henceforth, we agree that Egmont Group meetings shall be convened by and for member FIUs and other invited persons or agencies that are in a position to contribute to the Egmont Group's goals.

We further agree to prioritize through the appropriate working groups and otherwise, the:

- development of FIUs in governments worldwide and their incorporation into the Egmont Group;
- further stimulation of information exchange and cooperation based on reciprocity or mutual agreement;
- continued development of the ESW by all the Egmont Group member FIUs;
- secured access to the ESW for all the Egmont Group member FIUs;
- continued development of training opportunities, regional/operational workshops, and personnel exchanges;
- articulation of more formal procedures for decisions about particular agencies' status vis-à-vis the FIU definition;
- development of appropriate methods for the exchange of information; and
- creation of Egmont Group-sanctioned materials for use in presentations and communication to public audiences and the media about Egmont Group matters.

3. Information Exchange and International Cooperation

3.1 Cooperation

A. Exchange of Information

All members foster the widest possible cooperation and exchange of information with other Egmont Group FIUs on the basis of reciprocity or mutual agreement and following the basic rules established in the Principles:

- 1) Free exchange of information for purposes of analysis at FIU level.
- 2) No dissemination or use of the information for any other purpose without prior consent of the providing FIU.
- 3) Protection of the confidentiality of the information.

3.2 Principles

B. Commitment to the Principles

All Egmont Group members commit to the Principles and to engage in international cooperation among themselves in compliance with those Principles.

4. Composition

4.1 Members

The Egmont Group members are those FIUs recognized as members by the HoFIU.

A. Members—Eligibility

All members must:

- 1) meet the definition of an FIU;
- 2) have full operational status; and
- 3) have the willingness and legal capability to exchange information with all counterpart FIUs according to this Charter and the Principles.

B. Members—Responsibilities

All Egmont Group members exchange information with other members, consistent with this Charter and the Principles.

All members endorse the *Operational Guidance for FIU Activities and the Exchange of Information* and are encouraged to implement these guidelines to the greatest extent possible.

Members, through the work of the HoFIU and other parts of the Egmont Group, support the *Egmont Group Support and Compliance Process*, which applies to all members.

All members are expected to participate, consistent with their relative capabilities, resources, and competences, in Egmont meetings and/or activities.

All members will inform the Egmont Group Secretariat of significant changes to their organizational structure, mandate, and operational status, which may affect their eligibility as a member.

All members contribute to the Egmont Group budget in a timely manner,² in accordance with the funding formula and provisions as set out below in part 7 (Budget).

All members complete the Egmont Group Census in a timely and accurate manner.

All members fully support the operations and continuous development of the ESW. In addition, members will implement new developments, security, and operating policies established by the Egmont Group to ensure the ESW remains updated, confidential, and safe for all members.

C. Members—Privileges

Members are entitled and expected to participate in the Egmont Plenary meetings, HoFIU, Regional Groups, Working Groups, training seminars, and in Egmont Group decision-making at all levels.

Members are entitled and expected to participate in and support Egmont Group initiatives at global and regional levels.

Members are entitled and expected to access and use the ESW.

4.2 Observers³

The Egmont Group recognizes in this Charter, as observers⁴ to the Egmont Group, international partners in the fight against money laundering and the financing of terrorism. The Egmont Group acknowledges the importance of leveraging limited resources and developing synergies with international partners by cooperating with international organizations and other corporate entities in the fight against money laundering and the financing of terrorism.

While the Egmont Group's focus is on operational aspects of international cooperation involving FIUs, it does not operate in isolation. The Egmont Group participates as an observer in the meetings of other international partners. Similarly, the Egmont Group invites numerous international partners to attend Egmont Group meetings.

² Timeliness is to be interpreted based on the *Egmont Group Secretariat: Financial and Administrative Policies and Procedures*, which was endorsed by the HoFIU. See the sections on payment of Member Contributions and Procedures.

³ The procedures for Observers joining the Egmont Group are described in *The Egmont Group Partnership with Observers and Other International AML/CFT Partners*, and *The Egmont Group Procedure for Granting Observer Status*.

⁴ For the purposes of this Charter, international partners invited to Egmont Group meetings on an *ad hoc* or one-time basis, such as candidate FIUs and private sector entities, are considered Designated Guests.

A. Observers—Eligibility

All Egmont Group observer organizations must:

- 1) be governmental or inter-governmental;
- 2) be non-profit;
- 3) have a stated role relating to AML/CFT;
- 4) support the Egmont Group's objectives;
- 5) enhance the Egmont Group's global reach, geographic goals, and/or AML/CFT objectives; and
- 6) be able to make a contribution to the work of the Egmont Group.

B. Observers—Responsibilities

Observers fully cooperate with the Egmont Group HoFIU, Chair, Egmont Group Vice Chairs, Committee, Secretariat, and Working and Regional Groups to further the Egmont Group's objectives.

Observers keep the Egmont Group informed of changes in their structure, mandate, mission, or other variations that might impact their eligibility as observers.

Observers provide the Egmont Group, on a reciprocal basis, with their reports and publications related to matters relevant to FIUs.

Observers engage in cooperation and coordination with the Egmont Group Secretariat, on the basis of reciprocity and in an effort to avoid duplication and overlap to develop ways and means of harmonizing activities that fall within the scope of the Egmont Group.

Observers grant reciprocal rights to the Egmont Group, including with respect to attendance at meetings, working groups, and information sharing on AML/CFT issues.

Observers protect the security and operations of the ESW.

C. Observers—Privileges

Observers have a standing invitation to attend Egmont Plenary meetings.

Observers have a standing invitation to attend meetings of the Egmont Working Groups; however, observers cannot participate during closed sessions unless invited to do so by the respective Working Group Chair.

Observers may participate in the meeting proceedings of Egmont Working Groups or Plenary meetings but have no decision-making rights.

Observers may submit proposals/projects of mutual interest and benefit to the Egmont Group.

Observers may access Egmont Group papers if those papers are:

- 1) determined not to be confidential in nature by the Chair, Egmont Group Vice Chairs, Egmont Committee, Executive Secretary, Working Group Chairs, or the HoFIU as the final arbiter; and
- 2) determined to be confidential in nature, but where access to such documents by designated observers is authorized, on a case-by-case basis, by the Chair, Egmont Group Vice Chairs, Egmont Committee, Executive Secretary, or Working Group Chairs, or the HoFIU as the final arbiter.

Observers may be granted specific access to the ESW in accordance with the *ESW Internal Rules and Operational Procedures* and other relevant security and operating policies.

5. Participation

All members are encouraged to actively support the work of the Egmont Group. Active support may include participation, consistent with their relative capabilities, resources, and competencies, in FIU fora on the margins of FATF or FATF Style Regional Body meetings, Egmont projects, Regional Groups, Working Groups, and Egmont training initiatives. Members are also expected to host Egmont meetings whenever possible and share typologies.

5.1 Plenary and HoFIU

A. Participation—Plenary and HoFIU Meetings

- 1) The HoFIU convene an annual Plenary meeting for members and observers.
- 2) The HoFIU also convene an annual HoFIU meeting during the Plenary meeting. The HoFIU meeting is exclusively for the members (Head of each FIU's delegation or designate only), the Egmont Committee, the Executive Secretary, and the Secretariat.
- 3) The Chair of the Egmont Group, assisted by the Egmont Group Vice Chairs, presides over the Egmont Plenary and HoFIU meetings.
- 4) The HoFIU or Chair of the Egmont Group may convene extraordinary/intercessional meetings as circumstances arise at such time and place as the Chair of the Egmont Group designates, following consultation with the HoFIU.

5.2 Egmont Committee

B. Participation—Egmont Committee Meetings

- 1) The Egmont Committee convenes meetings twice a year.
- 2) The Egmont Committee meeting is exclusively for members of the Egmont Committee.

- 3) The Chair of the Egmont Group, assisted by the Egmont Group Vice Chairs, presides over the Egmont Committee meeting.
- 4) The Egmont Committee may convene extraordinary/intercessional meetings as circumstances arise at such time and place as the Chair of the Egmont Group designates, following consultation with the Egmont Committee.

5.3 Working Group

C. Participation—Working Group Meetings

- 1) The Working Group Chairs convene Working Group meetings twice a year. Working Group meetings are held on the eve of the Plenary meeting and on another occasion.
- 2) The Working Group Chairs may convene *ad hoc* Working Group meetings as necessary.

5.4 Regional Groups

D. Participation—Regional Group Meetings

- 1) Every FIU is a Regional Group member and is expected to attend Regional Group meetings.
- 2) Regional Representatives may convene Regional Group meetings after consulting with members of the Regional Group.
- 3) Regional Representatives chair the Regional Group meetings.
- 4) At a minimum, the Regional Groups meet during Plenary week.
- 5) Regional Groups are encouraged to meet during the year whenever possible.

5.5 Attendance

E. Participation—Attendance at Egmont Meetings

- 1) All members are expected to attend and participate in the annual Egmont Plenary meeting and the HoFIU meeting.
- 2) All members are expected to attend and participate in Working Group meetings and other Egmont meetings.
- 3) All observers are expected to attend the open sessions of the Plenary meetings, open sessions of Working Group meetings, open sessions of Regional Group meetings.
- 4) The Chair of the Egmont Group, the Chairs of the appropriate Working Groups⁵ may extend *ad hoc* invitations to Candidate FIUs to attend all or part of the Plenary meeting and Working Group meetings.

⁵ The relevant Working Group(s) in charge of training and/or outreach are the responsible entities.

6. Structure

The HoFIU, the Chair of the Egmont Group and the Egmont Group Vice Chairs, the Egmont Committee, the Working and Regional Groups, the ESW, and the Secretariat comprise the operating structure of the Egmont Group.

6.1 The HoFIU

A. The HoFIU—General

The HoFIU is the governing body of the Egmont Group. Any powers related to the management of the Egmont Group not explicitly delegated to the Chair of the Egmont Group, the Egmont Committee, the Secretariat, the Working Groups or Regional Groups are deemed to reside with the HoFIU. The HoFIU may delegate specific authorities to other components of the Egmont Group to expedite certain decisions, enhance the effectiveness of Egmont Group activities, and streamline issues brought before the HoFIU.

The HoFIUs establish the mandate and set the Egmont Group's priorities through the Egmont Group's Strategic Plan.

The HoFIU meetings are decision-making meetings where each FIU is represented by its Head or designate. They are held at least once a year during the Egmont Plenary week and can also be held at other times.

Decisions taken by the HoFIU, at a meeting or out-of-session,⁶ are based on consensus.

B. The HoFIU—Roles and functions

The HoFIU decide upon and endorse any development that affects the Egmont Group membership, structure, the ESW, the budget, and members' compliance with this Charter and the Principles. The roles and functions of the HoFIU are:

- 1) To uphold this Charter, the Principles, and the objectives of the Egmont Group.
- 2) To amend or repeal the current Charter and other Egmont Group documents.
- 3) To accept new members and observers.
- 4) To suspend and/or expel members failing to meet this Charter and the Principles and observers, as appropriate.
- 5) To approve the establishment and dissolution of Working Groups and Regional Groups.
- 6) To approve the structure and mandate of the Secretariat.
- 7) To appoint and remove the Chair of the Egmont Group and the Egmont Group Vice Chairs.

⁶ The HoFIU may make decisions during the Plenary week (in session) and any time before or after the Plenary (out-of-session). Technology (such as conference calls, ESW, or the Internet) supports the HoFIU during out-of-session decision-making.

- 8) To endorse the selection and extension of tenure of Working Group Chairs, Working Group Vice Chairs, and Regional Representatives.
- 9) To endorse the appointment of the Executive Secretary but delegate to the Egmont Committee the responsibility for overseeing (a) the work and performance of the Executive Secretary and (b) the process, selection, and renewal of the Executive Secretary's contract.
- 10) To serve as an appellate body for decisions by the Chair of the Egmont Group, including those concerning the Executive Secretary.
- 11) To approve the funding formula and annual budget.
- 12) To approve the use of "out of budget funds" (uncommitted funds) if necessary.
- 13) To set the agenda or direction for, and approve, the Egmont Group's Strategic Plan.
- 14) To approve the annual Business Plans of the Egmont Committee, Working Groups and the Secretariat, and the regional plans of the Regional Groups.
- 15) To approve *a priori* new projects that arise after the endorsement of annual Business Plans and projects pursued outside the scope of the Working Groups, pursuant to Egmont procedures.
- 16) To approve the financial statements and the annual report.
- 17) To appoint auditors and approve the audit reports.
- 18) To delegate specific authority to the Egmont Committee as the HoFIU deem necessary.
- 19) To set the agenda or direction for, and approve, the Egmont Group's IT Strategy, including the ESW security and operating policies that all members and the Secretariat should implement.
- 20) To appoint and remove the ESW Representative and ESW Board members and to approve major proposals related to the ESW's scope of services, reports, and outcomes.

6.2 The Chair and Vice Chairs of the Egmont Group

A. The Chair—General

The Chair acts on behalf of the HoFIU and the Egmont Group more broadly to carry out its mandate. The Chair is the primary representative of the Egmont Group. The Chair is chosen by the HoFIU from the membership under procedures determined and approved by the HoFIU.

The Chair has a two-year term with the option of a two-year extension, subject to HoFIU approval. In exceptional circumstances, the HoFIU may authorize further extensions.⁷

B. The Chair—Roles and Functions

- 1) To lead the Egmont Group on all major issues, including the Egmont Group's Strategic Plan and its IT Strategy, in consultation and coordination with the HoFIU.
- 2) To build consensus within the Egmont Group.
- 3) To ensure members are informed in a timely way of key developments affecting the Egmont Group.
- 4) To oversee the work of the Executive Secretary.
- 5) To provide guidance on the operations of the Secretariat.
- 6) To represent the Egmont Group before external partners and in international fora.
- 7) To chair the Plenary meetings, the HoFIU meeting, and the Egmont Committee meeting (see further roles and functions as Chair of the Egmont Committee as set out below under *6.3 Egmont Committee*).
- 8) To perform ceremonial duties to represent the Egmont Group as needed.

The Chair of the Egmont Group and the Egmont Committee are committed to working in full transparency within the framework of their respective mandate and in line with this Charter and the Principles. If a deviating position or decision is contemplated, then the HoFIUs' approval should be sought.

The Chair of the Egmont Group, in consultation with the Egmont Committee, has emergency powers to exercise in exceptional and urgent cases as described below in this provision and specified in the *Revised Internal Procedures of the Egmont Committee*.

The HoFIU authorizes the Chair, in consultation with the Egmont Committee, to utilize the emergency powers and immediately report back to the HoFIU for their confirmation of the exercise of such authority by the Chair under the following circumstances:

⁷ Exceptional circumstances are determined by the HoFIU. An exceptional circumstance may include an instance when there are no new candidates for Chair of the Egmont Group.

- 1) to suspend a member FIU's access to the ESW if it is substantiated that the member FIU poses a security threat to the Egmont Group; and
- 2) to protect Egmont assets.

C. The Egmont Group Vice Chairs - General

The Egmont Group Vice Chairs' primary role is to assist the Chair of the Egmont Group in overseeing the organization. The Egmont Group Vice Chairs support and advise the Chair on matters affecting the Egmont Group and also have ceremonial duties to represent the Egmont Group, as needed. The Egmont Group Vice Chairs serve on the Egmont Committee. The Egmont Group Vice Chairs are chosen by the HoFIU from the membership under procedures determined and approved by the HoFIU. To reflect the broad representation of Egmont Group, two of the three positions - Chair of the Egmont Group and Egmont Group Vice Chairs - should reflect the geographical diversity of the members, to the extent possible.

D. The Egmont Group Vice Chairs—Roles and Functions

The Chair of the Egmont Group and the Egmont Group Vice Chairs decide upon the division of labour for leading the organization. The Egmont Group Vice Chairs may perform various functions at the discretion of the Chair of the Egmont Group and the HoFIU as appropriate, including:

- 1) To serve as Chair of the Egmont Group temporarily until the HoFIU select a new Chair, when the Chair vacates his/her office due to illness, cessation of employment with an FIU, or other matter whereby she/he is unable to complete her/his tenure as Chair.
- 2) To act as Chair of the Egmont Group when the Chair is temporarily absent and has not vacated her/his post as Chair.
- 3) To support the Chair of the Egmont Group in leading the Egmont Committee meetings.
- 4) To assist the Chair of the Egmont Group by representing the EG at numerous international events.
- 5) To assist the Chair of the Egmont Group in providing guidance to the Secretariat on specific matters
- 6) To oversee the development and implementation of the large and expanding governance portfolio⁸ led by the Egmont Committee.
- 7) To address, at the request of the Chair of the Egmont Group and on an as-needed basis, particular issues, including matters that need the immediate attention of Egmont's senior leadership.

⁸ For example, updating as needed the core Egmont Group documents, the new internal procedures for the EC, clarifying internal procedures for the EC or the EGS, overseeing additional voluntary contributions by members, etc.

- 8) To address any other duties as assigned by the Chair of the Egmont Group or the HoFIU.

The divisions of labour between the Chair of the Egmont Group and Egmont Group Vice Chairs should allow the Chair of the Egmont Group to focus on the operational and strategic issues facing the organization while the Egmont Group Vice Chairs address, under the direction of the Chair of the Egmont Group, the governance and corporate portfolio in addition to substantive and other issues, as determined by the Chair of the Egmont Group.

The Egmont Group Vice Chairs have a two-year term with an option of a two-year extension, subject to the approval of the HoFIU. In exceptional circumstances, the HoFIU may authorize further extensions.⁹

6.3 Egmont Committee

A. The Committee—General

The Egmont Committee ensures that the Egmont Group carries out the mandate of the HoFIU. The Egmont Committee serves as a consultative and coordination body for the HoFIU, the Working Groups, the ESW and the Regional Groups, with authorities specifically delegated by the HoFIU. The Egmont Committee oversees Egmont initiatives and provides general guidance to the Chair of the Egmont Group, the Egmont Group Vice Chairs, the Working Groups, the ESW, Regional Groups and the Secretariat. The Egmont Committee is responsible for ensuring vertical and horizontal cohesion of the work of the Egmont Group, consistent with the mandate of the HoFIU.

Decisions made by the Egmont Committee are based on consensus.

B. The Committee—Roles and Functions

- 1) To oversee the financial management of the Egmont Group, including the development of a budget and contribution matrix for the endorsement of the HoFIU.
- 2) To advise the Chair of the Egmont Group, Egmont Group Vice Chairs and the Executive Secretary in matters relating to the management and work of the Secretariat.
- 3) To advise the Chair of the Egmont Group, Egmont Group Vice Chairs, the Executive Secretary, the ESW Representative and the ESW Board in matters relating to the management, operations, and development of the ESW.
- 4) To approve the *ESW Internal Rules and Operational Procedures* as proposed by the ESW Board.
- 5) To oversee the process for the selection, appointment, contract extension or dismissal for cause of the Executive Secretary.

⁹ Exceptional circumstances are determined by the HoFIU. Exceptional circumstance may include an instance when there are no new candidates for Chair of the Egmont Group or the Egmont Group Vice Chairs.

- 6) To develop and coordinate implementation of the Egmont Group's Strategic Plan and its IT Strategy.
- 7) To consider matters affecting the Egmont Group, including compliance with this Charter and the Principles, and make recommendations to the HoFIU.
- 8) To determine the operating procedures of the Egmont Committee.
- 9) To examine ways to illustrate and enhance efficiency and monitor the progress of Egmont Group activities.
- 10) To prepare or modify the Egmont Committee's annual Business Plan for endorsement by the HoFIU.
- 11) To make additional proposals to the Business Plans submitted by the Working Group, if needed, to ensure consistency with the Egmont Group's Strategic Plan and avoid overlap.
- 12) To resolve cases where the Egmont Committee identifies an overlap or conflict between the activities of the Working Groups that cannot be resolved by the Working Group Chairs.
- 13) To recommend to the HoFIU the establishment or dissolution of Working Groups, as appropriate.
- 14) To set any additional or intersessional Committee meetings as necessary.
- 15) To set the agenda for the annual HoFIU meeting and Egmont Plenary meeting.
- 16) To represent or delegate representation of the Egmont Group in international fora.
- 17) To review organizations' applications to become observers and make recommendations to the HoFIU.
- 18) To attend the HoFIU meeting at the Egmont Plenary meeting.
- 19) To carry out other duties or tasks delegated or assigned by the HoFIU.

C. The Committee—Members

The Egmont Committee represents all members. The Egmont Committee comprises the Chair of the Egmont Group, the Egmont Group Vice Chairs, the Chairs of the Working Groups, the Egmont Secure Web Representative, the Regional Representatives, and the Executive Secretary of the Secretariat.

Representatives on the Egmont Committee are full-time employees of a member FIU. The representative may be a Head, a Head's designate, or a senior official. All members of the Egmont Committee are expected to attend each Egmont Committee meeting.

If a member of the Egmont Committee is unable to attend an Egmont Committee meeting, the following illustrates the rights of succession in the short term only:

- 1) The Chair of the Egmont Group is represented by the Egmont Group Vice Chairs;

- 2) The Working Group Chair is represented by the Working Group Vice Chair;
- 3) The ESW Representative is represented by another ESW Board member;
- 4) The Regional Representative is represented by an appropriate substitute from the Regional Representative's FIU; and
- 5) The Executive Secretary is represented by the Senior Officer of the Secretariat.

i. Chair of the Egmont Committee

The Chair of the Egmont Group is also the Chair of the Egmont Committee.

Chair of the Egmont Committee—Roles and Functions

- 1) To lead the Egmont Committee on all major issues consistent with the mandate of the HoFIU and build consensus.
- 2) To facilitate the implementation of the Strategic Plan.
- 3) To chair the meetings of the Egmont Committee.
- 4) To oversee and guide the work of the Egmont Committee.

ii. Vice Chairs of the Egmont Group

The Egmont Group Vice Chairs support the Chair of the Egmont Group in overseeing the organization as described in sections 6.2.C and D.

As candidacies for the Egmont Group Vice Chair positions are open to all member FIUs, the size of the Egmont Committee may vary by a maximum of two additional positions, depending on whether the successful candidate/s is/are already members of the Egmont Committee.

iii. Chairs of the Working Groups

The Chairs of the Working Groups represent the Working Groups in the Egmont Committee.

iv. Egmont Secure Web (ESW) Representative

The ESW Representative on the Egmont Committee represents the ESW Board and advises the Egmont Committee on all strategic aspects related to the work and development of the ESW.

v. Regional Representatives

The Regional Representatives liaise between the members in their region and the Egmont Committee and the Egmont Group and act as advocates for their region. The selection and number of Regional Representatives for each Regional Group are described in the *Revised Internal Procedures of the Egmont Committee* and the internal procedures of Regional Groups. The Regional Representatives are natural persons, not FIUs, specifically chosen by the Regional Group. If a Regional Representative is no longer an employee of the FIU, he/she loses the status of Regional Representative.

Regional Representatives—Roles and Functions

- 1) To provide a voice to the Regional Group members by communicating and representing the views and interests of their region to the Egmont Committee in discussions and decisions.
- 2) To proactively communicate key Egmont Committee messages and outcomes to their Regional Group members, as appropriate.
- 3) To update the Egmont Committee on Regional Group members' related developments, issues, and concerns in their respective regions.

D. The Committee—Reference Groups

The Egmont Committee may create Reference Groups to provide advice and support to the Egmont Committee. The Reference Groups comprise members of the Egmont Committee. The Reference Groups are not decision-making bodies and should not replace or duplicate the work of the Working Groups. (See *Mandate for the Egmont Committee Reference Groups*.)

Reference Groups—Roles and Functions

- 1) To advise the Egmont Committee on specific issues assigned by the Egmont Committee.
- 2) To help the Egmont Committee manage day-to-day issues for which the Egmont Committee is responsible.
- 3) To proactively identify issues to be referred to the Working Groups for more detailed consideration, as appropriate.

6.4 Working Groups

A. Working Groups—General

To accomplish its mission of development, cooperation, and sharing of expertise, the HoFIU creates Working Groups upon the recommendation of the Egmont Committee and mandates their activities, aligning such activities with the Egmont Group's Strategic Plan.

Members may participate in a Working Group. The Working Groups meet periodically, in person, and on an ongoing basis through telecommunications.

B. Working Groups—Roles and Functions

- 1) Preparation of Business Plans:
 - a. The Working Groups develop annual Business Plans, taking account of the Egmont Group's Strategic Plan. These Business Plans outline the projects, products, and activities of the Working Groups.
 - b. The Chairs of the Working Groups consult each other for the preparation of the Business Plans to ensure an appropriate exchange of information, promote synergies and avoid duplication of effort.

- c. The Business Plans are then presented to the Egmont Committee, which can make additional proposals, if needed, to ensure consistency with the Egmont Group's Strategic Plan and avoid overlap.
 - d. The Chairs of the Working Groups submit the Business Plans to the HoFIU for approval.
- 2) Implementation, coordination, and participation:
- a. The Working Groups are autonomous in the development and implementation of their activities consistent with their mandate, approved projects, Business Plans and, in furtherance of, the Egmont Group's Strategic Plan.
 - b. The Chairs of the Working Group regularly coordinate their activities and strive to avoid overlap and duplication.
 - c. The Chairs of the Working Group inform each Egmont Committee meeting about their activities and the implementation of the Business Plans. Where the Egmont Committee identifies an overlap or a conflict between activities of the Working Groups that cannot be resolved by the Working Group Chairs, the Committee will agree on a resolution.
 - d. The Chairs of the Working Groups report to the HoFIU on the implementation of the Business Plan. Members strive to actively participate in the activities of the Working Groups. The HoFIU support the dissemination of the final products of the Working Groups with the aim that they are actively used by the members.
 - e. If a Working Group wants to launch a new project or activity not referred to in the adopted Business Plan, it can only do so with the endorsement of the Egmont Committee and *a priori* approval of the HoFIU.

C. The Chairs and Vice Chairs of Working Groups

The members of a Working Group select the Chairs and Vice Chair(s) in accordance with the Working Group's internal procedures. Chairs and Vice Chair(s) have a two-year term with an option of a two-year extension, subject to the approval of the Working Group. The HoFIU endorse the selection of the Working Group Chairs and Vice Chairs. All Working Groups should have at least one Vice Chair. If the Chair of a Working Group is unable to attend a meeting of, or on behalf of, the Egmont Group, the Working Group's Vice Chair may represent the Chair. If the Chair of a Working Group cannot complete his/her term, the Working Group may select a new Chair.

Roles and Functions

- 1) To manage the agenda and work of the Working Group consistent with the Egmont Group Strategic Plan.
- 2) To preside over the meetings of the Working Group.
- 3) To brief the HoFIU on the Working Group's major initiatives and report on progress made.

- 4) To ensure that the guidance provided by the HoFIU is implemented.
- 5) To represent the Egmont Group at international fora whenever possible or necessary.
- 6) To support the operations and development of the ESW, as established in the *ESW Internal Rules and Operational Procedures*.

D. Projects

Projects and activities of the Egmont Group should be carried out through the Working Groups. The Egmont Group encourages and supports projects or activities on matters of interest to multiple members and observers, as appropriate. *Ad hoc* project teams may be created outside the Working Groups under procedures determined and approved by the HoFIU and with the support of the Egmont Committee.

6.5 Regional Groups

A. Regional Groups—General

To accomplish its mission of development, cooperation and sharing of expertise, the Egmont Group creates Regional Groups. The Regional Groups are organized based on geographic distribution and are represented by their Regional Representatives on the Egmont Committee. Every member of the Egmont Group is a member of a Regional Group.

The Regional Groups, represented by the members' Heads or their designated representatives, meet during Plenary week and are encouraged to meet during the year, whenever possible, to collaborate on regional issues and activities.

B. Regional Groups—Roles and Functions

- 1) To actively support and, in turn, communicate and contribute to the activities of the Egmont Working Groups.
- 2) To prepare a Regional Plan for endorsement by the HoFIU.
- 3) To facilitate the support and sponsorship of non-Egmont member FIUs in the region to join the Egmont Group.
- 4) To facilitate the collaboration of Regional Groups' members, including developing typologies and conducting operational and strategic projects.
- 5) To advise the Regional Representative(s) on specific issues relating to the HoFIU and the Egmont Committee.
- 6) To provide regular updates to the Regional Representative(s) on developments and issues in their respective region.
- 7) To proactively identify issues to be referred to the Egmont Committee.
- 8) To assist the Regional Representative(s) in the coordination of an annual Regional Group meeting and other meetings, where practical and appropriate, and to actively participate and contribute to this meeting.

- 9) To engage with the Secretariat on initiatives and programs.
- 10) To support the operations and development of the ESW, as established in the *ESW Internal Rules and Operational Procedures*.

C. Regional Groups—Regional Representatives

The members of the Regional Group select their Regional Representative(s) in accordance with the internal procedures of the Egmont Committee and Regional Groups. The selection process should strike a balance between rotating the position among FIU representatives in the Regional Group and a flexible approach for Regional Groups that have few FIU representatives able to serve in this position.

The HoFIU endorses the selection of Regional Representatives. The Regional Representatives have a two-year term with the option of a two-year extension, only in exceptional cases,¹⁰ and subject to the approval of the HoFIU.

If a Regional Representative is unable to attend a meeting of, or on behalf of, the Egmont Group, they may designate an appropriate substitute for that occasion. If a Regional Representative is unable to complete his/her term, the Regional Group selects a new Regional Representative.

Regional Representatives act as the main contacts for the HoFIU and Egmont Committee on regional issues, mediation of members' issues in the region, and facilitating training and technical assistance.

Roles and Functions

- 1) To ensure effective implementation of the regional plan and effective coordination with Egmont Working Groups as needed.
- 2) Recognizing that not all members necessarily attend all Egmont meetings, proactively communicate key Egmont messages and outcomes to the Regional Group members as appropriate and voice the regional perspective at the HoFIU meetings.
- 3) To engage with the Secretariat on regional matters of overall interest to the Egmont Group.
- 4) To act as an intermediary between the HoFIU, Egmont Committee, and Working Groups on the one hand and the Regional Group members on the other as required.
- 5) To actively search for solutions to problems of individual Regional Group members in their region, including assisting in obtaining guidance on AML/CFT technical issues.
- 6) To help resolve conflict issues involving Regional Group members in their region.

¹⁰ An exceptional case may include when there are no other member FIUs able and willing to serve in the position.

- 7) To enhance networking and exchanging of ideas among Regional Group members in their region.
- 8) To serve as the Egmont Group's designated representative, whenever possible or necessary, at the regional fora.
- 9) To assist in identifying, where applicable and from the Regional Group, possible sponsors of Candidate FIUs and providers of guidance and advice in the application process.
- 10) To encourage the Regional Group members to actively participate in and contribute to the project teams of the Working Groups and to promote strategic and other Egmont projects and activities among Regional Group members in their region.
- 11) To act and facilitate as mentors to Regional Group members in their region as needed.
- 12) To facilitate and coordinate training and technical assistance for Regional Group members in their region as needed.
- 13) To promote and facilitate, where practical and appropriate, an annual Regional Group meeting, on the margins of the FATF/FATF Style Regional Body meetings or otherwise, to discuss regional issues and coordinate positions and approaches to be pursued at Egmont meetings.
- 14) To attend the meeting of FATF Style Regional Bodies in the margins of Egmont Plenary meeting to provide the regional perspective.
- 15) To facilitate and coordinate the support of their regional members to the operations and development of the ESW, as established in the *ESW Internal Rules and Operational Procedures*.

6.6 The Egmont Secure Web – ESW

A. Egmont Secure Web – General

The ESW is an electronic collaboration system owned by all Egmont Group members. The ESW is critical to the effective functioning of the Egmont Group, and therefore, the HoFIU provide the mandate and strategy for the ESW and approve and monitor its major policies.

B. Egmont Secure Web – Roles and Functions

- 1) Provide a secure and reliable collaboration platform for the members of the Egmont Group.
- 2) Function in accordance with the mandate and strategy from the HoFIU and the *ESW Internal Rules and Operational Procedures*.

C. Egmont Secure Web – ESW Board and ESW Representative

The ESW is governed by the ESW Board, who are selected from the membership under procedures determined and approved by the HoFIU. The ESW Board is represented by the

ESW Representative, who is selected from the membership under procedures determined and approved by the HoFIU.

The ESW Board is formed by the ESW Representative, who chairs the Board, the Executive Secretary, and at least two (2) and no more than five (5) Egmont members. With the exception of the Executive Secretary, the ESW Board members are selected for a 2-year term, with the possibility for renewals.

D. Egmont Secure Web – ESW Board Roles and Functions

- 1) To elaborate and recommend to the Egmont Committee the approval of the *ESW Internal Rules and Operational Procedures* that will cover the governance, structure, and reporting related to the operations and development of the ESW.
- 2) To elaborate and recommend to the HoFIU the approval of the IT Strategy and ESW Security and Operating Policies that all members and the Secretariat should implement.
- 3) To report to the HoFIU on the implementation of the policies and other issues related to the strategy and operations of the ESW.
- 4) To propose to the HoFIU an annual ESW budget.
- 5) To authorize expenditures for the ESW that are within the defined scope and budget of the ESW.
- 6) To propose to the HoFIU new developments to the ESW with high levels of business, security, policy, and financial implications, including the prioritization of new requirements.
- 7) To implement any changes and task new developments to the ESW with relevant operational/security impacts that are within the defined scope and budget of the ESW.
- 8) To provide strategic oversight of the operational aspects of the ESW, as established in the *ESW Internal Rules and Operational Procedures*.

6.7 Secretariat

A. Secretariat – General

The Egmont Group Secretariat provides strategic, administrative, and other support to the structure and overall activities of the Egmont Group. The Secretariat is responsible for the daily operations of the ESW and provides technical advice on AML/CFT to the HoFIU, the Egmont Committee, and the Working Groups Chairs, as directed by the same.

B. Secretariat – Roles and functions

- 1) Maintain the operations and manage the assets of the Secretariat office.
- 2) Maintain the daily operations and security of the ESW, as established in the *ESW Internal Rules and Operational Procedures*, *ESW policies*, and other documents approved by the HoFIU, Egmont Committee, and/or ESW Board.

- 3) Provide strategic, planning and research services.
- 4) Provide financial services to support the Egmont Group and Egmont Secretariat.
- 5) Provide a focal point for information about the Egmont Group, including support of the compliance process (through the centralized collection, analysis and dissemination of compliance-related information) and the Egmont Group Census compilation.
- 6) Provide administrative services, as available, to support the meetings and project activities of the HoFIU, the Chair of the Egmont Group and Egmont Group Vice Chairs, the Egmont Committee, the Working Groups and Regional Groups.
- 7) Provide outreach and membership support services.
- 8) Provide event management services and support host FIUs in organizing Egmont meetings.

C. Secretariat – The Executive Secretary

The Secretariat is headed by an Executive Secretary whose appointment is endorsed by the HoFIU. The Chair of the Egmont Group oversees the process for appointment, contract extension, or dismissal for cause of the Executive Secretary.

Action taken by the Chair of the Egmont Group in relation to the Executive Secretary may be appealed to the HoFIU.

The Executive Secretary appoints, leads, and manages the Secretariat and its resources consistent with this Charter, the Egmont Group's Strategic Plan, and annual operating budget and the *ESW Internal Rules and Operational Procedures*, *ESW policies*, and other documents approved by the HoFIU, the Egmont Committee and/or the ESW Board, related to the ESW.

The Executive Secretary is authorized to staff the Secretariat as provided by the HoFIU. In consultation with the HoFIU and the Egmont Committee, the Executive Secretary is authorized to fill short-term and long-term skill gaps within the Secretariat through externally funded secondments from members who meet criteria specified by the Executive Secretary.

7. Budget

The annual budget of the Egmont Group, prepared by the Secretariat and reviewed by the Egmont Committee, is approved by the HoFIU.

At the end of each year, the Secretariat submits a report, reviewed by the Egmont Committee, to the HoFIU on the result of Egmont operations and budget.

7.1 Funding of the Egmont Group

The activities of the Egmont Group are funded by:

- 1) annual contributions of its members;
- 2) additional voluntary contributions from members and observers; and

- 3) voluntary contributions from other sources. Such contributions are subject to AML/CFT and conflict-of-interest screening by the Secretariat and the Egmont Committee before they are considered for endorsement by the HoFIU.

The Secretariat is accountable to the HoFIU and the Egmont Committee for the management of the funds.

7.2 Member Contributions

Member contributions finance the cost of the Secretariat to support the Egmont Group's activities.

A. Member Contributions—Annual Contributions

Member contributions are calculated according to a funding formula based on the following principles:

- 1) Every member pays a contribution.
- 2) There are minimum and maximum contributions.
- 3) Member contributions comprise a base amount and an additional amount calculated using a progressive rate approach.
- 4) The progressive rate funding formula is based on a 75/25 ratio of GDP/GDP per capita.

The *Egmont Contribution Matrix*, computed according to the funding formula, is reviewed by the HoFIU annually and adjusted to account for inflation, depreciation, total membership, and full ongoing operational costs, which include IT/ESW operational and development costs, as approved by the HoFIU.

Member contributions are collected annually. Members are expected to pay dues in a timely manner.¹¹

B. Member Contributions—Additional Voluntary Contributions

Additional contributions above and beyond annual contributions by members are considered by the Egmont Committee for endorsement by the HoFIU.

7.3 Other Contributions

Only contributions considered by the Egmont Committee and endorsed by the HoFIU may be accepted by the Egmont Group. Such contributions are used to finance and support the Egmont Group's projects or training initiatives.

¹¹ Timeliness of payment is described in the Egmont Secretariat's *Financial and Administrative Policies and Procedures*.

8. Compliance with Provisions Set in the Present Charter

The Egmont Group maintains high standards for its members. The *Egmont Group Support and Compliance Process* applies to members who do not comply with the provisions set out in this Charter and the Principles.

9. Amendments or Revisions

Any amendment to, or revision of, this Charter may be proposed by the Egmont Committee or the HoFIU. The Charter can be amended by consensus of the HoFIU.

Approved by the Egmont Group HoFIU in South Africa in July 2013. Revised by the Egmont Group HoFIU in Australia in September 2018.

Revised by the Egmont Group HoFIU in United Arab Emirates in July 2023.

Appendix A: Interpretative Note to the FATF Recommendation 29

A. General

1. This note explains the core mandate and functions of a financial intelligence unit (FIU) and provides further clarity on the obligations contained in the standard. The FIU is part of, and plays a central role in, a country's AML/CFT operational network and provides support to the work of other competent authorities. Considering that there are different FIU models, Recommendation 29 does not prejudge a country's choice for a particular model and applies equally to all of them.

B. Functions

(a) Receipt

2. The FIU serves as the central agency for the receipt of disclosures filed by reporting entities. At a minimum, this information should include suspicious transaction reports, as required by Recommendation 20 and 23, and it should include other information as required by national legislation (such as cash transaction reports, wire transfers reports, and other threshold-based declarations/disclosures).

(b) Analysis

3. FIU analysis should add value to the information received and held by the FIU. While all the information should be considered, the analysis may focus either on each single disclosure received or on appropriate selected information, depending on the type and volume of the disclosures received, and on the expected use after dissemination. FIUs should be encouraged to use analytical software to process information more efficiently and assist in establishing relevant links. However, such tools cannot fully replace the human judgement element of analysis. FIUs should conduct the following types of analysis:
 - **Operational analysis** uses available and obtainable information to identify specific targets (e.g., persons, assets, criminal networks, and associations), to follow the trail of particular activities or transactions, and to determine links between those targets and possible proceeds of crime, money laundering, predicate offences or the financing of terrorism.
 - **Strategic analysis** uses available and obtainable information, including data that may be provided by other competent authorities, to identify money laundering and the financing of terrorism related trends and patterns. This information is then also used by the FIU or other state entities in order to determine money laundering and the financing of terrorism related threats and vulnerabilities. Strategic analysis may also help establish policies and goals for the FIU or, more broadly, for other entities within the AML/CFT regime.

(c) Dissemination

4. The FIU should be able to disseminate, spontaneously and upon request, information and the results of its analysis to relevant competent authorities. Dedicated, secure, and protected channels should be used for the dissemination.
 - **Spontaneous dissemination:** The FIU should be able to disseminate information and the results of its analysis to competent authorities when there are grounds to suspect money laundering, predicate offences, or the financing of terrorism. Based on the FIU's analysis, the dissemination of information should be selective and allow the recipient authorities to focus on relevant cases/information.
 - **Dissemination upon request:** The FIU should be able to respond to information requests from competent authorities pursuant to Recommendation 31. When the FIU receives such a request from a competent authority, the decision on conducting analysis and/or dissemination of information to the authority making the request should remain with the FIU.

C. Access to information**(a) Obtaining Additional Information from Reporting Entities**

5. In addition to the information that entities report to the FIU (under the receipt function), the FIU should be able to obtain and use additional information from reporting entities as needed to perform its analysis properly. The information that the FIU should be permitted to obtain could include information that reporting entities are required to maintain pursuant to the relevant FATF Recommendations (Recommendations 10, 11 and 22).

(b) Access to Information from *other sources*

6. In order to conduct proper analysis, the FIU should have access to the widest possible range of financial, administrative, and law enforcement information. This should include information from open or public sources, as well as relevant information collected and/or maintained by, or on behalf of, other authorities and, where appropriate, commercially held data.

D. Information security and confidentiality

7. Information received, processed, held, or disseminated by the FIU must be securely protected, exchanged, and used only in accordance with agreed procedures, policies, and applicable laws and regulations. An FIU must, therefore, have rules in place governing the security and confidentiality of such information, including procedures for handling, storage, dissemination, and protection of, as well as access to such information. The FIU should ensure that its staff members have the necessary security clearance levels and understanding of their responsibilities in handling and disseminating sensitive and confidential information. The FIU should ensure that there is limited access to its facilities and information, including information technology systems.

E. Operational independence

8. The FIU should be operationally independent and autonomous, meaning that the FIU should have the authority and capacity to carry out its functions freely, including the autonomous decision to analyze, request, and/or disseminate specific information. In all cases, this means that the FIU has the independent right to forward or disseminate information to competent authorities.
9. An FIU may be established as part of an existing authority. When a FIU is located within the existing structure of another authority, the FIU's core functions should be distinct from those of the other authority.
10. The FIU should be provided with adequate financial, human, and technical resources in a manner that secures its autonomy and independence and allows it to conduct its mandate effectively. Countries should have in place processes to ensure that the staff of the FIU maintain high professional standards, including standards concerning confidentiality, and should be of high integrity and be appropriately skilled.
11. The FIU should also be able to make arrangements or engage independently with other domestic competent authorities or foreign counterpart FIUs on the exchange of information.

F. Undue influence or interference

12. The FIU should be able to obtain and deploy the resources needed to carry out its functions on an individual or routine basis, free from any undue political, government, or industry influence or interference which might compromise its operational independence.