

維護香港國際金融中心地位 請支持金融業新措施

Safeguard Hong Kong's status as an international financial centre
Support the new measures in the financial sector



財經事務及庫務局
Financial Services and the Treasury Bureau

Introduction

To better align Hong Kong's anti-money laundering and counter-terrorist financing regime with the prevailing international standards, the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (Cap 615) (AMLO) has been enacted for implementation on April 1, 2012.

Under the AMLO, financial institutions (FIs) are required to conduct customer due diligence (CDD) and keep the relevant records to help protect Hong Kong's financial system from illicit funds and proceeds. This leaflet provides information for customers of FIs.

What types of FI are covered?

The AMLO covers FIs including banks, securities firms, insurers, insurance agents, insurance brokers, remittance agents and money changers. All of these FIs will be required to comply with the statutory CDD and record-keeping requirements set out in the AMLO.

How will the legal requirements concern customers of FIs?

FIs will be required to conduct CDD on their customers before establishing a business relationship or conducting occasional transactions equal to or above HK\$8,000 (for wire transfers) or HK\$120,000 (for other transactions). Customers will be required to provide information and documentation on their identity and address in order for the FIs to meet the statutory obligations set out in the AMLO.

The AMLO requires FIs to conduct reviews of their business relationships with customers from time to time. FIs may contact customers for up-to-date or additional information and documentation for this purpose.

How can customers help?

We appeal to customers' understanding and co-operation in providing the necessary identification information and documentation requested by their FIs under the AMLO. If customers are unwilling or unable to provide sufficient information and/or documentation, FIs may not be able to complete their CDD obligations, in which case they will be prevented from providing the service requested or be required to terminate their business relationship with you, as set out in the AMLO.

Typically, customers are required to produce:

- (a) identity documents such as Hong Kong Identity Card or valid travel documents; and
- (b) proof of address.

You may also be required to provide other relevant information to your FI, such as details of your occupation or business, the purpose and intended nature of the business relationship with the FI, and so forth.

For companies or other legal arrangements such as trusts, the information/documentation required will differ from case to case. Your FIs will advise you on the information and documentation required.

Your FIs are required to comply with the Personal Data (Privacy) Ordinance and will keep all your information confidential.

Where can customers obtain more information?

You may enquire with your FI regarding the CDD requirements relating to your business relationship or transactions.

The regulatory authorities, namely the Hong Kong Monetary Authority, the Securities and Futures Commission, the Office of the Commissioner of Insurance and the Customs and Excise Department, may also provide information on the general statutory requirements for the relevant sectors under the AMLO.

簡介

為使本港打擊洗黑錢及恐怖分子資金籌集的制度進一步與現行的國際標準接軌，《打擊洗錢及恐怖分子資金籌集（金融機構）條例》（第615章）（“條例”）已獲通過，並從二〇一二年四月一日起生效。根據條例，金融機構須查證客戶身份，並保存有關紀錄，以保障香港金融制度免受不法資金侵害。本單張為金融機構的客戶提供相關資料。

哪些金融機構受條例規管？

受條例規管的金融機構包括銀行、證券公司、保險公司、保險代理、保險經紀以及匯款代理人及貨幣找換商。這些金融機構必須遵守條例中有關查證客戶身份及保存紀錄的要求。

法例要求與金融機構客戶有何關係？

金融機構與客戶建立業務關係，或進行非戶口的匯款達港幣8,000元或以上，或進行其他非戶口交易達港幣120,000元或以上，須查證客戶身份。客戶須提供身份和住址的資料和文件，協助金融機構遵守條例的規定。

條例要求金融機構不時檢討與客戶的業務關係。金融機構可能會就此聯絡客戶，更新或索取額外資料和文件。

客戶如何提供協助？

請客戶理解，並與金融機構充分合作，提供金融機構根據條例要求取得的身份證明資料和文件。假如客戶不願意或不能提供足夠資料或／及文件，金融機構或無法查證客戶身份。在此情況下，根據條例，有關機構將不能為客戶提供服務，或須終止與客戶的業務關係。

一般而言，個人客戶須提交 —

- (1) 身份證明文件，例如香港身份證或有效的旅遊證件；及
- (2) 住址證明。

金融機構亦可能要求客戶出示其他相關資料，例如職業或業務詳情，以及客戶與金融機構建立業務關係的目的和性質等。

就公司或其他法律安排，例如信託而言，所需資料／文件會因應不同個案而有別。金融機構會告訴客戶須提交什麼資料及文件。

金融機構必須遵守《個人資料（私隱）條例》，並將客戶的全部資料保密。

客戶可在哪裡了解更多相關資料？

客戶可向其金融機構查詢有關的業務關係或交易的查證要求。

監管機構，即香港金融管理局、證券及期貨事務監察委員會、保險業監理處及香港海關亦可就條例對相關界別的法定要求，提供相關資料。