



HONG KONG MONETARY AUTHORITY

香港金融管理局

Banking Supervision Department

銀行監理部

Our Ref.: B10/1C
B1/15C

27 March 2015

The Chief Executive
All Authorized Institutions

Dear Sir/Madam,

Amendments to the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance and Guideline

Further to my letter of 23 January 2015, I write to inform you that the negative vetting by the Legislative Council of the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (Amendment of Schedule 2) Notice 2015 has expired on 18 March 2015. As a result, the relevant amendment to the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (“AMLO”) will come into operation on 1 April 2015.

To reflect this amendment, the Guideline on Anti-Money Laundering and Counter-Terrorist Financing (“AML Guideline”) has been amended by notice in the Gazette today (G.N. 2444 of 2015) under section 7(3) of the AMLO and section 7(3) of the Banking Ordinance. The amendment will also be effective on 1 April 2015. Please refer to *Annex* for details of the amendment.

The Gazette notice is available on the Government’s website (<http://www.gld.gov.hk/egazette>). On-line access to the revised AML Guideline is available under the AML/CFT web page (<http://www.hkma.gov.hk/eng/key-functions/banking-stability/aml-cft.shtml>) and supervisory communication website (<http://www.stet.iclnet.hk>).

If you have any questions relating to this letter, please feel free to contact Ms Sophia Lam on 2878-1356 or Mr Gavin Cheung on 2878-8305.

Yours faithfully,

Henry Cheng
Executive Director (Banking Supervision)

Encl.

c.c. The Chairman, The Hong Kong Association of Banks
The Chairman, The DTC Association
FSTB (Attn: Mr Jackie Liu)

Details of the Amendment to the Hong Kong Monetary Authority Guideline on Anti-Money Laundering and Counter-Terrorist Financing

Paragraph	Proposed amendments
4.17.9	<p>FIs may also rely upon the following categories of domestic intermediaries:</p> <ul style="list-style-type: none">(a) a solicitor practising in Hong Kong;(b) a certified public accountant practising in Hong Kong;(c) a current member of The Hong Kong Institute of Chartered Secretaries practising in Hong Kong; and(d) a trust company registered under Part VIII of the Trustees Ordinance carrying on trust business in Hong Kong, <p>provided that the intermediary is able to satisfy the FI that they have adequate procedures in place to prevent ML/TF.</p> <p>The arrangement for allowing FIs to rely on these intermediaries will expire three years after commencement of the AMLO <u>at midnight on 31 March 2018</u>.</p>