



MSSB/UNSO_04/2013

23 April 2013

Circular to Money Service Operators Anti-Money Laundering / Counter-Terrorist Financing

(1) United Nations Sanctions (Democratic Republic of the Congo) Regulation 2013

The United Nations Sanctions (Democratic Republic of the Congo) Regulation 2013 (“the Congo Regulation”) made under the United Nations Sanctions Ordinance (Cap. 537) was published in the Gazette (L.N. 31 of 2013) on 15 March 2013. It came into effect on the same date.

The Congo Regulation implements sanctions against Democratic Republic of the Congo imposed by the United Nations Security Council (“UNSC”) under Resolution 2078. We would like to draw Money Service Operators’ (“MSOs”) attention to section 5 of the Congo Regulation which provides for the prohibition against making available funds or other financial assets or economic resources to certain persons or entities, or dealing with funds or other financial assets or economic resources of certain persons or entities, except with a licence.

In addition, a list specifying “relevant entities and persons” under section 30 of the Congo Regulation (Cap. 537BC) was published in the Gazette on 22 March 2013 (G.N. 1494 of 2013).

(2) United Nations Sanctions (Liberia) Regulation 2013 and United Nations Sanctions (Liberia) Regulation 2012 (Repeal) Regulation

The United Nations Sanctions (Liberia) Regulation 2013 (“the Liberia Regulation”) and the United Nations Sanctions (Liberia) Regulation 2012 (Repeal) Regulation (“the Liberia Repeal Regulation”), made under the United Nations Sanctions Ordinance (Cap. 537), were published in the Gazette (L.N. 32 & 33 of 2013) on 15 March 2013. The Liberia Regulation except the provisions relating to financial sanctions came into effect on the same date. The provisions of the Liberia Regulation relating to financial sanctions and the Liberia Repeal Regulation came into effect on 22 March 2013.

The Liberia Regulation implements sanctions against Liberia imposed by the UNSC under Resolution 2079 and continues the implementation of the existing financial sanctions against Liberia under the UNSC Resolution 1532. We would like to draw MSOs’ attention to section 6 of the Liberia Regulation which provides for the prohibition against making available funds or other financial assets or economic resources to certain persons or entities, or dealing with funds or other financial assets or economic resources of certain persons or entities, except with a licence.



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In addition, a list specifying “relevant entities and persons” under section 31 of the Liberia Regulation (Cap. 537BD) was published in the Gazette on 22 March 2013 (G.N. 1495 of 2013).

The aforesaid regulations and lists in items (1) to (2) can be found on the Government’s website (<http://www.gld.gov.hk/cgi-bin/gld/egazette/index.cgi?lang=e>).

MSOs should check the names in all of the above lists against their records, and report any transactions or relationships they have or have had with the named persons or entities to the Joint Financial Intelligence Unit.

MSOs are reminded that in accordance with the provisions of Chapter 6 of the Guideline on Anti-Money Laundering and Counter-Terrorist Financing, they should maintain a database of individuals and entities designated under the United Nations (Anti-Terrorism Measures) Ordinance, United Nations Sanctions Ordinance and US Executive Order 13224 for client and transaction screening purposes.

Furthermore:

For (1) to (2), MSOs are reminded to take all necessary steps to ensure compliance with the Regulations made under the United Nations Sanctions Ordinance.

Should you have any queries regarding the contents of this circular, please contact us on 3759 3755.

Money Service Supervision Bureau
Customs and Excise Department

End