



MSSB/UNSO_01/2017

23 January 2017

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

(1) United Nations (Anti-Terrorism Measures) Ordinance

Further to our circular issued on 28 November 2016, an updated list specifying terrorists and terrorist associates designated by the United Nations Security Council (“UNSC”) was published under section 4 of the United Nations (Anti-Terrorism Measures) Ordinance (“the UNATMO”) (Cap. 575) in the Gazette on 23 December 2016 and 6 January 2017 (G.N. 7237 of 2016 and 22 of 2017).

(2) United Nations Sanctions (Iran) Regulation (Repeal) Regulation and United Nations Sanctions (Joint Comprehensive Plan of Action—Iran) Regulation

The United Nations Sanctions (Iran) Regulation (Repeal) Regulation (“the Repeal Regulation”) and the United Nations Sanctions (Joint Comprehensive Plan of Action—Iran) Regulation (“the JCPOA—Iran Regulation”), made under the United Nations Sanctions Ordinance (Cap. 537) (“UNSO”), were published in the Gazette (L.N. 177 & 178 of 2016) on 25 November 2016 with immediate effect.

To fully implement Resolution 2231 of the UNSC, the Repeal Regulation repeals the United Nations Sanctions (Iran) Regulation to reflect the UNSC’s decision to terminate the provisions of previous Resolutions against Iran, and the JCPOA—Iran Regulation implements a series of specific restrictions established by Annex B to Resolution 2231.

We would like to draw Money Service Operators’ (“MSOs”) attention to section 9 of the JCPOA—Iran Regulation which provides for the prohibition against making available funds or other financial assets or economic resources to relevant persons or entities, or dealing with funds or other financial assets or economic resources of relevant persons or entities, except with a licence.

Further to the gazettal of the JCPOA—Iran Regulation (Cap. 537BV) on 25 November 2016, a list specifying “relevant persons and entities” under section 39 of the JCPOA—Iran Regulation was published in the Gazette on 2 December 2016 (G.N. 6845 of 2016).

(3) United Nations Sanctions (South Sudan) Regulation 2016

Further to our circular issued on 28 November 2016, an updated list specifying “relevant persons” under section 15 of the United Nations Sanctions (South Sudan) Regulation 2016 (Cap. 537BU) was published in the Gazette on 9 December 2016 (G.N. 6987 of 2016).



(4) United Nations Sanctions (Democratic Republic of the Congo) Regulation 2016

Further to our circular issued on 28 November 2016, an updated list specifying “relevant persons and entities” under section 30 of the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2016 (Cap. 537BT) was published in the Gazette on 9 December 2016 (G.N. 6988 of 2016).

(5) United Nations Sanctions (Democratic People’s Republic of Korea) Regulation

Further to our circular issued on 28 September 2016, an updated list specifying “relevant persons and entities” under section 31 of the United Nations Sanctions (Democratic People’s Republic of Korea) Regulation (Cap. 537AE) was published in the Gazette on 9 December 2016 (G.N. 6989 of 2016).

(6) United Nations Sanctions (Libya) Regulation 2011

Further to our circular issued on 28 September 2016, an updated list specifying “relevant persons and entities” under section 38 of the United Nations Sanctions (Libya) Regulation 2011 (Cap. 537AW) was published in the Gazette on 9 December 2016 (G.N. 6990 of 2016).

The aforesaid lists in all of the above items and regulations in item (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.

Furthermore, MSOs are reminded to refer to Chapter 6 of the Guideline on Anti-Money Laundering and Counter-Terrorist Financing (“AML Guideline”) which contains guidance on the appropriate measures that MSOs should take to ensure compliance with the UNATMO and the regulations made under the UNSO.

Should you have any queries regarding the contents of this circular, please contact us on 3759 3735.

Money Service Supervision Bureau

Customs and Excise Department

End