



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

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

Further to our circular issued on 22 March, 3 April ^{Note1}, 10 ^{Note2} and 30 May ^{Note3} and 6 June 2018 ^{Note4} regarding the amendment by the United Nations Security Council (“UNSC”) committee which administers the sanctions regime relating to ISIL (Da'esh) and Al-Qaida of its sanctions list, an updated list specifying terrorists and terrorist associates designated by the UNSC was published under section 4 of the United Nations (Anti-Terrorism Measures) Ordinance (“the UNATMO”) (Cap. 575) in the Gazette on 13 April, 18 and 30 May and 6 June 2018 respectively (G.N. 2357, 3659 of 2018, G.N.(E) 27 and 28 of 2018) to reflect the amended sanctions list mentioned above.

Further to our circular issued on 12 April 2018 ^{Note5}, regarding the amendment by the 1988 Sanction Committee of the UNSC, an updated list specifying terrorists and terrorist associates designated by the UNSC was published under section 4 of the UNATMO (Cap. 575) in the Gazette on 20 April 2018 (G.N.2684 of 2018) to reflect the amended sanctions list mentioned above.

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

Further to our circular issued on 22 March, 3 April ^{Note1} and 24 May 2018 ^{Note6} 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 6 April and 24 May 2018 respectively (G.N.2406 of 2018 and G.N. (E.) 26 of 2018).

(3) United Nations Sanctions (Sudan) Regulation 2013

Further to our circular issued on 4 December 2017, an updated list specifying “relevant persons” under section 31 of the United Nations Sanctions (Sudan) Regulation 2013 (Cap. 537BF) was published in the Gazette on 23 March 2018 (G.N. 2087 of 2018).

(4) United Nations Sanctions (Somalia) (Amendment) Regulation 2018

Further to our circular issued on 22 March 2018, the United Nations Sanctions (Somalia) (Amendment) Regulation 2018 (“Amendment Regulation”) made under the United Nations Sanctions Ordinance (“the UNSO”) (Cap. 537) was published in the Gazette (L.N. 66 of 2018) on 20 April 2018 with immediate effect.

The Amendment Regulation amends the United Nations Sanctions (Somalia) Regulation (Cap. 537AN) to incorporate provisions implementing decisions of the UNSC under Resolution 2385. It mainly implements the exceptions to the arms

^{Note1} The circular issued on 3 April 2018 re : Early Alert on United Nations Sanctions can be found on the Customs and Excise Department’s (“C&ED”) website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=152357>)

^{Note2} The circular issued on 10 June 2018 re : Early Alert on United Nations Sanctions can be found on the C&ED’s website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=156510>)

^{Note3} The circular issued on 30 May 2018 re : Early Alert on United Nations Sanctions can be found on the C&ED’s website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=158314>)

^{Note4} The circular issued on 6 June 2018 re : Early Alert on United Nations Sanctions can be found on the C&ED’s website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=159121>)

^{Note5} The circular issued on 12 April 2018 re : Early Alert on United Nations Sanctions can be found on the C&ED’s website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=153229>)

^{Note6} The circular issued on 24 May 2018 re : Early Alert on United Nations Sanctions can be found on the C&ED’s website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=157875>)



embargo measures, the prohibition against the provision of advice, assistance and training, as well as financial sanctions in respect of Somalia.

(5) United Nations Sanctions (Central African Republic) Regulation 2018

The United Nations Sanctions (Central African Republic) Regulation 2018 ("the CAR Regulation"), made under the UNSO (Cap. 537), was published in the Gazette (L.N. 117 of 2018) on 8 June 2018 with immediate effect.

The CAR Regulation implements sanctions against the Central African Republic as renewed by the UNSC under Resolution 2399.

We would like to draw money service operators' ("MSOs") attention to section 5 of the CAR Regulation which provides for 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.

(6) United Nations Sanctions (Yemen) Regulation 2015 (Amendment) Regulation 2018

The United Nations Sanctions (Yemen) Regulation 2015 (Amendment) Regulation 2018 ("the Yemen Amendment Regulation"), made under the UNSO, was published in the Gazette (L.N. 118 of 2018) on 8 June 2018 with immediate effect.

The Yemen Amendment Regulation implements sanctions against Yemen as renewed by the UNSC under Resolution 2402.

We would like to draw MSOs' attention to section 7 of the Yemen Amendment Regulation which adds the new section 5C to the United Nations Sanctions (Yemen) Regulation 2015 to provide for 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.

The aforesaid lists in items (1) to (3) and regulation in item (4) to (6) can be found on the Government's website

(<http://www.gld.gov.hk/cgi-bin/gld/egazette/index.cgi?lang=e>).

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

The C&ED expects all new designations to be screened by MSOs against their client lists as soon as practicable whenever there are updates. MSOs are also reminded to report any transactions or relationships they have or have had with any designated person or entity to the Joint Financial Intelligence Unit.

Should you have any queries regarding the contents of this circular, please contact us on 2707 7819.

Money Service Supervision Bureau
Customs and Excise Department

End