



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

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

Further to the circulars issued by the Customs and Excise Department (“C&ED”) on 5 October ^{Note1}, 16 October ^{Note2} and 20 November 2018 ^{Note3} regarding the amendments to the sanctions list by the United Nations Security Council (“UNSC”) committee which administers the sanctions regime relating to ISIL (Da'esh) and Al-Qaida, updated lists specifying the name of the persons designated by the UNSC as terrorist or terrorist associate were published under section 4 of the United Nations (Anti-Terrorism Measures) Ordinance (“UNATMO”) (Cap. 575) in the Gazette on 5 October, 16 October and 20 November 2018 respectively (G.N.(E) 53, 54 and 67 of 2018) to reflect the amended sanctions list mentioned above.

(2) United Nations Sanctions (South Sudan) Regulation 2018

The United Nations Sanctions (South Sudan) Regulation 2018 (“the Regulation”), made under the United Nations Sanctions Ordinance (Cap. 537) (“UNSO”), was published in the Gazette (L.N. 216 of 2018) on 9 November 2018 with immediate effect. The Regulation implements sanctions against South Sudan imposed by the UNSC Resolution 2428.

We would like to draw Money Service Operators’ (“MSOs”) attention to section 5 of the Regulation which provides for prohibition against making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources, or dealing with funds or other financial assets or economic resources belonging to, or owned or controlled by certain persons or entities, except with a licence.

Further to the gazettal of the Regulation (Cap. 537CC), an updated list specifying “individuals and entities” under section 32 of the Regulation was published on the website of the Commerce and Economic Development Bureau (“CEDB”) on 22 November 2018 at (https://www.cedb.gov.hk/citb/doc/en/Policy_Responsibilities/List_of_TargetedFinancialSanctions_south_sudan_en.pdf). A relevant press release issued by the UNSC, reflecting the updates since the previous list was published on the website of the CEDB, is at (<https://www.un.org/press/en/2018/sc13598.doc.htm>).

(3) United Nations Sanctions (Libya) Regulation 2011

Further to our circular issued on 27 September 2018, an updated list specifying “relevant persons and relevant entities” under section 38 of the United Nations Sanctions (Libya) Regulation 2011 (Cap. 537AW) was published in the Gazette on 23 November 2018 (G.N. 8704 of 2018). A relevant press release issued by the UNSC, reflecting the updates since the previous list was published in the Gazette (G.N. 7033 of 2018), is at (<https://www.un.org/press/en/2018/sc13587.doc.htm>).

Note1 *The circular issued on 5 October 2018 can be found on the C&ED's website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=172432>)*

Note2 *The circular issued on 16 October 2018 can be found on the C&ED's website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=173554>)*

Note3 *The circular issued on 20 November 2018 can be found on the C&ED's website (<https://eservices.customs.gov.hk/MSOS/downloadFile?id=179509>)*



(4) United Nations Sanctions (Mali) Regulation 2018

The United Nations Sanctions (Mali) Regulation 2018 (“the Mali Regulation”), made under the UNSO, was published in the Gazette (L.N. 268 of 2018) on 21 December 2018 with immediate effect. The Mali Regulation implements sanctions against Mali imposed by the UNSC Resolution 2432.

We would like to draw MSOs’ attention to section 2 of the Mali Regulation which provides for prohibition against making available to certain persons or entities funds or other financial assets or economic resources, or dealing with funds or other financial assets or economic resources of such persons or entities, except with a licence.

(5) United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018

The United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018 (“the DRC Regulation”), made under the UNSO, was published in the Gazette (L.N. 269 of 2018) on 21 December 2018 with immediate effect. The DRC Regulation implements sanctions against the Democratic Republic of the Congo imposed by the UNSC Resolution 2424.

We would like to draw MSOs’ attention to section 5 of the DRC Regulation which provides for the prohibitions against making available to certain persons or entities funds or other financial assets or economic resources, or dealing with funds or other financial assets or economic resources of such persons or entities, except with a licence.

A list specifying “relevant persons and entities” was published under section 28 of the DRC Regulation on the website of the CEDB on 21 December 2018 (https://www.cedb.gov.hk/citb/doc/en/Policy_Responsibilities/DR_Congo_Eng.pdf).

The aforesaid lists in items (1) and (3) and regulations in items (2), (4) and (5) can be found on the Government’s website at (<http://www.gld.gov.hk/cgi-bin/gld/egazette/index.cgi?lang=e>).

MSOs are also reminded to refer to Chapter 6 of the Guideline on Anti-Money Laundering and Counter-Financing of Terrorism 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

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