



MSSB/Guide_02/2012
13 July 2012

Circular to Money Service Operators

Anti-Money Laundering / Counter-Terrorist Financing

Amendments to Guideline on Anti-Money Laundering and Counter-Terrorist Financing

The Customs and Excise Department (“C&ED”) published in the Gazette on 13 July 2012 (G.N. 4721 of 2012) an amended Guideline on Anti-Money Laundering and Counter-Terrorist Financing (“amended AML Guideline”) which takes immediate effect.

The amended AML Guideline was made in order to reflect the recently enacted United Nations (Anti-Terrorism Measures)(Amendment) Ordinance 2012 (Ord. No.20 of 2012) (Note 1) which :

- (1) amended the United Nations (Anti-Terrorism Measures) Ordinance (“UNATMO”) in, among others, the following areas:
 - (a) repealing the definition of “funds” and replacing the term “funds” by “property”; and
 - (b) expanding the prohibition on assistance for terrorists and terrorist organizations to also cover the collection of property for such persons and organizations
- (2) made consequential amendments to the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (“AMLO”) that have ensured that the definition of “terrorist financing” under the AMLO continues to tally with the UNATMO.

As the AML guideline makes reference to and explains various provisions of the UNATMO and AMLO, corresponding amendments were made to the AML Guideline. The amended AML Guideline is available on the C&ED’s website

https://eservices.customs.gov.hk/MSOS/download/guideline/AMLO_Guideline_en.pdf

Money service operators are advised to familiarize themselves with the UNATMO, AMLO and AML Guideline and take all necessary steps to ensure compliance with the applicable requirements.

Should you have any queries regarding the contents of this circular, please contact us on 2707 7884 or 2707 7755.

Money Service Supervision Bureau
Customs and Excise Department

End

Note :

1. The United Nations (Anti-Terrorism Measures) (Amendment) Ordinance 2012 was gazetted on 13 July 2012 which takes immediate effect. It can be found on the Government’s website <http://www.gld.gov.hk/cgi-bin/gld/egazette/index.cgi?lang=e>.