



MSSB/UNSO_09/2013

8 October 2013

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

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

Further to our circular issued on 6 August 2013, 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 30 August 2013 (G.N. 5046 of 2013).

(2) United Nations Sanctions (Afghanistan) Regulation 2012

Further to our circular issued on 6 August 2013, an updated list specifying “relevant entities and persons” designated by the UNSC was published under section 29 of the United Nations Sanctions (Afghanistan) Regulation 2012 (Cap. 537AX) in the Gazette on 30 August 2013 (G.N. 5047 of 2013).

(3) United Nations Sanctions (Libya) Regulation 2011 (Amendment) Regulation 2013

The United Nations Sanctions (Libya) Regulation 2011 (Amendment) Regulation 2013 (“the Libya Amendment Regulation”), made under the United Nations Sanctions Ordinance (Cap. 537), was published in the Gazette (L.N. 144 of 2013) on 30 August 2013 with immediate effect.

The Libya Amendment Regulation amends existing sanctions against Libya to implement decisions of the UNSC under Resolution 2095. It mainly modifies the requirements for the granting of licence for (i) the supply, sale, transfer or carriage of arms or related materiel to Libya; and (ii) the provision of assistance or training related to military activities, etc. in certain circumstances.

Further to our circular issued on 22 May 2013, an updated list specifying “relevant entities and persons” under section 38 of the United Nations Sanctions (Libya) Regulation 2011 (Cap. 537AW) was published in the Gazette on 30 August 2013 (G.N. 5048 of 2013).



(4) United Nations Sanctions (Sudan) Regulation 2013 and United Nations Sanctions (Sudan) Regulation (Repeal) Regulation

The United Nations Sanctions (Sudan) Regulation 2013 (“the Sudan Regulation”) and the United Nations Sanctions (Sudan) Regulation (Repeal) Regulation (“the Sudan Repeal Regulation”), made under the United Nations Sanctions Ordinance (Cap. 537), were published in the Gazette (L.N. 145 & 146 of 2013) on 30 August 2013. Both the Sudan Regulation and the Sudan Repeal Regulation will come into effect on 6 September 2013.

The Sudan Regulation implements sanctions against Sudan imposed by the UNSC under Resolution 2035 and previous Resolutions. We would like to draw MSOs’ attention to section 6 of the Sudan 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 persons” under section 31 of the Sudan Regulation was published in the Gazette on 6 September 2013 (G.N. 5257 of 2013).

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

(5) US President’s Executive Order 13224

Further to our circular issued on 6 August 2013, this is to inform you that the US Government has updated the list of designated individuals and entities issued under the US President’s Executive Order 13224 (“the Executive Order”). The updated information can be found on the website of the US Treasury (<http://www.treasury.gov/resource-center/sanctions/Programs/Documents/terror.pdf>)

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.



Customs and Excise Department
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Furthermore:

For (1) to (4), MSOs are reminded to take all necessary steps to ensure compliance with the UNATMO and the Regulations made under the United Nations Sanctions Ordinance.

For (5), as the designated individuals and entities under the Executive Order may be updated by the US Government from time to time, MSOs are reminded to browse the website of the US Treasury regularly for the latest information.

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

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