



MSSB/MIS\_12/2015

18 January 2016

**Circular to Money Service Operators  
Notification on Change in Particulars**

Arising from a recent court case in which a Money Service Operator (“MSO”) licensee has been convicted for failure to notify the Commissioner of Customs and Excise (“the Commissioner”) on changes in particulars, this circular serves to remind MSOs the statutory requirements of notifying the Commissioner on changes in particulars under the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance, Chapter 615 (“AMLO”).

**(1) Prior Approval from the Commissioner is Required:**

**Prior approval** in writing must be obtained from the Commissioner on the following changes:

- (i) Proposing persons to become licensee’s directors/ultimate owners/partners;
- (ii) Adding new business premises; and
- (iii) Applying to operate at particular premises.

A person must not become a director of a corporation/an ultimate owner of a licensee/a partner of a licensee unless the Commissioner has, on an application of the licensee, given his or her approval in writing (sections 35 to 37, AMLO).

A licensee who is licensed to operate a money service at premises specified in the licence **must not operate** a money service at any premises other than those specified premises unless the Commissioner has, on an application of the licensee, added the new premises to the licence (sections 38, AMLO).

A licensee who is not required under the licence to operate a money service at particular premises **must not operate** a money service at any particular premises unless the Commissioner has, on an application of the licensee, added the premises to the licence (sections 39, AMLO).

**(2) Licensee’s Duty to Notify Commissioner of Changes of Particulars:**

If there is any change in the particulars that are provided to the Commissioner in connection with a licensee’s application for the grant of licence or renewal of licence, the licensee **must notify** the Commissioner **in writing** of the change within **one month** beginning on the date on which the change takes place (section 40, AMLO).



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If a licensee intends to cease to operate a money service or cease to operate a money service at any of the premises specified in the licence with effect from a particular date, the licensee **must, before the date of cessation, notify** the Commissioner **in writing** of that intention and the date of cessation; and **return the licence** to the Commissioner for cancellation or amendment within **7 days beginning on the date of cessation** (section 41, AMLO).

**(3) Notification Procedures:**

MSOs should make reference to Section VIII and IX of the Licensing Guide for Money Service Operators on the notification procedures on changes in particulars.

Should you have any queries regarding the contents of this circular, please contact us on 3759 3722.

Money Service Supervision Bureau  
Customs and Excise Department

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