

Workshop on “How to Complete the Identity Verification Form (for use where the customer is a corporation)” – a continuation of the seminar on Circular No.18-01 (CR) Guidelines on Compliance of Anti-Money Laundering and Counter-Terrorist Financing Requirements for the Estate Agency Sector

Exercise



Question

Please draw an ownership chart based on the information in the directors' declaration below and the page "Sample where the shareholder is a corporation" (page 50)

Declaration by a director* on the beneficial ownership of the customer
which is a corporation

I, Wong Tai Wai, director* of Gold Limited
("the company") hereby declare that to the best of my knowledge and belief,
the beneficial owner(s) of the company is/are Chan Siu Man and Wong Tai Wai

I annex herewith an ownership chart ("Enclosure") describing the structure
and intermediate layers of the company.

Dated: 23 Apr 2018

(Signature)

T W Wong

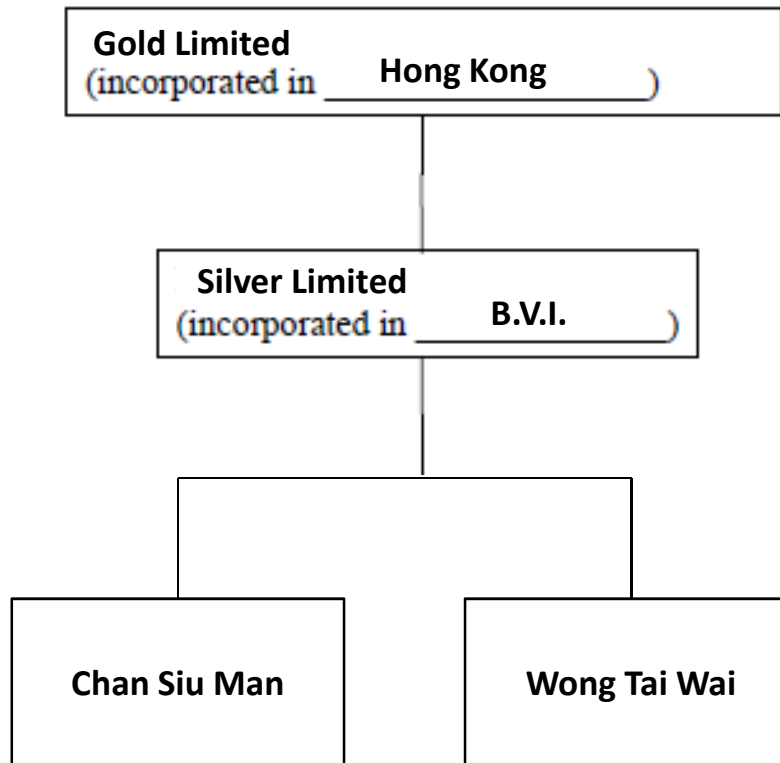
Name: Wong Tai Wai

* If there is no director being an individual, please amend the words "a director" to "a person who has given instructions to the licensee for the movement of funds in the transaction".



Answer

Ownership Chart of Gold Limited



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Q&As



Question 1:

For the completion of the customer's address on the Identity Verification Form, must it be the customer's residential address?

Question 2:

If the client is a corporation with 49 shareholders, is it necessary to identify all of them and verify all their identities?

Question 3:

A public listed company often uses a shelf company to hold a property. Should SCDD be conducted on the shelf company?

Question 4:

Are the CDD requirements applicable to the sale and purchase of shares of a property holding company handled by a licensee?

Question 5:

Is it sufficient to set out any one but not all of the names of the shareholders in the ownership chart in the enclosure to Annex of the Identity Verification Form (for use where the customer is a corporation)?

Question 6:

In the Identity Verification Form (for use where the customer is a corporation), is it necessary to “tick” both boxes at “Section 3: Ascertaining the Beneficial Owner” if one of the two shareholders is an individual holding 50% of the issued share capital of the company and the other shareholder is a corporation holding the other 50%? For the shareholder which is a corporation, is it necessary to obtain the director’s declaration and the ownership chart?

Question 7:

Is a client required to sign the Identity Verification Form?

Question 8:

May a licensee carry out a company search of his corporate client for the purpose of complying with the CDD requirement through a search company or a legal professional?

Thank you!

