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客戶身分證明文件

根據於2018年3月1日起生效經修訂的香港法例第615章《**打擊洗錢及恐怖分子資金籌集條例**》（「《**打擊洗錢條例**》」），地產代理在涉及為客戶購買或出售地產的交易前，須進行客戶盡職審查，並保存有關紀錄，包括進行客戶盡職審查過程中獲取的紀錄。

地產代理須在安排客戶訂立買賣協議前，識別該客戶及 / 或其代理人，以及實益擁有人的身分。就屬個人的客戶而言，地產代理須透過客戶的身分證明文件（例如：香港身分證、護照或旅遊證件），核實客戶的身分，並取得其身分證明文件的副本，以備存紀錄。

根據香港個人資料私隱專員公署發出的



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《身份證號碼及其他身份代號實務守則》
(第2.3.1及3.2.2.1段)，地產代理作為資料使用者可依據《打擊洗錢條例》下的法定責任收集客戶的香港身份證號碼，亦可收集客戶的香港身分證副本或其他身分證明文件副本，藉以證明地產代理有遵守法定規定。地產代理在收集、持有、處理及使用客戶的個人資料時亦須遵守香港法例第486章《個人資料(私隱)條例》，包括六項保障資料原則的規定。地產代理監管局(「監管局」)亦已就如何保障個人資料向地產代理發出指引，地產代理亦須遵守監管局的相關指引。

本電子單張可於監管局網站瀏覽：

www.eaa.org.hk/AML.pdf





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Customer Identity Documents

Under the amended **Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Cap. 615)** (“AMLO”), which commenced operation on 1 March 2018, estate agents are required to conduct customer due diligence (“CDD”) and keep all relevant records, including those obtained during CDD, before being involved in a transaction concerning the buying or selling of real estate for a client.

An estate agent must, before arranging for a client to enter into an agreement for sale and purchase, identify the client and/or the client’s representative, as well as the beneficial owner(s). For a client who is an individual, the estate



保安局禁毒處
Narcotics Division,
Security Bureau



agent must verify the client's identity against his/her identification document (e.g. Hong Kong identity card, passport, or travel document), and obtain a copy thereof for record-keeping.

According to the “Code of Practice on The Identity Card Number and Other Personal Identifiers” (paragraphs 2.3.1 and 3.2.2.1) published by the Office of the Privacy Commissioner for Personal Data, Hong Kong, estate agents (as data users), can collect the Hong Kong Identity Card number of the clients under the obligation pursuant to the AMLO, they can also collect copy of the clients' Hong Kong Identity Card or



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other identification document in order to provide proof of compliance with the statutory requirement under the AMLO on the part of the estate agent. Estate agents must comply with the Personal Data (Privacy) Ordinance (Cap. 486), including the six data protection principles, on the collection, holding, processing and use of clients' personal data. The Estate Agents Authority ("EAA") has also issued guidelines for estate agents on the protection of personal data, which the estate agents must comply with.

This e-leaflet can be accessed at the EAA's website: www.eaa.org.hk/AML.pdf

