

Financial Institutions

PART I: Anti-Money Laundering (“AML”) Questionnaire for Financial Institutions

Client Particulars

Client’s Name : (English) _____
 (Chinese) _____

CI No. : _____

Place of Incorporation : _____

Account Number(s) : _____

If your answer to any of the below questions is “NO”, please provide additional information at the end of this Questionnaire.

I. General AML Policies, Practices and Procedures:	Yes	No
1. Is the AML compliance program (the “AML Program”) approved by the board of directors or the senior management of your firm (referred to below as “the FI”)?	Y <input type="checkbox"/>	N <input type="checkbox"/>
2. Does the FI’s AML Program include a designated officer who is responsible for coordinating and overseeing the AML Program?	Y <input type="checkbox"/>	N <input type="checkbox"/>
3. Has the FI developed written policies and procedures documenting the processes and controls that it has in place to prevent, detect and report suspicious transactions?	Y <input type="checkbox"/>	N <input type="checkbox"/>
4. In addition to inspections by the relevant regulatory authority(ies), does the FI have an Internal Audit/ Compliance function or other independent third party that assesses its AML policies and procedures and related controls on a regular basis?	Y <input type="checkbox"/>	N <input type="checkbox"/>
5. Does the FI have a policy prohibiting accounts/relationships with shell banks?	Y <input type="checkbox"/>	N <input type="checkbox"/>
6. Does the FI have policies and procedures to reasonably ensure that it will not conduct transactions with or on behalf of shell banks through any of its accounts, products or services?	Y <input type="checkbox"/>	N <input type="checkbox"/>
7. Does the FI have policies and procedures covering relationships with Politically Exposed Persons (“PEP”) that are consistent with the financial industry’s best practices?	Y <input type="checkbox"/>	N <input type="checkbox"/>
8. Does the FI have appropriate record retention policies & procedures that comply with applicable laws, rules and regulations?	Y <input type="checkbox"/>	N <input type="checkbox"/>
9. Does the FI require compliance of its AML policies and practices by all of its branches and subsidiaries (local and overseas)?	Y <input type="checkbox"/>	N <input type="checkbox"/>
II. Risk Assessment		
10. Does the FI adopt a risk-based approach when performing assessment of its customers and their transactions?	Y <input type="checkbox"/>	N <input type="checkbox"/>
11. Does the FI determine the appropriate level of enhanced due diligence (“EDD”) necessary to be performed on its customers and the customers’ transactions which it has reason to believe pose a high risk of illicit activities through it?	Y <input type="checkbox"/>	N <input type="checkbox"/>
III. Know Your Customer, Due Diligence and Enhanced Due Diligence		
12. Has the FI implemented systems and/or processes for the identification and verification of its customers’ identities on whose behalf it maintains, operates accounts or conducts transactions that comply with applicable laws, rules and regulations?	Y <input type="checkbox"/>	N <input type="checkbox"/>
13. Does the FI require collection of information regarding its customers’ business activities?	Y <input type="checkbox"/>	N <input type="checkbox"/>
14. Does the FI collect information and assess the AML policies and procedures of its customers who are Financial Institutions?	Y <input type="checkbox"/>	N <input type="checkbox"/>

Financial Institutions

15. Does the FI have policies and procedures which require regular review and update of its customers’ information, in particular information of its high risk customers?	Y <input type="checkbox"/>	N <input type="checkbox"/>
16. Does the FI retain proper records of each of its customers’ Know Your Customer (“KYC”) information, and the related checks and verification works performed by it?	Y <input type="checkbox"/>	N <input type="checkbox"/>
17. Does the FI take reasonable steps to understand the normal and expected transactions of its customers based on its risk assessment of its customers?	Y <input type="checkbox"/>	N <input type="checkbox"/>
IV. Reportable Transactions and Prevention and Detection of Transactions with Illegally Obtained Funds		
18. Does the FI have policies and procedures for the identification and reporting of transactions that are required to be reported to government authorities (e.g. JFIU in Hong Kong)?	Y <input type="checkbox"/>	N <input type="checkbox"/>
19. Does the FI have procedures to identify transactions structured to avoid large cash reporting requirements if such obligation is mandatory according to the relevant legal/ regulatory requirements?	Y <input type="checkbox"/>	N <input type="checkbox"/>
20. Does the FI screen customers and transactions against the lists of persons, entities or countries issued by government/ international competent authorities?	Y <input type="checkbox"/>	N <input type="checkbox"/>
21. Does the FI have policies to reasonably ensure that it will not conduct transactions with or on behalf of shell banks through any of its accounts, products or services?	Y <input type="checkbox"/>	N <input type="checkbox"/>
22. Does the FI have policies to reasonably ensure that it only operates with correspondent banks that possess licenses to operate in their countries of origins?	Y <input type="checkbox"/>	N <input type="checkbox"/>
V. Transaction Monitoring		
23. Does the FI have monitoring program(s) to detect suspicious or unusual activities (including funds transfers and trades in investment products, etc.)?	Y <input type="checkbox"/>	N <input type="checkbox"/>
VI. AML Training		
24. Does the FI provide AML trainings to its employees and sales agents (if any) that include identification and reporting of suspicious transactions to the relevant government authorities, examples of different forms of money laundering involving the FI’s products and services, and its internal policies and procedures to prevent money laundering?	Y <input type="checkbox"/>	N <input type="checkbox"/>
25. Does the FI retain records of its training sessions including attendance records and the training materials used?	Y <input type="checkbox"/>	N <input type="checkbox"/>
26. Does the FI communicate new AML related laws and changes to existing AML related policies or practices to its employees and sales agents (if any)?	Y <input type="checkbox"/>	N <input type="checkbox"/>
27. Does the FI employ third parties to carry out some of the functions of the FI?	Y <input type="checkbox"/>	N <input type="checkbox"/>
28. If the answer to question 27 is yes, does the FI provide AML training to relevant third parties that includes: <ul style="list-style-type: none"> • Identification and reporting of transactions that must be reported to government authorities. • Examples of different forms of money laundering involving the FI’s products and services. • Internal policies to prevent money laundering. 	Y <input type="checkbox"/>	N <input type="checkbox"/>

Please provide additional information below if any of the above answers is “NO”.



MIB Securities (Hong Kong) Limited (“MIBSHK”)
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A member of **Maybank Investment Banking** Group

Financial Institutions

Questionnaire completed by: _____ (Signature)

Name: _____

Title: _____ [Director/ Responsible Officer/ Compliance Officer/ AML Officer]

Name of Financial Institution: _____

Location: _____

Date: _____

Financial Institutions

PART II

For institutional FI intermediary (Authorized Institution, Licensed Corporation, Authorized Insurer or similar)

Letter of Undertaking

Note to Client(s): This document is for, amongst others, the compliance with the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance and the SFC Guideline on Anti-Money Laundering and Counter-Terrorist Financing. Please promptly sign and return this document to us.

To: MIB Securities (Hong Kong) Limited;
(Please delete the inappropriate and initial each deletion)
28/F, Lee Garden Three, 1 Sunning Road, Causeway Bay, Hong Kong

Re: Undertakings by Intermediary

In consideration of your agreement to provide the services as agreed by you from time to time and if I/we am/are an intermediary specified in section 18(3)(b) and section 18(3)(c) under Part 2, Division 4 of Schedule 2 of the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance ("Specified Intermediary") and operate and manage the Account(s) (No(s): _____) for my/our own client(s) (whether on a discretionary or non-discretionary basis) or otherwise for the transaction(s) with my/our own client(s), I/we, the undersigned Client(s), agree to the following terms:

1. I/We confirm that I/we am/are a Specified Intermediary and this confirmation is to continue for so long as any of my/our obligations hereunder remains subsisting;
2. In relation to each of my/our own client(s) for whom or for whose transaction(s) the Account(s) is/are operated and managed by me/us, I/we shall, if requested by any of the relevant MIB (HK) Group Companies, provide to such MIB (HK) Company a copy of any document, or a record of any data or information, obtained by me/us in the course of carrying out Customer Due Diligence ("CDD") measure(s) for such MIB (HK) Company as soon as reasonably practicable after receiving the request;
3. If there is any legal or regulatory requirement (including but not limited to those stated in the AMLO or issued by the SFC) in respect of the CDD measure(s) carried out by me/us and/or any documents, records, data and/or information kept by me/us and/or the provision and/or keeping of the same, I/we shall also comply with such legal or regulatory requirement;
4. If I/we am/are also subject to the legal and regulatory requirements (as amended from time to time) in relation to anti-money laundering and counter-terrorist financing in any jurisdiction other than Hong Kong (including, without limitation, those requirements in relation to customer due diligence and provision and keeping of required records) ("Other Requirements"), I/we hereby warrant, represent and undertake to the relevant MIB (HK) Company or each of the relevant MIB (HK) Group Companies (if this document is given to more than one MIB (HK) Company) that in relation to each of my/our own client(s) for whom or for whose transaction(s) the Account(s) is/are operated and managed by me/us and/or in relation to each transaction I/we carry out for the Account(s), I/we am/are in full compliance with Other Requirements. For the avoidance of doubt, I/we agree to comply with the Know Your Client requirements stipulated in the Foreign Accounting Tax Compliance Act of the United States of America.
5. I/We will inform you immediately if I/we become aware of any of my/our own client(s) (for whom or for whose transaction(s) the Account(s) is/are operated and managed by me/us) engaging in activities which lead me/us to believe or reasonably suspect that such client is or may be involved in money laundering or terrorist financing activities.



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Financial Institutions

- 6. In the event that any confirmation, warranty, representation or undertaking contained herein becomes incorrect or misleading or that I/we am/are unable to comply with any of the obligations or provisions contained in this document, I/we shall notify you immediately upon the occurrence of any such event. For the avoidance, any said notification shall not, in any way, affect any of my/our obligations hereunder.
- 7. Subject to paragraph 8 below, should there be any conflict or inconsistency between this document and any other document in relation to the matters referred to herein, this document shall prevail.
- 8. To the extent that any provisions of the AMLO, or of the regulatory requirements issued by the SFC from time to time, in respect of the aforesaid CDD measure(s) carried out by me/us and/or any documents, records, data and/or information referred to in the above paragraphs of this document and/or the provision and/or keeping of any such documents, records, data and/or information are not expressly incorporated in this document, the same shall be incorporated by reference in this document. The provisions of the AMLO, and of the regulatory requirements issued by the SFC from time to time, in respect of the aforesaid CDD measure(s) carried out by me/us and/or any documents, records, data and/or information referred to in the above paragraphs of this document and/or the provision and/or keeping of any such documents, records, data and/or information shall prevail over the provisions of this document.
- 9. In this document, unless the context requires otherwise, (i) words not defined shall have the meanings ascribed to them in the AMLO or applicable regulatory requirements issued by the SFC from time to time (as the case may be); (ii) regulatory requirements issued by the SFC from time to time include, without limitation, the requirements contained in the Guideline on Anti-Money Laundering and Counter-Terrorist Financing; (iii) "MIB (HK) Group Companies" means the companies which are listed at page 1 of this document and which have not been deleted by me/us and "MIB (HK) Company" means any of the aforesaid companies or if only one of the aforesaid companies has not been deleted, that company; (iv) "you" means any one or more or all of the MIB (HK) Group Companies and "your" and "yours" shall be construed accordingly; (v) terms in the singular shall include the plural and vice versa; and (vi) "Hong Kong" means the Hong Kong Special Administrative Region of the People's Republic of China.
- 10. This document shall be governed by and construed in accordance with the laws of Hong Kong and I/we hereby irrevocably submit to the exclusive jurisdiction of the courts of Hong Kong.

SIGNED by:
For and on behalf of

Client's name (please print)

Date

Authorized signature(s)
Name(s) (please print):
Title(s) (please print):