

Anti-Money Laundering Questionnaire (Financial Institution) 打擊洗錢問卷 (金融機構)

Name of Financial Institution : _____
 金融機構名稱

Place of Incorporation : _____
 成立地點

Questionnaire to be Completed : This Anti-Money Laundering Questionnaire (Financial Institution) 此打擊洗錢問卷 (金融機構)
 將會完成的問卷

OR

Wolfsberg Questionnaire 沃爾夫斯堡問卷 (Please provide and complete Part H of this Questionnaire 請提供及完成此問卷 H 部分)

A Entity & Ownership 機構及其所有權			
No. 編號	Question 問題	YES 是	NO 否
1 a	Is the Financial Institution ("FI") a publicly-owned entity? 貴機構是否是公眾持有股份的企業?		
1 a1	If Yes, indicate the exchange(s) traded on and ticker symbol. 如是，標明交易市場及股票編號。		
1 b	Are there any government entities or enterprises among your shareholders with executive control authority of the FI? 貴機構的控股股東中是否存在政府企業或機構?		
1 c	Is the FI privately owned? 貴機構是否是私人擁有的企業?		
1 c1	If Yes, provide details of shareholder(s) AND ultimate beneficial owner(s) with a holding of 10% or more. 如是，提供股權比例為 10% 以上的股東及最終實益擁有人。		
2	Does the FI's shares compose of bearer shares? 貴機構的股份中是否有不記名股份而組成?		
3	Does the FI have branches, subsidiaries, or representative offices located in Sanctioned countries? 貴機構是否在被制裁的國家設有分支機構、子公司或代表辦事處?		
3 a	If Yes, name the location(s). 如是，列出所在地。		

No. 編號	Question 問題	YES 是	NO 否
4	<p>Does the FI have a significant (10% or more) offshore customer base, either by number of customers or by revenues (where offshore means not domiciles in the jurisdiction where broker services are being provided)? 貴機構是否有重大（10%或以上）的境外客戶群，可按客戶數量或按收入計算（境外指不處於提供經紀服務的地區）？</p> <p>If Yes, provide the location(s) of the offshore customers. 如是，提供境外客戶的所在地。</p> <p>_____</p>		
B	<p>Anti-Money Laundering (“AML”), Counter Financing of Terrorism (“CFT”) and Sanctions Program, Policies, Practices and Procedures 打擊洗錢、恐怖分子資金籌集及制裁的方案、政策、操作指引及程序</p>		
5	<p>Has your regulator published guidance notes/policies/laws to combat money laundering/terrorist financing, and is the FI subjected to, and fully complied with such laws? 貴機構的監管機構是否曾發出指引/政策/法例以打擊洗錢/恐怖份子融資，而作為受監管機構，貴機構是否完全符合相關法律規定？</p> <p>Please specify the name of the regulator 請註明監管機構名稱：</p> <p>_____</p>		
6	<p>Is the AML, CFT and Sanctions compliance program approved by the FI’s board or a senior committee? 貴機構的打擊洗錢、恐怖分子資金籌集及制裁合規方案是否已得到董事會或高層委員會的批准？</p>		
7	<p>Does the FI have a legal and regulatory compliance program that includes a designated Compliance Officer that is responsible for coordinating and overseeing the AML, CFT and Sanctions framework? Please indicate name, title, phone number and email of the designated Compliance Officer. 貴機構是否制訂有法律及合規方案，包括有一位指定的合規人員，負責協調及監管打擊洗錢、恐怖分子資金籌集及制裁架構？請註明該合規人員的姓名、職位、電話號碼和電郵地址。</p> <p>Name : _____ 姓名</p> <p>Position : _____ 職位</p> <p>Phone No. : _____ 電話號碼</p> <p>Email : _____ 電郵地址</p>		

No. 編號	Question 問題	YES 是	NO 否
8	Does the FI have policies and procedures that sets minimum AML, CFT and Sanctions standards regarding the all following components? 貴機構是否就以下所有項目制定了政策及程序設定最低打擊洗錢、恐怖分子資金籌集及制裁標準? - Customer due diligence (“CDD”) 客戶盡職調查 - Risk assessment 風險評估 - Customer screening (including sanction, PEP and adverse information) 客戶篩查(包括制裁、政治敏感人物及不利信息) - Transaction monitoring 交易監控 - Suspicious activity identification and reporting 可疑活動識別及報告		
9	In addition to inspections by the government supervisors/regulators, does the FI has an internal audit function or other independent third party that assesses AML, CFT and Sanctions policies and practices on a regular basis? 除了政府/監管機構的審查，貴機構是否設有內部稽核部門，或委任其它獨立第三方，定期評估打擊洗錢、恐怖分子資金籌集及制裁政策及操作指引?		
10	Does the FI outsource any components of its AML, CFT and Sanctions program to third parties? <i>If Yes, provide further details in Section G.</i> 貴機構是否外判第三方來開展打擊洗錢、恐怖分子資金籌集與制裁計劃的任何部分？如是，請在G部分提供相關資料。		
11	Does the FI have a policy prohibiting accounts opening/relationships with anonymous or fictitious clients, shell FI or banks? 貴機構是否制訂有政策禁止為匿名或虛假客戶、空殼金融機構或銀行開立帳戶及建立業務關係?		
12	Does the FI have a policy prohibiting dealing with another entity that provides services to anonymous or fictitious clients, shell FI or banks? 貴機構是否制定相關政策禁止與為匿名或虛假客戶、空殼金融機構或銀行提供服務的其他實體進行交易?		
13	Does the FI have record retention policies/procedures that comply with applicable law? 貴機構是否根據法律法規而制訂有適當的文件保存年限政策/程序?		
14	Are the FI’s AML, CFT and Sanctions policies and practices being applied to all branches and subsidiaries of the FI both in the home country and in locations outside of that jurisdiction? 貴機構是否要求在國內及境外地區的所有分公司以及附屬機構，遵守其打擊洗錢、恐怖分子資金籌集及制裁政策及操作指引?		

C Risk Assessment 風險評估			
No. 編號	Question 問題	YES 是	NO 否
15	Does the FI have a risk-based assessment of its customer base and their transactions? 貴機構是否會對客戶及客戶交易活動進行風險評估?		
16	Does the FI determine the appropriate level of Enhanced Due Diligence (“EDD”) necessary for those categories of customers and transactions that the FI has reason to believe pose a heightened risk of illicit activities with reference to applicable regulations, guidelines and recommendations at or through the FI? 貴機構是否針對進行高違法活動風險（參考適用的法規、指引和建議所訂）的客戶和交易制訂有適當的高強度盡職調查工作？		
D Know Your Customer, CDD and EDD 認識你的客戶、客戶盡職調查及高強度盡職調查工作			
17	Has the FI implemented processes for the identification of those customers on whose behalf it maintains or operates accounts or conducts transactions? 貴機構是否制訂有相應程序，在管理、操作客戶帳戶及進行交易時對客戶身份進行識別？		
18	Does the FI have a requirement to collect and retain the following information? 貴機構會否收集及保存以下的客戶資料？ - Ownership structure with ultimate beneficial owner(s) 股權結構包括最終受益人 - Customer identification 客戶身份識別 - Expected activity 預期活動 - Nature of business / occupation 業務性質/職業 - Product usage 產品用途 - Purpose and nature of relationship 關係的目的與性質 - Source of funds 資金來源 - Source of wealth 財富來源		
19	Does the FI assess its FI customers’ AML, CFT and Sanctions policies or practices? 貴機構有否會評估金融機構客戶的打擊洗錢、恐怖分子資金籌集及制裁政策及操作指引？		
20	Does the FI have a process to review regularly and, where appropriate, update customer information relating to high risk client information? 貴機構是否會對高風險客戶的資料定期進行檢視及在有必要時作更新？		
21	Does the FI screen its customers, including beneficial ownership information collected by the FI, during onboarding and regularly thereafter for sanctions, PEPs and negative media? 貴機構是否根據制裁、政治敏感人物及負面媒體消息對在建立客戶關係時和之後收集的客戶及其實益所有權的信息進行了篩選？		
22	Does the FI screen customers and transactions against lists of persons, entities or countries issued by government/competent authorities? 貴機構是否會篩查經政府/國際組織公布高風險名單中的個別人士、機構或國家，並審查有關客戶和其交易？		

E Staff Training 員工培訓			
No. 編號	Question 問題	YES 是	NO 否
23	<p>Does the FI provide AML, CFT and Sanctions training to the employees and/or relevant parties (e.g. Board and Senior Management, the three lines of defence, third parties to which specific compliance activities have been outsourced (if any) and non-employee workers (if any)), that includes:</p> <p>貴機構是否為員工及/或相關人員（例如董事會與高級管理層、三道防線、外包特定合規活動的第三方（如有）及非僱傭工作人員（如有））提供打擊洗錢、恐怖分子資金籌集及制裁培訓，包括：</p> <ul style="list-style-type: none"> (i) New AML, CFT and Sanctions related laws or changes 打擊洗錢、恐怖分子資金籌集及制裁相關的改變及新法規 (ii) Identification and reporting of transactions that must be reported to government authorities 辨別及報告某些需要向政府部門匯報的交易 (iii) Examples of different forms of money laundering, terrorist financing and sanctions violations relevant for the FI's products and services 各種牽涉貴機構產品及服務的不同形式洗錢活動、恐怖分子資金籌集及違反制裁的例子 (iv) Internal policies to prevent money laundering 內部的打擊洗錢政策 		
24	<p>Does the FI retain records of its training sessions including attendance records and relevant training materials used?</p> <p>貴機構是否保留培訓課程的各項記錄，包括出席記錄及所用教材？</p>		
F Others 其他			
25	<p>Has the FI been subjected to sanctions or punitive actions in relation to AML/CFT by regulators/law enforcer in the past five years? <i>If Yes, please describe the deficiencies that led to the enforcement and the remediation actions undertaken in Section G.</i></p> <p>在過去的5年，貴機構是否曾受到監管機構/執法機關有關打擊洗錢及恐怖分子資金籌集的制裁或懲罰性的行動？如是，請於G部分說明有關缺失和已採取的補救措施。</p>		

G	Additional Information 補充資料 ➤ Please provide explanation on any “No” responses in Section B-E (Except for those specified above). 請提供對 B-E 部分的任何答覆為“否”的說明（上述指明的除外）。 <i>(Please indicate which question the information is referring to 請註明補充資料相關問題的題號.)</i>
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H	Declaration and Undertaking 聲明及承諾
	<p>We certify that the responses made in this questionnaire/Wolfsberg Questionnaire are complete and true. 我們保證本問卷/沃爾夫斯堡問卷中的回答完整且真實。</p> <p>We undertake to perform all the customer due diligence (“CDD”) measures specified or similar to those set out in the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Cap. 615) (the “Ordinance”) and/or the standards stipulated by the Financial Action Task Force (“FATF”) (www.fatf-gafi.org) in respect of all the underlying customers; 我們承諾對所有相關客戶執行類似《打擊洗錢及恐怖分子資金籌集條例》（第 615 章）（“條例”）及/或金融行動特別工作組（“FATF”）（www.fatf-gafi.org）標準的所有客戶盡職審查措施；</p> <p>We further undertake to keep all relevant CDD information throughout the continuance of our business relationship with Shenwan Hongyuan Securities (H.K.) Limited, Shenwan Hongyuan Futures (H.K.) Limited and Shenwan Hongyuan Asset Management (Asia) Limited (if applicable) (“SWHY”) and for at least five (5) years after the termination of our business relationship with you; 我們進一步承諾，在申萬宏源證券（香港）有限公司、申萬宏源期貨（香港）有限公司和申萬宏源投資管理（亞洲）有限公司（如適用）（“申萬宏源”）與我們的業務關係持續期間，以及由有關業務關係終止的日期起計的至少 5 年內，保留所有相關的客戶盡職審查訊息；</p> <p>We will, if requested by SWHY, to the extent permitted by applicable law and within the period specified in the record-keeping requirements of the Ordinance, provide to SWHY any data or information or documents on particular</p>

transactions and underlying customers as soon as reasonably practicable after receiving the request;
如申萬宏源提出要求，我們將在適用法律允許的範圍內並在條例有關記錄保存要求規定的時期內，在合理可行的範圍內盡快向申萬宏源提供個別交易和相關客戶的任何數據、資訊或文件；

We undertake to notify SWHY immediately if there is any change in the information and/or circumstances described above and/or in this Questionnaire/Wolfsberg Questionnaire;
我們承諾，如果上述及/或本問卷/沃爾夫斯堡問卷中所述的資訊及/或情況發生任何變化，我們將立即通知申萬宏源；

We undertake to indemnify SWHY for any claims, losses, liabilities and/or expenses SWHY may suffer or incur as a result of our breach of any aforesaid declarations, warranties or undertakings.
我們承諾賠償申萬宏源因我們違反任何上述聲明、保證或承諾而可能遭受或招致的任何索賠、損失、責任及/或費用。

Signature :

簽署

Name :

姓名

Position :

職位

Date :

日期