

Customer Due Diligence

Identification and verification of a customer as required under:

- Section 16 of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (AMLA); and
- Paragraph 14 of the Anti-Money Laundering, Countering Financing of Terrorism and Targeted Financial Sanctions for DNFBPs and NBFIs (AML/CFT and TFS for DNFBPs and NBFIs).

Disclaimer:

- *This document is intended for guidance on the implementation of CDD, TFS CRP and EDD in complying with the AML/CFT and TFS requirements under the AMLA only. Reporting institutions may develop their own forms or checklists in consideration of the size, nature and complexity of the business operations.*
- *This document does not contain exhaustive advice or information relating to the subject matter nor should it be used as substitute for legal advice.*
- *In the event that the information on Bank Negara Malaysia's official printed documents or any Acts differ from the information contained within this document, the information on such Act and official documents shall prevail and take precedence.*

Date:

1) INDIVIDUAL			
Full Name			
NRIC/Passport No.			
Date of Birth			
Residential Address			
Town			
State			
Postcode		Country	
Mailing Address <i>(if different from the above address)</i>			
Town			
State			
Postcode		Country	
Nationality			
Occupation Type			
Name of Employer/Nature of Business (if self-employed)			
Contact Number (home/office/mobile)			
Purpose of Transaction			

2) For LEGAL PERSON/LEGAL ARRANGEMENTS	
Company/Business Name	
Business Registration No.	
Business Type	<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Public Company <input type="checkbox"/> Private Limited Company <input type="checkbox"/> Trust <input type="checkbox"/> Club/Society/Charity

	<input type="checkbox"/> Other: _____		
Country of Incorporation/Registration			
Address of Registered Office (trustee for trust)			
Town			
State			
Postcode		Country	
Address of the Principal Place of Business (If different from above)			
Town			
State			
Postcode		Country	
Principle Business			
Contact No.			
Purpose of Transaction			
Name of Directors(s)/Partner(s)			
A) For Legal Person			
Name of Shareholder(s)/Beneficial Owner(s)	Name	Types of shares	Percentage
Name of Beneficial Owners through other means (e.g., Nominee shareholders etc.)	Name	Type of ownership/control/relationship	
Name of senior Management			
B) For Legal Arrangement			
	Name	ID	Address
Settlor			
Trustee			
Protector (if any)			
Beneficiary/class of beneficiary			
Other BO information			
	Relationship with trust:		

PERSON TRANSACTING ON BEHALF OF INDIVIDUAL/LEGAL PERSON/LEGAL ARRANGEMENT

Full Name			
NRIC/Passport No.			
Date of Birth			
Address			
Town			
State			
Postcode		Country	
Nationality			
Occupation			
Name of Employer/Nature of Business			
Contact Number (home/office/mobile)			

VERIFICATION (For Office Use)

Individual	Legal Persons/Legal Arrangement
<ul style="list-style-type: none">▪ To verify and be satisfied with the identity of the customer or beneficial owner <u>through reliable and independent documentation, electronic data or any other measures</u> that the reporting institution deem necessary, for example:<ul style="list-style-type: none">○ Identity Card issued by Malaysian government○ Employee Identity Card issued by ministries and statutory bodies○ Foreign passport or identity card issued by the United Nations○ Documents issued by Malaysian government○ Biometric identification○ Organisation that maintains reliable and independent electronic data to verify customer's identity	<ul style="list-style-type: none">▪ To verify the identity of the customer through the following information/documents, for example:<ul style="list-style-type: none">○ Constitution/Certificate of Incorporation/Partnership○ Reliable references to verify the identity of customer;▪ To verify the identity of directors/shareholders with equity interest of more than twenty five percent/Partners through the following documents, for example,<ul style="list-style-type: none">○ Sections 58 and 78 Forms as prescribed by the Companies Commission of Malaysia or equivalent documents for Labuan companies or foreign incorporations○ Other equivalent documents for other types of legal person○ Authorisation for any person to represent the○ Letter of authority or directors' resolution.

Targeted Financial Sanctions (TFS)

TFS as required under:

- Section 14(1)(c) of the AMLA;
- Paragraphs 23 and 24 of the AML/CFT and TFS for DNFBPs and NBFIs; and
- Directive on Implementation of Targeted Financial Sanctions Relating to Proliferation Financing (TFS-PF) under the Strategic Trade Act 2010, Strategic Trade (United Nations Security Council Resolutions) Regulations 2010 and Strategic Trade (Restricted End-Users and Prohibited End-Users) Order 2010.

Screen the name of customer against the MOHA ¹ and UNSCR Sanctions List for Terrorism ² and for Proliferation ³ and Other UN-Sanctions Lists	<input type="checkbox"/> Positive name match	<input type="checkbox"/> Negative name match
If POSITIVE name match: <ul style="list-style-type: none"><input type="checkbox"/> freeze the customer's funds, other financial assets and economic resources OR block the transaction (where applicable), if existing customer;<input type="checkbox"/> reject a potential customer, if the transaction has not commenced;<input type="checkbox"/> submit a suspicious transaction report (STR) to Bank Negara Malaysia; and<input type="checkbox"/> report to the Financial Intelligence and Enforcement Department, Bank Negara Malaysia and Inspector-General Police using the form attached in Appendix 6A, 6B, 7A or 7B where applicable.		

¹ **MOHA: Ministry of Home Affairs**

<http://www.moha.gov.my/index.php/en/maklumat-perkhidmatan/membanteras-pembiayaan-keganasan2/senarai-kementerian-dalam-negeri>

² **UNSCR: United Nations Security Council Resolutions (Terrorism)**

https://www.un.org/sc/suborg/en/sanctions/1267/aq_sanctions_list; and
<https://www.un.org/sc/suborg/en/sanctions/1988/materials>

³ **UNSCR: United Nations Security Council Resolutions (Proliferation of Weapons of Mass Destruction)**

<https://www.un.org/sc/suborg/en/sanctions/1718/materials>; and
<https://www.un.org/en/sc/2231/list.shtml>

Customer Risk Profiling (CRP)

CRP as required under paragraph 10 of the AML/CFT and TFS for DNFBPs and NBFIs.

In profiling the risk of its customers, reporting institutions must consider the following factors:

a) Customer Risk, e.g.

Is the customer or the beneficial owner a foreign or domestic PEP?	<input type="checkbox"/> Foreign PEP <i>*By default higher ML/TF risks & subject to EDD</i>
	<input type="checkbox"/> Domestic PEP
Nationality (resident or non-resident) of the customer/director/partner and shareholder/beneficial owner	<input type="checkbox"/> Malaysian
	<input type="checkbox"/> Foreigner
Is the customer/director/partner and shareholder/beneficial owner classified as High Net Worth individual?	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
Type of customer	<input type="checkbox"/> New customer
	<input type="checkbox"/> Repeating customer
	<input type="checkbox"/> Occasional/One-Off
Size and structure customer's business?	<input type="checkbox"/> Large and complex structure
	<input type="checkbox"/> Small and simple structure
Type of occupation/business	<input type="checkbox"/> Lower risk occupation/business
	<input type="checkbox"/> Higher risk occupation/business i.e. cash intensive business/occupation
Is there any adverse remark on the customer/company' background from research via public or commercial database such as Google?	<input type="checkbox"/> Yes Please state: _____
	<input type="checkbox"/> No
Other consideration	

b) Geographical Risk, e.g.

What is the country of origin of the customer, location of business, branches, beneficial owner, beneficiaries or related parties?	<input type="checkbox"/> Low risk countries
	<input type="checkbox"/> Countries having strategic AML/CFT deficiencies
	<input type="checkbox"/> Countries subject to a FATF call to apply countermeasures <i>*By default higher ML/TF risk & subject to EDD and countermeasures</i>
List of higher risk countries is available at: - http://www.fatf-gafi.org	
Other consideration	

c) Products/Services Risk, e.g.

Does the product/service offered provide anonymity to the customer?	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
Does the product/service offered commensurate with the profile of the customer?	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
Does the product/service offered involve complex and unusual transaction?	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
Does the customer require nominee services?	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
Does the company have nominee shareholder(s) or nominee director(s)? (for nominee service dispensed by lawyers, accountants and company secretaries)	<input type="checkbox"/> Yes
	<input type="checkbox"/> No

Does the product/service offered involve cross-border transactions?	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
Other consideration	

d) Transaction and Delivery Channel Risk, e.g.

Mode of payment	<input type="checkbox"/> Bank transfer or cheques
	<input type="checkbox"/> Physical cash
Delivery Channel	<input type="checkbox"/> Face-to-face
	<input type="checkbox"/> Through agent/intermediaries
	<input type="checkbox"/> Non face-to-face
Other consideration	

Other factors that affect the customer's ML/TF risk rating?

Overall risk assessment:	<input type="checkbox"/> Low	<input type="checkbox"/> Medium	<input type="checkbox"/> High
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