

<<中国反洗钱报告2010>>

图书基本信息

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内容概要

China made significant contribution to the global economic recovery and financial stability in 2010 . when a moderately accommodative monetary policy was in place . The effective financial macro management measures gave a strong hand to the fast yet steady economic growth . In the circumstances of relatively accommodative liquidity . China further strengthened prevention and monitoring functions of anti-money laundering (AML) mechanism . which not only deterred money laundering crimes . but also helped to ensure healthy cashflows.

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章节摘录

IV . Financial institutions , which suspect that a client is on the sanction list but not be sure about it , shall immediately adopt appropriate transaction restriction measures , and the head office of the financial institution or an institution designated by it shall apply to the Head Office of the People ' S Bank of China for verification and confirmation within the same day . If a financial institution applies for verification and confirmation , the Head Office of the People ' S Bank of China shall notify the results of the verification and confirmation to the financial institution within 15 workdays upon receiving the application . If there is a need to extend the deadline of the verification and confirmation , the Head Office of the People ' S Bank of China shall notify the financial institution before the deadline expires . If it is verified that the client is not on the sanction list , the financial institution shall immediately terminate the transaction restriction measures from the day of receiving the verification notice . If the financial institution does not receive any notice from the Head Office of the People ' S Bank of China within the said 15 workdays or when the extended deadline expires , it shall terminate the transaction restriction measures from the day after the expiry date .

V If financial institutions adopt transaction restriction measures , they shall notify the clients in an appropriate way , except that Ministry of Foreign Affairs , the People ' S Bank of China , the financial regulators or judicial organs have confidentiality requirements .

VI . If financial institutions adopt transaction restriction measures and do not apply to the Head Office of the People ' S Bank of China for verification and confirmation , but the client of the financial institution has dissidence , the client may apply via the financial institution to the Head Office of the People ' S Bank of China for verification and confirmation ; if financial institutions adopt transaction restriction measures and the People ' S Bank of China has verified and confirmed , but the client of the financial institution still has dissidence , the client may directly apply to the Head Office of the People ' S Bank of China for verification and confirmation . If it is verified and confirmed that the client is not on the sanction list , the Head Office of the People ' S Bank of China shall notify the financial institution to terminate the transaction restriction measures immediately . The procedure of verification and confirmation shall be carried out pursuant to relevant provisions of Article IV of the Circular .

VII . If the client of financial institutions needs to conduct fund receipt and payment or other financial transactions due to basic living expenses or special reasons , the client or the financial institutions may apply to the People ' S Bank of China . If the claim is proved true , the People ' S Bank of China shall notify the financial institutions that they can conduct financial transactions limited to specified use , amount and account .

VIII . If there are changes to the sanction list of individuals and entities subject to enforcement notified by Ministry of Foreign Affairs according to UNSCR 1267 and UNSC 1373 and relayed by financial regulators (including annulling the sanction list , adding names to the sanction list or deleting names from the sanction list) , financial institutions shall update the information elements of individuals and entities in relevant business systems in time . If a financial institution believes that some clients are no longer on the sanction list , it may terminate the transaction restriction measures , and the head office of the financial institution or an institution designated by it shall report relevant information to the Head Office of the People ' S Bank of China within the same day . If the financial institution is not sure whether the client is still on the sanction list , it can apply to the Head Office of the People ' S Bank of China for verification and confirmation , and the procedure of verification and confirmation shall be carried out according to relevant provisions of Article IV of the Circular .

IX . If financial institutions , after adopting transaction restriction measures , believe that the case belongs to the circumstances provided in Article 84 of the Criminal Procedure Law of the People's Republic of China , they shall report to the local public security organs , cooperate with public security organs in putting the case on file for investigation according to law , and assist public security organs in taking such measures as inquiry , detention , distraintment , and asset freezing , etc .

X . Upon receiving relevant overseas government authorities ' request for freezing assets or providing client information which is related to UNSC 1267 and UNSC 1373 , financial institutions shall ask them to contact diplomatic service and must not adopt any measures without prior authorization .

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