



Bridge The Difference 弥合差异

# Prevention of Money Laundering & Terror Financing Manual

# 反洗钱和打击恐怖分子融资手 册

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**BCR Co Pty Ltd**

BVI Company No. 1975046 | License No. SIBA/L/19/1122

BVI 公司编号：1975046 | 许可证编号：SIBA/L/19/1122

## I. GENERAL DEFINITIONS 一般定义

1. For the purposes of this Manual, unless the context shall prescribe otherwise:  
除根据语境另有规定外，本手册内容具有如下定义：

i. **“Reporting Authority”**, when used in this Manual, shall mean, unless the context requires otherwise, the British Virgin Islands Financial Investigation Agency (the “FIA”, or the “Agency”) established under Section 3 of the Financial Investigation Agency Act, 2003 (the “FIA Act”), as supplemented by the Anti-Money Laundering and Terrorist Financing Code of Practice 2008 (the “Code 2008”) as amended, and the Anti-Money Laundering Regulations 2008 (the “Regulations 2008”) as amended, the Proliferation Financing (Prohibition) Act 2009 and the Proceeds of the Criminal Conduct Act, 1997 (the “Proceeds Act, 1997”) as amended.  
除根据上下文另有规定外，本手册中的“**报告机构**”应指依照 2003 年金融调查机构法案第 3 节规定以及经修订的附加条例：2008 年关于反洗钱与打击恐怖分子融资的实施规程(“2008 年规程”)、2008 年反洗钱条例(“2008 年条例”)、2009 年扩散融资(禁止)法案和 1997 年犯罪行为收益法案(“1997 年收益法案”)，建立的英属维尔京群岛金融调查机构(“FIA”或“机构”)。

ii. **“Beneficial Owner”**, when used in this Manual, shall mean, unless the context requires otherwise, the natural person or natural persons, who ultimately owns or controls the Customer and/or the natural person on whose behalf a transaction or activity is being conducted; the Beneficial Owner shall in any event include:  
除根据上下文另有规定外，本手册中的“**受益人**”应指最终拥有或控制所开展的客户和/或自然人的交易或活动；在任何情况下，受益人应包括：

In the case of corporate entities:

对于法人实体：

a) the natural person or natural persons, who ultimately own(s) or control(s) a legal entity through direct or indirect ownership or control of a sufficient percentage of the shares or voting rights in that legal entity, including through bearer share holdings, a percentage of 10% plus one share be deemed sufficient to meet this criterion;  
直接或间接拥有或控制法人实体足够股份或表决权，包括持有的无记名股票，对法人实体进行最终拥有或控制的自然人。在此，10%加 1 的股份被视为足以符合本标准；

b) the natural person or natural persons, who otherwise exercise control over the management of a legal entity.  
对法人实体管理进行控制的自然人。

iii. **“Business Relationship”**, when used in this Manual, shall mean, unless the context requires otherwise, a business, professional or commercial relationship which is connected with the professional activities of the Company;  
除根据上下文另有规定外，本手册中的“**业务关系**”应指与公司专业活动存在专业或商业关系的企业；

iv. **“Customer”**, when used in this Manual, shall mean, unless the context requires otherwise, any legal or physical person aiming to open a trading account and conclude a Business Relationship with the Company;  
除根据上下文另有规定外，本手册中的“**客户**”应指希望在公司开设交易账户，并达成业务关系的任何法人或自然人；

v. **“Company”**, when used in this Manual, shall mean, unless the context requires otherwise, BCR CO PTY LTD., which is a BVI incorporated Company, having its registered office at Trident Chambers, Wickhams Cay, PO Box 146, Road Town, Tortola, British Virgin Islands;

the Company is licensed and regulated in the BVI by the British Virgin Islands Financial Services Commission (the "FSC", or the "Commission") under the Securities and Investment Business Act, 2010 (the "SIBA") and holds Investment Business Licence number SIBA/L/19/1122 (the "Licence");

除根据上下文另有规定外，本手册中的“公司”应指 BCR CO PTY LTD.，其时一家在英属维尔京群岛注册的公司，注册办公地址位于 Trident Chambers, Wickhams Cay, PO Box 146, Road Town, Tortola, British Virgin Islands；公司接受英属维尔京群岛金融服务委员会（“FSC”或“委员会”）依照 2010 年证券与投资业务法（“SIBA”）进行监管，并拥有投资业务许可证编号 SIBA/L/19/1122（“许可证”）；

- vi. **“Act”**, when used in this Manual, shall mean, unless the context requires otherwise, the Proceeds of Criminal Conduct Act, 1997 with amendments.  
除根据上下文另有规定外，本手册中的“法案”应指经修订的 1997 年犯罪行为收益法案。
- vii. **“Directive(s)”**, when used in this Manual, shall mean, unless the context requires otherwise, the directive or directives issued in respect of the prevention of money laundering and terrorist financing by the British Virgin Islands Financial Investigation Agency (the “FIA”, or the “Agency”), the National Bank of the Virgin Islands (the “Bank”) and/or the British Virgin Islands Financial Services Commission (the “FSC”, or the “Commission”);  
除根据上下文另有规定外，本手册中的“法令”应指英属维尔京群岛金融调查机构（“FIA”或“机构”）、维尔京群岛国家银行（“银行”）和/或英属维尔京群岛金融服务委员会（“FSC”或“委员会”）发布的有关反洗钱和打击恐怖分子融资的法令；
- viii. **“Code”**, when used in this Manual, shall mean, unless the context requires otherwise, the Anti-Money Laundering and Terrorist Financing Code of Practice 2008 (the “Code 2008”), as amended by the Anti-money Laundering and Terrorist Financing Code of Practice (Consolidated 2009) (the “Code Consolidated 2009”), and the Anti-Money Laundering and Terrorist Financing (Amendment)(No.2) Code of Practice, 2009 (Amendment 2 Code 2009), the Anti-Money Laundering and Terrorist Financing (Amendment) (No 2) Code of Practice, 2010 (the “Amendment 2 Code 2010”), the Anti-Money Laundering and Terrorist Financing (Amendment) Code of Practice, 2010 (the “Amendment Code 2010”), the Anti- Money Laundering and Terrorist Financing (Amendment) Code of Practice, 2012 (the “Amendment Code 2012”), the Anti-Money Laundering and Terrorist Financing (Amendment) (No 2) Code of Practice, 2012 (the “Amendment 2 Code 2012”), the Anti-Money Laundering and Terrorist Financing (Amendment) Code of Practice, 2015 (the “Amendment Code 2015”), the Anti-Money Laundering and Terrorist Financing (Amendment) Code of Practice, 2017 (the “Amendment Code 2017”) and amendments thereof;  
除根据上下文另有规定外，本手册中的“规程”应指经 2009 年关于反洗钱与打击恐怖分子融资的实施规程(2009 年合并) (“2009 年合并规程”) 修订的 2008 年关于反洗钱与打击恐怖分子融资的实施规程("2008 年规程") 以及 2009 年反洗钱与打击恐怖分子融资（修订）（第 2 次）实施规程（2009 年规程第 2 次修订）、2010 年反洗钱与打击恐怖分子融资（修订）（第 2 次）实施规程（2010 年规程第 2 次修订）、2010 年反洗钱与打击恐怖分子融资（修订）实施规程（2010 年修订规程）、2012 年反洗钱与打击恐怖分子融资（修订）实施规程（2012 年修订规程）、2012 年反洗钱与打击恐怖分子融资（修订）（第 2 次）实施规程（2012 年规程第 2 次修订）、2015 年反洗钱与打击恐怖分子融资（修订）实施规程（2015 年修订规程）、2017 年反洗钱与打击恐怖分子融资（修订）实施规程（2017 年修订规程）及其修订；
- ix. **“Regulations”**, when used in this Manual, shall mean, unless the context requires otherwise, the Anti-Money Laundering Regulations 2008 (the “Regulations 2008”), the Anti-Money Laundering (Amendment) Regulations 2010 (the “Amendment Regulations 2010”), the Anti-money Laundering (Amendment) Regulations, 2012 (the “Amendment Regulations 2012”), the Anti-money Laundering (Amendment) Regulations, 2015 (the “Amendment Regulations 2015”) and amendments thereof;

除根据上下文另有规定外，本手册中的“**条例**”应指 2008 年反洗钱条例（“2008 年条例”）、2010 年反洗钱（修订）条例（“2010 年修订条例”）、2012 年反洗钱（修订）条例（“2012 年修订条例”）、2015 年反洗钱（修订）条例（“2015 年修订条例”）及其修订；

- x. **“Manual”**, when used in this Manual, shall mean, unless the context requires otherwise, the Company’s Prevention of Money Laundering & Terrorist Financing Manual (this Manual);  
除根据上下文另有规定外，本手册中的“**手册**”应指公司的反洗钱和打击恐怖分子融资手册（本手册）；
- xi. **“Money Laundering and Terrorist Financing”**, when used in this Manual, shall mean, unless the context requires otherwise, the money laundering offences defined in the Proceeds of Criminal Conduct Act, 1997 (the “Proceeds Act 1997”), as amended by the Proceeds of Criminal Conduct (Amendment) Act 2006 (the “Proceeds Act 2006”), the Proceeds of Criminal Conduct (Amendment) Act 2008 (the “Proceeds Act 2009”), the Proceeds of Criminal Conduct (Amendment) Act 2010 (the “Proceeds Act 2010”), and any amendments thereof, and in the terrorist financing offences defined in the Terrorism (United Nations Measures) (Overseas Territories) Order, 2001 and the Terrorism (United Nations Measures) (Overseas Territories) Order, 2002;  
除根据上下文另有规定外，本手册中的“**反洗钱和打击恐怖分子融资**”应指 1997 年犯罪行为收益法案（“1997 年收益法案”）、经修订的 2006 年犯罪行为收益（修订）法案（“2006 年收益法案”）、2008 年犯罪行为收益（修订）法案（“2009 年收益法案”）、2010 年犯罪行为收益（修订）法案（“2010 年收益法案”）及其任何修订中定义的洗钱犯罪行为，以及 2001 年恐怖主义（联合国措施）（海外领土）令和 2002 年恐怖主义（联合国措施）（海外领土）令定义的恐怖分子融资犯罪行为；
- xii. **“Politically Exposed Persons (PEPs)”**, when used in this Manual, shall mean, unless the context requires otherwise, the natural persons who are or have been entrusted with prominent public functions and their immediate family members or persons known to be close associates of such persons;  
除根据上下文另有规定外，本手册中的“**政治公众人物 (PEPs)**”应指正担任或曾担任重要公职的自然人及其直系亲属或密切关联人员；
- xiii. **“BVI”**, when used in this Manual, shall mean, unless the context requires otherwise, the British Virgin Islands;  
除根据上下文另有规定外，本手册中的“**BVI**”应指英属维尔京群岛；
- xiv. **“Regulated Market”**, when used in this Manual, shall mean, unless the context requires otherwise, the multilateral system managed or operated by a market operator and which brings together or facilitates the bringing together of multiple third-party buying or/and selling interests in trading instruments – in the system and in accordance with its non-discretionary rules – in a way that results in a contract, in respect of the trading instruments admitted to trading under its rules or/and systems, and which is authorized and functions regularly in accordance with the provisions of the Securities and Investment Business Act, 2010 (the “SIBA”) and the Securities Regulations, 2008, or similar legislation of other countries, which are considered by the FATF adequately to apply the FATF 40+9 Recommendations;  
除根据上下文另有规定外，本手册中的“**受管制市场**”应指市场运营机构管理或操作的多边系统，其促成票据交易中多个第三方买和/或卖收益的整合—根据系统及其强制性规则—形成其规则和/或系统下允许交易的票据交易合同，并依照 2010 年证券与投资业务法（“SIBA”）和 2008 年证券条例或经 FATF 认定可适用 FATF 40+9 建议的其它国家类似法律规定，定期予以授权和实施；
- xv. **“Shell Bank”**, when used in this Agreement, shall mean, unless the context requires otherwise, a credit institution or an institution engaged in equivalent activities incorporated in a jurisdiction which it has no physical presence, involving meaningful mind and management, and which is unaffiliated with a regulated financial group.

除根据上下文另有规定外，本手册中的“空壳银行”应指在所注册区域内无实体场所的信用机构或从事相同活动的机构，其徒有虚名，并与受监管的财团无关联。

## II. INTRODUCTION

### 介绍

1. The purpose of the Manual is to lay down the Company's internal practice, measures, procedures, and controls relevant to the prevention of money laundering and terrorist financing.  
本手册旨在拟定与反洗钱和打击恐怖分子融资有关的公司内部规程、措施、程序和控制措施。
2. The Manual is developed and periodically updated by the Money Laundering Compliance Officer (hereinafter the "MLCO"), based on the general principles set up by the Company's Board of Directors (hereinafter the "BOD") in relation to the prevention of money laundering and terrorist financing.  
根据公司董事会（以下简称“BOD”）设定的反洗钱和打击恐怖分子融资相关的一般规则，由反洗钱合规官员（以下简称“MLCO”）制定本手册，并进行定期更新。
3. All amendments and/or changes of the Manual must be approved by the Board of Directors of the Company.  
对本手册的所有修订和/或变更，应获得公司董事会的批准。
4. The Manual shall be communicated by the MLCO to all the employees of the Company that manage, monitor, or control in any way the Customers' transactions and have the responsibility for the application of the practices, measures, procedures, and controls that have been determined herein.  
应由 MLCO 将本手册传达至公司的所有员工，以便其管理、监督或管控客户的交易行为及应用本手册中确定的规程、措施、程序和控制措施。
5. The Manual has been prepared to comply with the provisions of the Act and the Directives.  
本手册的制定符合法案和法令的规定。

## III. THE RESPONSIBILITIES OF THE BOARD OF DIRECTORS

### 董事会的责任

1. The responsibilities of the BOD in relation to the prevention of money laundering and terrorist financing include the following:  
BOD 反洗钱和打击恐怖分子融资的责任如下所示：
  - i. to determine, record and approve the general policy principles of the Company in relation to the prevention of money laundering and terrorist financing, consistent with the requirements of the Code, the Regulations, and related enactments, and communicate them to the MLCO;  
确定、记录和批准与反洗钱和打击恐怖主义融资有关的公司一般政策原则，以及符合规程、条例和相关法规的要求，并将其传达至 MLCO;
  - ii. to appoint the MLCO in accordance with section 13 of the Regulations and, where is necessary, assistant MLCOs and determine their duties and responsibilities, which are recorded in this Manual;  
依照条例第 13 节，任命 MLCO，并在必要时，任命副 MLCOs，及确定其职责，并在本手册中予以记录;
  - iii. to approve the Manual;  
批准本手册;
  - iv. to ensure that all requirements of the Act and of the Directives are applied, and ensure that appropriate, effective, and sufficient systems and controls are introduced for achieving the abovementioned requirements;  
确保适用法案和法令的全部要求，并保证引入合适、有效和充分的系统与控制措施，以实现上述要求
  - v. to ensure that the MLCO and his assistants, if any, and any other person who has been assigned with the duty of implementing the procedures for the prevention of money

laundering and terrorist financing, have complete and timely access to all data and information concerning Customers' identity, transactions documents and other relevant files and information maintained by the Company so as to be fully facilitated in the effective execution of their duties, as set forth herein;

确保 MLCO 及其助理，以及被指定履行反洗钱和打击恐怖分子融资程序的任何其他人员填写与及时使用有关客户身份的全部数据和信息、交易文件以及公司保存的其它相关文件和信息，以便充分履行本处规定的职责；

- vi. to ensure that all employees are aware of the person who has been assigned the duties of the MLCO, as well as his assistants (if any), to whom they report any information concerning transactions and activities for which they have knowledge or suspicion that might be related to money laundering and terrorist financing;

确保所有员工知晓 MLCO 及其助理（如有）的职责，从而可将了解或怀疑的洗钱和恐怖分子融资相关交易与活动信息汇报至上述 MLCO 及其助理；

- vii. to establish a clear, quick, and efficient reporting chain based on which information regarding suspicious transactions is passed without delay to the MLCO, either directly or through his assistants, if any, and notifies accordingly the MLCO for its explicit prescription in the Manual; 建立明确、快速和有效的报告体系，从而可立即将疑似交易信息直接汇报至 MLCO 或通过其助理进行汇报，并通知 MLCO 依照本手册规定履行职责；

- viii. to ensure that the MLCO has sufficient resources, including competent staff, financial resources, and technological equipment, for the effective discharge of his duties;

确保 MLCO 拥有足够资源，包括胜任人员、财政资源和技术设备，以有效履行其职责；

- ix. to assess and approve the MLCO's Annual Report and take all action as deemed appropriate under the circumstances to remedy any weaknesses and/or deficiencies identified in the abovementioned report;

评估和批准 MLCO 的年报，并采取认为合适的一切措施，补救上述报告中发现的任何缺陷和/或不足；

- x. to meet and decide upon the necessary measures that need to be taken to ensure the rectification of any weaknesses and/or deficiencies which have been detected in the MLCO's Annual Report;

符合并确定需要采取的措施，以确保改正 MLCO 年度报告中发现的任何缺陷和/或不足；

- xi. notify the Agency, or the Commission in writing within 14 (fourteen) days of its MLCO ceasing to act as such and promptly act to appoint another person to replace him in accordance with the provisions of the Regulations.

依照条例规定，在 14（十四）天内，书面通知机构或委员会，其 MLCO 停止履职，并立即指定其他人员予以接替。

#### IV. MONEY LAUNDERING COMPLIANCE OFFICER

##### 反洗钱合规官员

##### 1. GENERAL

###### 概述

- i. The MLCO shall be part of the management of the Company so as to command the necessary authority. Furthermore, the MLCO shall lead the Company's Money Laundering Compliance procedures and processes and report to the Board of Directors of the Company. MLCO 应作为公司管理层的成员，以便行使必要的权力。此外，MLCO 应指导公司反洗钱合规部门的程序制定，并向公司的董事会进行汇报。同时，MLCO 应有权访问所有相关信息，以履行其职责。The MLCO shall also have access to all relevant information necessary to perform his duties.
- ii. The level of remuneration of the MLCO shall not compromise his objectivity. MLCO 获得的报酬水平，不应对其客观性造成不利影响。

##### 2. DUTIES OF THE MLCO

###### MLCO 的职责

- i. During the execution of his duties and the control of the compliance of the Company with the Act and the Directives, the MLCO shall obtain and utilize data, information and reports issued by international organizations, as these are mentioned in the Manual.  
在履行其职责，及使公司符合法案和法令的过程中，MLCO 应可以获得与使用本手册中所述国际组织发布的信息和报告内容。
- ii. The duties of the MLCO shall include, inter alia, the following:  
MLCO 的职责应包括但不限于：
  - a) to design, based on the general policy principles of the Company, the internal practices, measures, procedures, and controls relevant to the prevention of money laundering and terrorist financing, and describe and explicitly allocate the appropriateness and the limits of responsibility of each department that is involved in the abovementioned. It is provided that, the above measures, and procedures for the prevention of the abuse of new technologies and systems providing financial services, for the purpose of money laundering and terrorist financing is appropriately considered and managed in the course of daily activities of the Company with regard to the development of new products and possible changes in the Company's economic profile (e.g., penetration into new markets);  
根据公司的一般政策原则，设计制定反洗钱和打击恐怖分子融资有关的内部规程、措施、程序和控制措施，并对涉及上述事项的各部门权限做出明确说明。在有关公司开发新产品及可能改变经济侧面（例如：进入新的市场）的日常活动中，应适当考虑采用上述措施和程序，以防止新技术和系统被利用于洗钱和恐怖分子融资目的。
  - b) to develop and establish the Customer Acceptance Policy and submit it to the BOD for consideration and approval;  
制定和设立客户验收政策，并提交至 BOD 进行审批；
  - c) to review and update the Manual as may be required from time to time, and for such updates to be communicated to the BOD for their approval;  
对手册进行不定期审核与更新，并将该类更新内容提交至 BOD 进行审批；
  - d) to monitor and assess the correct and effective implementation of the policies, practices, measures, procedures and controls referred to above, and in general the implementation of the Manual; in this respect, the MLCO shall apply appropriate monitoring mechanisms (e.g., on-site visits to different departments of the Company) which will provide him with all the necessary information for assessing the level of compliance of all departments and employees of the Company with the procedures and controls which are in force; in the event that the MLCO identifies shortcomings and/or weaknesses in the application of the required practices, measures, procedures and controls, the MLCO shall give appropriate guidance for corrective measures and, where deemed necessary, shall inform the BOD;  
监督和评估上述政策、规程、措施、程序和控制措施的正确与有效实施，通常来讲，即：本手册的实施；在此，MLCO 应采用合适的监督机制（例如：对公司的不同部门进行现场考察），以便获得所有必要信息，用于评估公司所有部门和员工是否符合有效的程序及控制措施；如 MLCO 发现在应用要求的规程、措施、程序和控制措施方面，存在缺点和/或缺陷，MLCO 应给予合适的指导，以便采取改正措施，并在必要时，向 BOD 进行汇报；
  - e) to review and evaluate, at least on an annual basis, the appropriateness, effectiveness and adequacy of the policies, practices, measures, procedures, and control mechanisms applied for the prevention of money laundering and terrorist financing mentioned in the Manual;  
至少每年对本手册中所述反洗钱和打击恐怖分子融资的政策、规程、措施、程序和控制机制，开展合适性、有效性和充分性方面的评审；
  - f) to receive information from the Company's employees, which is considered to be knowledge or suspicion of money laundering or terrorist financing activities or which might be related with such activities; the information is received in a written report form (hereinafter the "Internal Suspicion Report");

接收公司员工有关疑似洗钱或恐怖主义融资活动方面的信息，以及与该类活动有关的信息；应以书面方式接收该类信息（以下简称“内部疑似报告”）；

- g) to evaluate and examine the information received as per point “f.” above, by reference to other relevant information and discuss the circumstances of the case with the informer and where appropriate, with the informer’s superiors; the evaluation of the information of point (f) above shall be included in a report (hereinafter the “Internal Evaluation Report”); if following the evaluation described in point “f.” above, the MLCO decides to notify the FIA, then he should complete a written report and submit it to the FIA the soonest possible; following the submission of the MLCO Report to the FIA, the accounts involved and any other connected accounts, will be closely monitored by the MLCO and following any directions from the FIA, the MLCO will thoroughly investigate and examine all the transactions of the accounts; if following the evaluation described above, the MLCO decides that the information received as per point “f.” above does not substantiate a suspicion of money laundering or terrorist financing, the MLCO will as soon as possible disclose that decision in writing to the Agency, as well as fully explain the reasons for such a decision on the MLCO’s Internal Evaluation Report;  
评估和检查根据上述“f.”点接收的信息，并参考其它相关，以及与告知人及其上级商讨相关情况；应将上述“f.”点的信息评估包括在报告中（以下简称“内部评估报告”）；如在完成上述“f.”点所述评估后，MLCO 决定通知 FIA。则其应填写书面报告，并立即提交至 FIA；在将 MLCO 报告提交至 FIA 后，应由 MLCO 对涉及账户和任何其它相关账户进行密切监控。同时，应遵照 FIA 的指示，由 MLCO 对账户的全部交易展开彻底调查；如在完成上述评估后，MLCO 确定根据上述“f.”点接收的信息不存在洗钱或恐怖分子融资嫌疑，MLCO 应尽快以书面方式，将该决定告知机构，并在 MLCO 的内部评估报告中对做出该决定的理由做出详细说明；
- h) to act as a first point of contact with the Agency, upon commencement of and during an investigation as a result of filing a report to the FIA pursuant to point “g.” above; 由于根据上述“g.”点，向 FIA 提交报告，因此在调查开始和实施期间，作为与机构保持沟通的第一联系人；
- i) to ensure the preparation and maintenance of the lists of Customers categorized following a risk-based approach, which contains, among others, the names of Customers, their account number, and the dates of the commencement of the business relationship; moreover, the MLCO will ensure the updating of the said list with all new or existing Customers, in the light of any additional information obtained; 确保编制和保存按风险分类的客户名单，其包含客户名称、账号和业务关系起始日期；此外，MLCO 应保证根据获得的任何附加信息，对上述名单中的新或现有客户进行更新；
- j) to detect, record, and evaluate, at least on an annual basis, all risks arising from existing and new Customers, new financial instruments and services and update and amend the systems and procedures applied by the Company for the effective management of the aforesaid risks;  
至少每年对现有及新客户、新金融工具和服务相关的全部风险进行检测、记录和评估，以及对公司采用的，对上述风险开展有效管理的系统与程序进行更新和修改；
- k) to evaluate the systems and procedures applied by any third parties, if any, on whom the Company relies for Customer identification and due diligence purposes and to approve the cooperation with such third parties;  
评估任何第三方采用的系统和程序，以便公司能够进行客户身份识别和尽职调查，并批准与该类第三方之间的合作；
- l) to ensure that all branches and subsidiaries of the Company, if any, which operate in countries outside the BVI, have taken all necessary measures for achieving full compliance with the provisions of the Manual, in relation to Customer identification, due diligence and record keeping procedures;  
确保在 BVI 以外开展经营活动的公司全部分公司和子公司采取一切必要措施，在客户身份识别、尽职调查和记账程序方面符合本手册规定；



- m) to provide advice and guidance to the employees of the Company on subjects related to money laundering and terrorist financing;  
就洗钱和恐怖分子融资方面的主题，向公司员工提供建议和指导；
- n) to acquire the knowledge and skills required for the improvement of the appropriate procedures for recognizing, preventing, and obstructing any transactions and activities that are suspected to be associated with money laundering or terrorist financing;  
获得要求的知识和技能，改进合适的程序，以用于识别、防止和避免与洗钱或恐怖分子融资有关的疑似交易和活动；
- o) to determine whether the Company's departments and employees need further training and education for the purpose of preventing money laundering and terrorist financing and to organize appropriate training sessions/seminars; in this respect, the MLCO prepares and applies an Annual Staff Training Program; also, the MLCO assesses the adequacy of any such education and training provided;  
确定公司部门和员工是否需要接受进一步培训和学习，以防止洗钱和恐怖分子融资，并组织相关培训会议；在此方面，MLCO 应准备和采用年度员工培训项目；同时，MLCO 应评估该类教育和培训是否合适；
- p) to prepare the Annual Report referred to in the Manual;  
编制本手册中所指的年度报告；
- q) to respond to all requests and queries from the FIA, the National Bank of the Virgin Islands and the FSC; provide all requested information to, and fully cooperate with the same;  
回复来自 FIA、维尔京群岛国家银行和 FSC 的全部问询；提供全部要求的信息，并与上述机构展开全面合作；
- r) to maintain a registry which includes the reports referred to in points “e.”, “f.” and “g.” above, and any other relevant statistical information (e.g., the department that submitted the internal report, date of submission to the MLCO, date of assessment and/or, as the case may be, date of reporting to the FIA), the evaluation reports referred to in point “d.” above and all the documents that confirm the accomplishment of his duties.  
登记上述“e”、“f”和“g”点中所指的报告，以及任何其它相关统计信息（例如：提交内部报告的部门、提交至 MLCO 的日期、评估日期和/或汇报至 FIA 的日期）、“d”点中所指的评估报告以及确认其已履职的文件。

## V. ANNUAL REPORT OF THE MLCO MLCO 的年度报告

1. The Annual Report of the MLCO is a significant tool for assessing the Company's level of compliance with its obligation laid down in the Act and the Directives.  
MLCO 的年度报告是评估公司是否符合法案和法令规定义务的重要工具。
2. The MLCO's Annual Report shall be prepared and submitted to the Board of Directors for approval within two (2) months of the end of each calendar year (i.e., at latest, by the end of February of each year).  
应在各日历年度结束后的二（2）个月内，编制并提交 MLCO 的年度报告至董事会进行批准（即：最迟在每年 2 月底前完成）。
3. The Annual Report deals with issues relating to money laundering and terrorist financing during the year under review and shall include, inter alia, the following:  
年度报告处理审核年度期间的洗钱和恐怖分子融资相关问题，并应包括但不限于：
  - i. information for measures taken and/or procedures introduced for compliance with any amendments and/or new provisions of the Act and the Directives which took place during the year under review;

- 有关采取的措施和/或程序是否符合审核年度内法案与法律修订和/或新规定的信息；
- ii. information on the inspections and reviews performed by the MLCO, reporting the material deficiencies and weaknesses identified in the policies, practices, measures, procedures, and controls, which the Company applies for the prevention of money laundering and terrorist financing; in this respect, the report shall outline the seriousness of the deficiencies and weaknesses, the risk implications and the actions taken and/or recommendations made for rectifying the situation;  
有关 MLCO 实施检查和审慎的信息，其报告了公司用于反洗钱和打击恐怖分子融资的政策、规程、措施、程序和控制程序中发现的重大缺陷和不足；在此，报告应列出缺陷和不足的严重程度、风险隐患以及需要改进的措施和/或建议；
  - iii. information on the appropriateness, effectiveness and adequacy of the policies, practices, measures, procedures, and control mechanisms applied for the prevention of money laundering and terrorist financing mentioned in the Manual;  
本手册中所述的，反洗钱和打击恐怖分子融资政策、规程、措施、程序和控制机制的合适性、有效性和充分性相关信息；
  - iv. the number of Internal Suspicion Reports submitted by Company personnel to the MLCO and any possible comments/observations in that regard;  
公司工作人员向 MLCO 提交的内部疑似报告数量，以及相关的评论/观察；
  - v. the number of reports submitted by the MLCO to FIA, with information/details on the main reasons for suspicion and highlights of any particular trends;  
MLCO 提交至 FIA 的报告数量，包含有关主要怀疑原因以及任何特别趋势的信息/说明；
  - vi. information, details, or observations regarding the communication with the employees on money laundering and terrorist financing preventive issues;  
与员工之间交流的，有关反洗钱和打击恐怖分子融资问题的信息、说明或观察内容；
  - vii. information on the policies, measures, practices, procedures, and controls applied by the Company in relation to high-risk Customers as well as the number and country of origin of high risk Customers with whom a Business Relationship is established or an Occasional Transaction has been executed;  
有关公司高风险客户以及建立业务关系或开展临时交易的高风险客户数量及所在国相关的政策、措施、规程、程序和控制信息；
  - viii. information on the systems and procedures applied by the Company for the ongoing monitoring of Customer accounts and transactions;  
公司用于持续监控客户账户和交易的系统与程序相关信息；
  - ix. information on the measures taken for the compliance of branches and subsidiaries of the Company, if any, that operate in countries outside the BVI, with the requirements of the Act and the Directives in relation to Customer identification, due diligence and record keeping procedures and comments/information on the level of their compliance with the said requirements;  
公司依照法案和法令要求，采取措施，确保在 BVI 以外国家开展经营活动的分公司和子公司符合在客户身份识别、尽职调查和记账程序及评注方面规定的相关信息；有关其符合上述要求程度的信息；
  - x. information on the training courses/seminars attended by the MLCO and any other educational material received;  
MLCO 参加培训课程/会议，以及接收的任何其它教育材料的相关信息；
  - xi. information on training/education and any educational material provided to staff during the year, reporting, the number of courses/seminars organized, their duration, the number and the position of the employees attending, the names and qualifications of the instructors, and specifying whether the courses/seminars were developed in-house or by an external organization or consultants;  
年内向员工提供的培训/教育和教材、报告、所组织课程/会议数量及其持续时间、参加员工的数量和职务、培训师姓名和资质，以及课程/会议是否由内部或外部组织机构或顾问编制相关的信息；
  - xii. results of the assessment of the adequacy and effectiveness of the above-mentioned staff training;

有关上述员工培训适合性与效率的评估结果；

- xiii. information on the recommended training program for the following year;  
下年度推荐培训项目相关的信息；
- xiv. information on the structure and staffing of the department of the MLCO as well as recommendations and timeframe for their implementation, for any additional staff and technical resources which may be needed for reinforcing the measures and procedures against money laundering and terrorist financing.  
MLCO 的部门人员配置及其实施建议和期限，以及加强反洗钱和打击恐怖分子融资措施所需增加员工和技术资源相关的信息。

## VI. RISK-BASED APPROACH 风险基础方法

### 1. GENERAL POLICY 一般政策

- i. The Company shall apply appropriate measures and procedures, by adopting a risk-based approach, so as to focus its effort in those areas where the risk of money laundering and terrorist financing appears to be comparatively higher.  
按照风险基础方法，公司应采取合适的措施和程序，关注具有相对较高洗钱和恐怖分子融资风险的领域。
- ii. The risk-based approach to be followed by the Company, as described in the Manual, shall have the following general characteristics:  
本手册中所述的，公司应遵循的风险基础方法应具有下列一般特性：
  - a) recognizes that the money laundering or terrorist financing threat varies across Customers, countries, services, and financial instruments;  
意识到，对于不同客户、国家、服务和金融工具，洗钱或恐怖分子融资威胁也会有所不同；
  - b) allows the BOD to differentiate between Customers of the Company in a way that matches the risk of the Company's particular business;  
允许 BOD 按公司特定业务风险，对客户进行分类；
  - c) allows the BOD to apply its own approach in the formulation of policies, procedures, and controls in response to the Company's particular circumstances and characteristics;  
允许 BOD 自行制定政策、程序和控制措施，以应对公司特定条件和特点；
  - d) helps to produce a more cost-effective system;  
帮助形成更为经济有效的系统；
  - e) promotes the prioritization of effort and actions of the Company in response to the likelihood of money laundering or terrorist financing occurring through the use of services provided by the Company.  
对公司措施进行优先分级，以应对利用公司服务，进行洗钱或恐怖分子融资的可能性。
- iii. The risk-based approach adopted by the Company, as described in the Manual, shall involve specific measures and procedures in assessing the most cost effective and appropriate way to identify and manage the money laundering and terrorist financing risks faced by the Company.  
本手册中所述的公司风险基础方法应涉及特定措施和程序，用于评估得出最经济有效和合适的方法，从而识别与管理公司面临的洗钱和恐怖分子融资风险。
- iv. Such measures shall include:  
该类措施应包括：
  - a) identifying and assessing the money laundering and terrorist financing risks emanating from particular Customers, services, and geographical areas of operation of the Company and its Customers;

- 识别和评估来自特定客户、服务与公司及其客户经营区域的洗钱和恐怖分子融资风险：
- b) managing and mitigating the assessed risks by the application of appropriate and effective measures, procedures, and controls;  
通过采用合适与有效的措施、程序和控制措施，管理和降低已评估的风险；
  - c) continuous monitoring and improvements in the effective operation of the policies, procedures, and controls.  
对政策、程序和控制措施的有效实施进行持续监控和改进。
- v. The application of appropriate measures and the nature and extent of the procedures on a risk-based approach will depend on different indicators.  
有关合适措施的应用以及风险基础方法程序的性质和范围，将具有不同的指标要求。
- vi. Such indicators will include the following:  
该类指标包括下列内容：
- a) the scale and complexity of the services offered by the Company;  
公司提供服务的规模和复杂性；
  - b) geographical spread of the services offered and the location of the Company's Customers;  
提供服务的区域范围，以及公司客户的位置；
  - c) the nature (e.g., non face-to-face) and economic profile of the Company's Customers as well as of services offered by the Company;  
公司客户的性质（例如：非面对面）和经济概况，以及公司提供的服务；
  - d) the distribution channels and practices of providing services by the Company;  
公司提供服务的分配渠道及规程；
  - e) the volume and size of the transactions entered into by the Company;  
公司接受的交易数量和规模；
  - f) the degree of risk associated with each area of services;  
各服务领域相关的风险水平；
  - g) the country of origin and destination of Customers' funds;  
客户资金的来源国与目的地；
  - h) deviations from the anticipated level of transactions.  
预期的交易水平偏差。

## 2. IDENTIFICATION OF RISKS

### 风险识别

- i. The risk-based approach adopted by the Company shall involve the identification, recording and evaluation of the risks that must be managed.  
公司采用的风险基础方法应涉及应控制风险的识别、记录和评估。
- ii. The Company shall assess and evaluate the risks it faces, in light of the possible utilization of the services it provides for the purposes of money laundering or terrorist financing; the particular circumstances of the Company determine suitable procedures and measures that need to be applied to counter and manage risk; in those instances where the services and the financial instruments provided by the Company are relatively simple, involving relatively few Customers or Customers with similar characteristics, the Company shall apply procedures that focus on those Customers who fall outside the "norm".  
公司应评估其所提供服务被利用于洗钱和恐怖分子融资的风险；根据公司的特定情况，确定需要用于应对和控制风险的合适程序与措施；在某些情况下，公司提供的服务和金融工具相对简单，涉及的客户较少或具有类似特性的客户。因此，公司应采取程序，专门针对超出该“标准范围”以外的客户。
- iii. The Company shall be, at all times, in a position to demonstrate to the FIA, the National Bank of the Virgin Islands and/or the FSC that the extent of measures and control procedures that applies are proportionate to the risk it faces for the use of services provided, for the purpose of money laundering and terrorist financing.

公司应始终向 FIA、维尔京群岛国家银行和/或 FSC 证明所采用的措施和程序范围适用于服务引起的风险以及洗钱和恐怖分子融资风险。

iv. The following are, inter alia, sources of risks which the Company faces with respect to money laundering and terrorist financing:

以下是公司面临的有关洗钱和恐怖分子融资的风险来源:

a) Risks based on the Customer's nature:

基于客户性质的风险:

- a. complexity of ownership structure of legal entities;  
法人实体股权结构的复杂程度;
- b. companies incorporated in offshore centres;  
在离岸中心注册的公司;
- c. Politically Exposed Persons (PEPs);  
政治公众人物 (PEPs) ;
- d. Customers engaged in transactions with significant volume;  
从事大量交易的客户;
- e. Customers from high risk countries or countries known for high level of corruption or organized crime or drug trafficking;  
来自于腐败、有组织犯罪或毒品走私的高风险国家的客户;
- f. unwillingness of Customers to provide required information.  
不愿提供要求信息的客户。

b) Risks based on the Customer's behaviour:

基于客户行为的风险:

- a. Customer transactions where there is no apparent legal financial/commercial rationale ("economic reality" / "substance over form" analysis);  
无明显金融/商业法理依据的客户交易 ("经济现实"/"实质重于形式"分析) ;
- b. situations where the origin of wealth and/or source of funds cannot be easily verified;  
无法对财富来源和/或资金来源进行明确验证的情况;
- c. unwillingness of Customers to provide required information.  
不愿提供要求信息的客户。
- d. Risks based on the Customer's initial communication with the Company:  
基于客户与公司初次沟通的风险:
- e. non face-to-face Customers;  
非面对面的客户;
- f. Customers introduced by a third party.  
由第三方介绍的客户;
- g. Risks based on the Company's services:  
基于公司服务的风险:
- h. services that allow payments to third parties;  
允许向第三方支付的服务;
- i. large cash deposits or withdrawals;  
大笔现金存款或撤资;
- j. products or transactions which may favour anonymity.  
有助于匿名的产品或交易。

3. DESIGN AND IMPLEMENTATION OF MEASURES AND PROCEDURES TO MANAGE AND MITIGATE THE RISKS

关于风险控制和降低的措施与程序设计及实施

- i. Taking into consideration the assessed risks, the Company shall determine the type and extent of measures it will adopt in order to manage and mitigate the identified risks in a cost effective manner.

在考虑所评估的风险时, 公司应确定其所采用措施的类型和范围, 从而以经济有效的方式, 控制和降低所识别的风险。

ii. These measures and procedures shall include:

该类措施和程序应包括:

- a) adaption of the Company's Due Diligence Procedures in respect of Customers in line with their assessed money laundering and terrorist financing risk;  
根据评定的洗钱和恐怖分子融资风险, 采用与客户有关的公司尽职调查程序;
- b) requiring the quality and extent of required identification data for each type of Customer to be of a certain standard (e.g., documents from independent and reliable sources, third party information, documentary evidence);  
要求用于各类客户的识别数据质量与范围达到一定标准 (例如: 独立可靠来源的文件、第三方信息和证明文件);
- c) obtaining additional data and information from the Company's Customers, where this is appropriate for the proper and complete understanding of their activities and source of funds and for the effective management of any increased risk emanating from the particular Business Relationship;  
获取公司客户的补充资料和信息, 以便正确和全面了解其活动和资金来源, 并对来自特定业务关系的风险进行有效管理;
- d) ongoing monitoring of high risk Customers, transactions, and activities.

#### 4. DYNAMIC RISK MANAGEMENT

动态风险管理

- i. Risk management is a continuous process, carried out on a dynamic basis. Risk assessment is not an isolated event of a limited duration; Customers' activities change, and the services provided by the Company may change or evolve, as well; the same may happen to the transactions used for money laundering or terrorist financing

风险管理是一种动态的持续过程, 不是限定期限内的孤立事件; 客户活动会发生变化, 同时, 公司提供的服务也会变化或演变; 同样, 被利用于洗钱或恐怖分子融资的交易也会变化。

#### 5. RELEVANT INTERNATIONAL ORGANIZATIONS

相关国际组织

- i. For the implementation of appropriate measures and procedures on a risk based approach, and for the implementation of the appropriate Customer Identification and Due Diligence Procedures, we will consult data, information, and reports (e.g., in regard to Customers from countries, which inadequately apply the Financial Action Task Force's country assessment reports) that are published by the following relevant international organizations  
在根据风险基础方法, 采取合适的措施和程序以及合适的客户识别和尽职调查程序时, 我们会查询下列相关国际组织发布的数据、信息和报告 (例如: 来自金融行动特别工作组国家评估报告中不良国家的客户):

- a) The Financial Action Task Force ("FATF") – [www.fatf-gafi.org](http://www.fatf-gafi.org)  
金融行动特别工作组 ("FATF") – [www.fatf-gafi.org](http://www.fatf-gafi.org)
- b) The Caribbean Financial Action Task Force ("CFATF") – <https://www.cfatf-gafic.org/index.php>;  
加勒比金融行动工作组 ("CFATF") – <https://www.cfatf-gafic.org/index.php>;
- c) The Council of Europe Select Committee of Experts on the Evaluation of Anti-Money Laundering Measures ("MONEYVAL") – [www.coe.int/moneyval](http://www.coe.int/moneyval);  
欧洲理事会评估反洗钱措施特设专家委员会 ("MONEYVAL") – [www.coe.int/moneyval](http://www.coe.int/moneyval);
- d) The UN Security Council Sanctions Committees – [www.un.org/sc/committees](http://www.un.org/sc/committees);  
联合国安全理事会制裁委员会 – [www.un.org/sc/committees](http://www.un.org/sc/committees);
- e) The International Money Laundering Information Network ("IMOLIN") – [www.imolin.org](http://www.imolin.org);  
国际洗钱信息网络 ("IMOLIN") – [www.imolin.org](http://www.imolin.org);
- f) The International Monetary Fund ("IMF") – [www.imf.org](http://www.imf.org).  
国际货币基金组织 ("IMF") – [www.imf.org](http://www.imf.org).

## VII. CUSTOMER ACCEPTANCE POLICY

### 客户接受政策

1. The Company's Customer Acceptance Policy (hereinafter the "CAP"), in accordance with the principles and guidelines described in this Manual, defines the criteria for accepting new Customers and stipulates the Customer categorization criteria which shall be adhered to by the Company and especially by the employees who are involved in the Customer Account Opening process.  
依照本手册中所述的原则和指引，公司客户接受政策（以下简称“CAP”）定义了接受新客户的标准，并规定了客户分类标准，其应是公司尤其是涉及客户账户开户流程的员工遵守的标准。

2. GENERAL PRINCIPLES OF THE CAP

#### CAP 的一般原则

- i. The General Principles of the CAP are the following:

CAP 的一般原则如下所示：

- a) the Company shall classify Customers into various risk categories and based on the risk perception decide on the acceptance criteria for each category of Customer;  
公司应将客户分为不同的风险类别，并基于风险认知，确定各客户类别的接受标准；
    - b) where the Customer is a prospective Customer, an account must be opened only after the relevant pre-account opening due diligence and identification measures and procedures have been conducted, according to the principles and procedures set forth in the Manual;  
如客户属于潜在客户，应根据本手册中所述的原则和程序，在开户前实施相关的尽职调查和识别措施；
    - c) all documents and data required to be obtained pursuant to the Company's Customer Acceptance Policy must be collected before accepting a new Customer;  
应在接受新客户前，收集公司客户接受政策要求的全部文件和资料；
    - d) no Customer shall be accepted in anonymous or fictitious names(s);  
不接受采用匿名或假名的客户；

3. CRITERIA FOR ACCEPTING NEW CUSTOMERS (BASED ON RISK)

#### 新客户接受标准（基于风险）

- i. This Section describes the criteria for accepting new Customers based on their risk categorization.

本节基于新客户的风险分类，对其接受标准进行了说明。

- a) Low Risk Customers

##### 低风险客户

- a. The Company shall accept Customers who are categorized as low risk Customers as long as the general principles set forth in in this Section 8 are adhered to.

如符合本处第 8 节规定的一般原则，公司应接受低风险客户。

- b. Moreover, the Company shall follow the Simplified Customer Identification and Due Diligence Procedures for low risk Customers set forth hereinafter. 此外，对于下列所述低风险客户，公司应遵循简化版客户身份识别和尽职调查程序。

- b) Normal Risk Customers

##### 正常风险客户

- a. The Company shall accept Customers who are categorized as normal risk Customers as long as the general principles set forth in this Section 3 are adhered to.

如符合本处第 3 节规定的一般原则，公司应接受正常风险客户。

c) High Risk Customers

高风险客户

- a. The Company shall accept Customers who are categorized as high risk Customers as long as the general principles set forth in this Section 3 are adhered to.  
如符合本处第 3 节规定的一般原则，公司应接受高风险客户。
- b. Moreover, the Company shall apply the Enhanced Customer Identification and Due Diligence measures for high risk Customers, set forth hereinafter, and shall, as well, apply the due diligence and identification procedures for the specific types of high risk Customers set forth hereinafter, as applicable.  
此外，对于下列所述高风险客户，公司应采用增强版客户身份识别和尽职调查程序，并在适用时，对下列特定类型的高风险客户采用尽职调查和识别规程。

d) Unacceptable Customers

不可接受的客户

- a. The following list predetermines the types of Customers who are not acceptable for establishing a Business Relationship with the Company:  
不适合与公司建立业务关系的客户类型如下所示：
  - i. Customers who fail or refuse to submit, the requisite data and information for the verification of their identity and the creation of their economic profile, without adequate justification;  
在无充分理由情况下，客户无法或拒绝提供证明其身份和经济概况的必要资料和信息；
  - ii. Shell Banks.  
空壳银行

4. CUSTOMER CATEGORISATION CRITERIA

客户分类标准

i. This Section defines the criteria for the categorization of Customers based on their risk:

本节基于客户风险，对其分类标准进行了说明。

a) Low Risk Customers

低风险客户

- a. The following types of Customers can be classified as low risk Customers with respect to the money laundering and terrorist financing risks, which the Company may face:  
对于公司可能面临的洗钱和恐怖分子融资风险，可将以下客户列为低风险客户：
  - i. Credit or financial institutions covered by the BVI Financing and Money Services Act, 2009;  
2009 年 BVI 融资和货币服务法许可的信贷或金融机构；
  - ii. credit or financial institutions carrying out one or more of the financial business activities, as these are defined by the BVI Financing and Money Services Act, 2009, situated in a country outside the BVI that is considered by the FATF adequately to apply the FATF 40+9 Recommendations, which:  
根据 2009 年 BVI 融资和货币服务法定义，在 FATF 认为适用 FATF40+9 建议的 BVI 以外国家，开展一项或多项金融业务活动的信贷或金融机构：
    1. are subject to requirements and/or regulations equivalent to those laid down by the BVI Financing and Money Services Act, 2009; and  
符合 2009 年 BVI 融资和货币服务法同等要求和/或条例规定；
    - 及



2. are under supervision by a regulatory authority that is equivalent to the National Bank of the Virgin Islands for compliance with those requirements;  
接受与维尔京群岛国家银行同等监管当局监督，以符合该类要求；
  - iii. regulated companies and/or investment firms carrying out one or more of the financial business activities, as these are defined by the BVI Financing and Money Services Act, 2009 and/or the BVI Investment Business Act, 2010, situated in a country outside the BVI that is considered by the FATF adequately to apply the FATF 40+9 Recommendations, which:  
根据 2009 年 BVI 融资和货币服务法和 2010 年 BVI 投资业务法的定义，在 FATF 认为适用 FATF40+9 建议的 BVI 以外国家，开展一项或多项金融业务活动的受监管企业和/或投资公司：
    1. are subject to requirements and/or regulations equivalent to those laid down by the BVI Financing and Money Services Act, 2009 and/or the SIBA; and  
符合 2009 年 BVI 融资和货币服务法和/或 SIBA 同等要求和/或条例规定；及
    2. are under supervision by a regulatory authority that is equivalent to the BVI FSC for compliance with those requirements;  
接受与 BVI FSC 同等监管当局的监督，以符合该类要求；
  - iv. listed companies whose securities are admitted to trading on a Regulated Market in the BVI or in a third country outside the BVI that is considered by the FATF adequately to apply the FATF 40+9 Recommendations, which are subject to disclosure requirements equivalent to those applicable in the BVI;  
可在 BVI 或 FATF 认为适用 FATF 40+9 建议的 BVI 以外第三国受管制市场进行证券交易的上市公司，其应符合与 BVI 中适用要求同等的披露要求；
  - v. domestic public authorities of the BVI or public authorities of third countries outside the BVI that are considered by the FATF adequately to apply the FATF 40+9 Recommendations.  
BVI 的公共机构或 FATF 认为适用 FATF 40+9 建议的 BVI 以外第三国的公共机构。
- b. In each of the instances mentioned above, the Company must gather sufficient information to establish if the Customer qualifies as a low risk Customer.  
对于上述各种情况，公司应收集充分信息，确定客户是否符合低风险客户资格。
- b) Normal Risk Customers  
正常风险客户
- a. The following types of Customers can be classified as normal risk Customers with respect to the money laundering and terrorist financing risks, which the Company may face:  
对于公司可能面临的洗钱和恐怖分子融资风险，可将以下客户列为正常风险客户：
    - i. any Customer who does not fall under the “low risk Customers” or “high risk Customers” categories set forth in this Section 3.  
本处第 3 节规定的“低风险客户”或“高风险客户”类别以外的任何客户。
  - b. High Risk Customers  
高风险客户

- i. The following types of Customers can be classified as high risk Customers with respect to the money laundering and terrorist financing risks, which the Company may face:  
对于公司可能面临的洗钱和恐怖分子融资风险，可将以下客户列为高风险客户：
1. Customers who are not physically present for identification purposes (non face-to-face Customers);  
未进行现场认证的客户（非面对面）；
  2. Politically Exposed Persons (PEPs) accounts;  
政治公众人物（PEPs）的账户；
  3. Customers from countries that is considered by the FATF inadequately to apply the FATF 40+9 Recommendations;  
来自 FATF 认为不适用 FATF 40+9 建议国家的客户；
  4. any other Customers that their nature entail a higher risk of money laundering or terrorist financing;  
具有较高洗钱或恐怖分子融资风险的任何其他客户；
  5. any other Customer determined by the Company itself to be classified as such.  
经公司自行定义的任何其他高风险客户。

## VIII. CUSTOMER DUE DILIGENCE AND IDENTIFICATION PROCEDURES

### 客户尽职调查和身份识别程序

#### 1. APPLICATION OF CUSTOMER DUE DILIGENCE AND IDENTIFICATION PROCEDURES 实施客户尽职调查和身份识别程序

- i. The Company shall duly apply Customer identification procedures and Customer due diligence measures in the following instances:  
在下列情况下，公司应正式采用客户身份识别程序和客户尽职调查措施：
- a) when establishing a Business Relationship;  
当建立业务关系时；
  - b) when there is a suspicion of money laundering or terrorist financing, regardless of the amount of the transaction;  
无论交易数额大小，存在可疑洗钱或恐怖分子融资情况的；
  - c) when there are doubts about the veracity or adequacy of previously Customer identification data.  
对以往客户身份识别资料的真实性或充分性存在疑问的。

#### 2. DEVELOPMENT OF AN ECONOMIC PROFILE AND GENERAL CUSTOMER IDENTIFICATION AND DUE DILIGENCE PRINCIPLES 制定经济概况及一般客户身份识别和尽职调查原则

- i. The development of the Customer's economic profile needs to include/comply with the following principles:  
在了解客户经济概况方面，需要包括/符合下列原则：
- a) the Company shall be satisfied that it is dealing with a real person and, for this reason, the Company shall obtain sufficient evidence of identity to verify that the person is who he claims to be. Furthermore, the Company shall verify the identity of the Beneficial Owners of the Customers' accounts. In the cases of legal entities, the Company shall obtain adequate data and information so as to understand the ownership and control structure of the Customer. Irrespective of the Customer's type (e.g., natural, or legal entity, sole trader, or partnership), the Company shall request and obtain sufficient data and information regarding the Customer's business

activities and the expected pattern and level of transactions. However, it is noted that no single form of identification can be fully guaranteed as genuine or representing correct identity and, consequently, the identification process will generally need to be cumulative;

公司应确保与真实人员开展交易。因此，公司应获得充足的身份证明，以验证相关人员的真实身份。此外，公司应验证客户账户受益人的身份。对于法人实体，公司应获取充分的资料和信息，以便了解客户的所有权和控制结构。无论客户属于何种类型（例如：自然人或法人实体、个体户或合伙人），公司应获得有关客户经营活动以及预期交易模式和水平的充分资料与信息。然而，应注意单一的身份验证并不能完全保证真实或正确的身份。因此，一般需要对身份认证信息进行逐步收集；

b) the verification of the Customers' identification shall be based on reliable data and information issued or obtained from independent and reliable sources, meaning those data, and information that are the most difficult to be amended or obtained illicitly; 应基于独立可靠来源的资料和信息，对客户身份进行验证。这指很难对该类资料和信息进行非法修改或获取；

c) the data and information that are collected before the establishment of the Business Relationship, with the aim of constructing the Customer's economic profile and, as a minimum, may include the following:

在建立业务关系前收集的资料和信息，用于构建客户的经济概况，并应至少包括下列各项内容：

a. the purpose and the reason for requesting the establishment of a Business Relationship;  
申请建立业务关系的目的和原因；

b. the anticipated account turnover, the nature of the transactions, the expected origin of incoming funds to be credited in the account and the expected destination of outgoing transfers/payments;  
预期的账户周转率、交易性质、预期的账户信贷资金进项来源和转账/支付目的地；

c. the Customer's level of wealth and annual income and the clear description of the main business/professional activities/operations;  
客户的财务和年收入水平，以及对主营业务/专业活动/经营的清晰描述；

d) the data and information that are used for the construction of the Customer-legal entity's economic profile shall include, inter alia, the following:

用于构建客户-法人实体经济概况的资料和信息应包括但不限于下列各项：

a. the name of the company;  
公司名称；

b. the country of its incorporation;  
注册地；

c. the head offices address;  
总部地址；

d. the names and the identification information of the Beneficial Owners;  
受益人姓名和身份信息；

e. the names and the identification information of the directors;  
董事姓名和身份信息；

f. the names and the identification information of the authorized signatories;  
授权签字人的姓名和身份信息；

g. financial information;  
财务信息；

e) the said data and information are recorded in a separate form designed for this purpose which is retained in the Customer's file along with all other documents as well as all internal records of meetings with the respective Customer. The said form is updated regularly or whenever new information emerges that needs to be added to the economic profile of the Customer or alters existing information that makes up the economic profile of the Customer;

将上述资料和信息记录在独立的专用表格中，并与客户相关的所有其它文件和内部会议记录一起保存到客户文件夹中。应对上述表格进行定期更新，或在需要添加新的客户经济概况信息，或修改现有信息时，进行更新；

- f) identical data and information with the abovementioned shall be obtained in the case of a Customer-natural person, and in general, the same procedures with the abovementioned shall be followed;  
如客户属于自然人，应获得与上述内容相同的资料和信息。一般来讲，应同样遵照上述程序；
- g) transactions executed for the Customer shall be compared and evaluated against the anticipated account's turnover, the usual turnover of the activities/operations of the Customer and the data and information kept for the Customer's economic profile; significant deviations shall be investigated and the findings shall be recorded in the respective Customer's file; transactions that are not justified by the available information on the Customer, shall be thoroughly examined, so as to determine whether suspicions over money laundering or terrorist financing arise for the purposes of submitting an internal report.

应根据客户的预期账户周转率、常规活动/营业额，以及留存的客户经济概况资料与信息，比较和评估客户的交易执行情况；应对明显偏差进行调查，并将调查结果记录在相关的客户文件内；如无法通过现有客户信息，对交易进行验证，则应展开全部检查，以确定是否需要就可疑的洗钱或恐怖分子融资，提交内部报告。

- ii. The Company shall apply each of the Customer due diligence measures and identification procedures set forth herein, but may determine the extent of such measures on a risk-sensitive basis depending on the type of Customer or services offered; when so requested, the Company shall be able to demonstrate to the FIA, the National Bank of the British Virgin Islands and/or the FSC that the extent of the measures is appropriate in view of the risks of the use of its services for the purposes of money laundering and terrorist financing.  
公司应采用本处规定的各客户尽职调查措施和识别程序，但可根据客户类型或提供的服务，确定适用的风险措施范围；当被问询时，公司应能够向 FIA、英属维尔京群岛国家银行和/或 FSC 证明相关的措施范围，以应对其服务引起的洗钱和恐怖分子融资风险。
- iii. For the purposes of the provisions relating to identification procedures and Customer due diligence requirements, proof of identity shall be deemed to be satisfactory if:  
依照识别程序和客户尽职调查要求相关的条款规定，下列情况表明符合身份证明要求：
- a) it is reasonable possible to establish that the Customer is the person he claims to be; and,  
能够合理证明客户即是其自身声称的人员；及
- b) the person who examines the evidence is satisfied, in accordance with the appropriate procedures, that the Customer is actually the person he claims to be.  
依照适用程序，证据检验人能够确定客户即是其自身声称的人员。

## IX. FURTHER OBLIGATIONS FOR CUSTOMER IDENTIFICATIONS AND DUE DILIGENCE PROCEDURES 关于客户身份识别和尽职调查程序的进一步义务

1. In addition to the principles described hereinabove, the Company shall:  
除了上述原则外，公司应：
- i. ensure that the Customer identification records remain completely updated with all relevant identification data and information throughout the Business Relationship;  
确保在整个业务关系期间，客户识别记录得到完成更新，从而包含所有相关识别数据和信息；
- ii. examine and check, on a regular basis, the validity and adequacy of the Customer identification data and information it maintains, especially those concerning high risk Customers.  
定期检查所保存客户识别数据和信息的有效性与充分性，尤其是关于高风险客户的信息。
2. The procedures and controls described hereinabove also determine the timeframe during which the regular review, examination and update of the Customer identification shall be conducted; the

outcome of the said review shall be recorded in a separate note/form which shall be kept in the respective Customer file.

上述程序和控制程序也确定了对客户识别信息进行定义评审、检查和更新的期限；应将上述评审结果记录在独立的记事本/表格中，并保持于客户文件中。

3. Despite the obligations described above and while taking into consideration the level of risk, if at any time during the Business Relationship, the Company becomes aware that reliable or adequate data and information are missing from the identity and the economic profile of the Customer, then the Company shall take all necessary action, by applying the Customer identification and due diligence procedures, in accordance with the Manual, to collect the missing data and information, the soonest possible, so as to identify the Customer and update and complete the Customer's economic profile. 尽管履行上述义务，并考虑到风险等级，但如在业务存续期间，公司意识到有关客户身份和经济概况的可靠或充分数据与信息丢失，则公司应依照本手册，采取一切必要措施，开展客户识别和尽职调查程序，立即收集丢失的数据和信息，以便识别客户，并更新和填写客户经济概况内容。
4. If, during the Business Relationship, a Customer fails or refuses to submit, within a reasonable timeframe provided to him by the Company, the required verification data and information, the Company reserves the right to terminate the Business Relationship and close all the accounts of the Customer in question, while at the same time it shall examine whether it is justified under the circumstances to submit a report to the FIA. 如在业务关系存续期间，客户无法或拒绝在公司规定的合理期限内，提交要求的验证数据和信息，公司有权终止业务关系，并关闭客户的全部问题账户，同时确定其是否向 FIA 提交报告。
5. In addition to the obligations set forth in Sections 5.1 through 5.4 above, the Company shall check the adequacy of the data and information of the Customer's identity and economic profile, whenever one of the following events or incidents occurs:  
除了履行上述 5.1 至 5.4 节中规定的义务外，当发生下列事件时，公司应检查客户身份和经济概况数据与信息的适合性：
  - i. an important transaction takes place which appears to be unusual and/or significant compared to the normal pattern of transactions and the economic profile of the Customer; 与客户正常交易模式和经济概况相比，发生的重大交易存在异常和/或显著不同；
  - ii. a material change in the Customer's legal status and situation occurs, such as:  
客户法律地位和状态发生重大变化，例如：
    - a) change of directors/secretary; 董事/秘书变更；
    - b) change of registered shareholders and/or Beneficial Owners; 登记股东和/或受益人变更；
    - c) change of registered office; 注册办公室变更；
    - d) change of corporate name and/or trading name; 公司名称和/或交易名称变更；
    - e) change of the principal trading partners and/or undertaking of major new business activities. 主要商业合伙人和/或主要的新业务活动发生变更。
  - iii. a material change occurs in the way and the rules the Customer's account operates, such as:  
客户账户经营方式和规则发生重大变化，例如：
    - a) a change in the persons that are authorized to operate the account; 经营账户的被授权人发生变更；
    - b) application for the provision of new services. 申请提供新服务。

## **X. SIMPLIFIED CUSTOMER IDENTIFICATION AND DUE DILIGENCE PROCEDURES**

### **简化版客户身份识别和尽职调查程序**

1. With respect to the provisions of the Act and the Directives for simplified Customer Identification and Due Diligence Procedures, the following shall apply:  
关于简化客户识别和尽职调查程序的法案及法令规定，应使用下列各项内容：
  - i. The Company shall be allowed not to apply the normal Customer due diligence measures and identification procedures set forth hereinabove in those instances where the Customer is categorized as a low-risk Customer according to the criteria set forth in the Manual.  
根据本手册规定，如客户为低风险客户，则公司可不采用上述正常的客户尽职调查措施和身份识别程序。
2. In each of the instances mentioned above, the Company shall collect sufficient information, so as to decide whether the Customer can be exempted according to the provisions of Section 6.1 above; when assessing the abovementioned circumstances, the Company shall pay special attention to any activity of those Customers or to any type of transactions which may be regarded as particularly likely, by its nature, to be used or abused for money laundering or terrorist financing purposes.  
依照上述情况，公司应收集充分信息，以确定是否根据上述 6.1 节规定，为客户提供豁免；在对上述情况进行评估时，客户应特别注意疑似洗钱或恐怖分子融资的客户活动或任何类型的交易。
3. The Company shall not consider that Customers or transactions referred to in Section 6.1 above represent a low risk of money laundering or terrorist financing if there is information available to suggest that the risk of money laundering or terrorist financing may not be unlikely.  
如有信息表明可能存在洗钱或恐怖分子融资风险，公司不应将上述 6.1 节中所指客户或交易列为低洗钱或恐怖分子融资风险。
4. With respect to public authorities or public bodies for which the normal Customer due diligence measures and identification procedures set forth hereinabove may not be applied, they must fulfil all the following criteria:  
对于不适用上述正常客户尽职调查措施和识别程序的公共机构或公共团体，应遵照下列标准：
  - i. the Customer has been entrusted with public functions pursuant to applicable law and/or secondary legislation;  
依照适用法律和/或次级法律规定，客户已被委托公共职能；
  - ii. the Customer's identity is publicly available, transparent, and certain;  
客户的身份公开、透明和确定；
  - iii. the activities of the Customer, as well as its accounting practices, are transparent;  
客户活动及其会计实务具有透明性；
  - iv. the Customer is either accountable to public authorities or public bodies that have been entrusted with public functions pursuant to applicable law and/or secondary legislation, or appropriate check and balance procedures exist that are ensuring control of the Customer's activity.  
根据适用法律和/或次级立法规定，客户对受托实施公共职能的公共机构或公共团体负责，或具有合适的制衡程序，对客户活动进行控制。

## **XI. ENHANCED CUSTOMER IDENTIFICATION AND DUE DILIGENCE (HIGH RISK CUSTOMERS)** **增强版客户识别和尽职调查（高风险客户）**

### **1. GENERAL PROVISIONS**

#### 一般规定

- i. The Company shall apply enhanced due diligence measures, in addition to the normal Customer due diligence measures and identification procedures set forth hereinabove, with respect to the Customers categorized as “high risk” Customers according to the criteria set forth hereinabove.  
除了上述正常客户尽职调查措施和识别程序外，公司还应对以上标准中分类为“高风险”的客户采用增强版尽职调查措施。
- ii. These measures include the following:  
该类措施包括下列各项内容：

- a) Where the Customer has not been physically present for identification purposes, the Company shall apply one or more of the following measures:  
如客户无法出席现场身份识别, 公司应采用以下一项或多项措施:
- a. obtain additional documents, data, or information for verifying the Customer's identity;  
获得补充文件、数据或信息, 用于验证客户身份;
  - b. take supplementary measures to verify or certify the documents supplied, or requiring confirmatory certification by a credit or financial institution;  
采取补充措施对提供的文件进行验证或认证, 或要求通过信贷或金融机构进行确认认证;
- b) In respect of transactions or Business Relationships with Politically Exposed Persons (PEPs), the Company shall:  
在与政治公众人物 (PEPs) 建立交易或业务关系方面, 公司应:
- a. have appropriate risk-based procedures to determine whether the Customer is a PEP;  
采用合适的风险程序, 确定客户是否为 PEP;
  - b. have Board of Directors approval for establishing Business Relationships with such Customers;  
在与该客户建立业务关系时, 需获得董事会批准;
  - c. take adequate measures to establish the source of wealth and source of funds that are involved in the Business Relationship or transaction;  
采取适当措施, 建立与业务关系或交易有关的财务来源和资金来源;
  - d. conduct enhanced ongoing monitoring of the Business Relationship.  
持续对业务关系加强监督。

## 2. HIGH RISK CUSTOMERS 高风险客户

- i. Due diligence and identification procedures with respect to high-risk Customers are described below.

有关高风险客户的尽职调查和识别程序如下所示。

a) Non face-to-face Customers  
非面对面客户

- a. The Company shall apply the following with respect to non face-to-face Customers:

对于非面对面客户, 公司应采取下列措施:

- i. In situations where a Customer requests the establishment of a Business Relationship through mail, telephone, or the internet without presenting himself for a personal interview, the Company must follow the established Customer identification and due diligence procedures, as applied for Customers with whom it comes in direct and personal contact and obtain exactly the same identification information and documents;

如客户要求通过邮件、电话或互联网代替亲自面谈, 以建立业务关系, 公司应遵照既定的客户识别和尽职调查程序, 其适用于亲自到场的客户, 并应获得相同的识别信息和文件;

- ii. However, due to the difficulty in matching the Customer with the collected identification data, the Company shall apply enhanced Customer identification and due diligence measures, in line with the provisions regarding "high risk" Customers set forth hereinabove, so as to effectively mitigate the risks associated with such Business Relationship.

然而, 由于较难将客户与收集到的识别数据进行匹配, 公司应根据上述有关“高风险”客户的规定, 采用增强版客户识别和尽职调查措施, 从而有效降低与该类业务关系相关的风险。

- b. Practical procedures that can be applied as implementation of the due diligence and identification procedures with respect to high-risk Customers, with respect to non face-to-face Customers of the Company, are the following:

在对高风险客户和非面对面客户实施尽职调查与识别程序时，可采用下列规程：

- i. telephone contact with the Customer at his residence or office, before the establishment of a Business Relationship, on a telephone number which has been verified from a reliable and independent source;

在建立业务关系前，通过经可靠和独立来源认证的电话，致电客户的居住地或办公地；

- c. The enhanced due diligence and identification procedures with respect to high-risk Customers are also to be applied to companies or other legal entities requesting the establishment of a Business Relationship through mail, telephone, or internet; the Company shall take additional measures for ensuring that the companies or other legal entities operate from the address of their main offices and carry out legitimate business activities.

有关高风险客户的增强版尽职调查和识别程序也适用于要求通过邮件、电话或互联网建立业务关系的企业或其他法人实体；公司采取追加措施，确保该类企业或其他法人实体在其主营办公地址开展合法业务活动。

- b) “Politically Exposed Persons” accounts  
“政治公众人物” 账户

- a. The Company shall apply the following with respect to the accounts of “Politically Exposed Persons (PEPs)”:

关于政治公众人物（PEPs）的账户，公司应采取下列措施：

- i. the establishment of a Business Relationship with persons holding important public positions and with natural persons closely related to them, may expose the Company to enhanced risks, especially if the potential Customer seeking to establish a Business Relationship is a Politically Exposed Person (PEP), a member of his immediate family or a close associate that is known to be associated with a Politically Exposed Person (PEP);

在与担任重要公职的人员及其关系密切人员建立业务关系时，会使公司面临较高风险，尤其是希望建立业务关系的潜在客户属于政治公众人物（PEP），及其直系亲属或与其关系紧密的助手；

- ii. the Company shall pay more attention when the said persons originate from a country which is widely known to face problems of bribery, corruption and financial irregularity and whose anti-money laundering laws and regulations are not equivalent with international standards, such as countries, which are considered by the FATF not adequately to apply the FATF 40+9 Recommendations;

如上述人员来自具有贿赂、腐败和金融监管不完善，反洗钱法规不符合国际标准，以及 FATF 认为不适用 FATF 40+9 建议的国家，则公司应予以特别关注；

- iii. in order to effectively manage such risks, the Company shall assess the countries of origin of its Customers in order to identify the ones that are more vulnerable to corruption or maintain laws and regulations that do not meet the 40+9 requirements of the FATF;
- 为了对该类风险进行有效管理，公司应评估客户所在国家的情况，从而找出更容易受腐败影响，或法规不符合 FATF 40+9 建议的国家；

- iv. with regard to the issue of corruption, one useful source of information is the Transparency International Corruption Perceptions Index which can be found on the website of Transparency International at [www.transparency.org](http://www.transparency.org);



关于腐败问题，可通过透明国家网站 [www.transparency.org](http://www.transparency.org) 的透明国际腐败印象指数，获取有用信息：

- v. with regard to the issue of adequacy of application of the 40+9 recommendations of the FATF, the Company shall retrieve information from the country assessment reports prepared by the FATF or other regional bodies operating in accordance with FATF's principles (e.g., Moneyval Committee of the Council of Europe) or the International Monetary Fund.  
关于是否充分采用 FATF 40+9 建议的问题，公司应从 FATF 或其他区域机构（例如：Moneyval Committee）或国家货币基金组织编制的国家评估报告中查询相关信息。
- b. For the purposes hereof, unless the context requires otherwise, the term “Politically Exposed Persons (PEPs)” shall be deemed to include the following natural persons who are or have been entrusted with prominent public functions in a foreign country:  
除上下文另有规定外，术语“政治公众人物（PEPs）”应包括在国外担任重要公职的以下自然人：
- i. heads of State, heads of government, ministers and deputy or assistant ministers;  
国家领导人、政府负责人、部长及副部长；
  - ii. members of parliament;  
译员；
  - iii. members of supreme courts, of constitutional courts or of other high-level judicial bodies whose decisions are not subject to further appeal, except in out-of-line circumstances;  
最高法院、立宪法院或做出判决为最终性的其它高级司法机关（不包括特殊情况）的成员；
  - iv. members of courts of auditors or of the Board of Directors of central banks;  
审计院或中央银行董事会的成员；
  - v. ambassadors, “chargés d' affaires” and high-ranking officers in the armed forces;  
大使、“代办”和武装部队高级官员；
  - vi. members of the administrative, management or supervisory bodies of State-owned enterprises.  
国有企业行政、管理或监督机构的成员。
- c. Without prejudice to the application, on a risk-sensitive basis, of enhanced Customer due diligence measures referred to hereinabove, where a person has ceased to be entrusted with a prominent public function within the meaning of Section 6.11 above for a period of at least one year, the Company shall no longer be obliged to consider such a person as a “Politically Exposed Person (PEP)”.  
基于风险敏感度，采用上述增强版客户尽职调查措施时，如相关人员已不再担任 6.11 节中所述重要公职至少一年，则公司可不将该人员视为“政治公众人物（PEP）”。
- d. None of the provisions and descriptions set forth in Sections 6.10 through 6.12 above shall be understood as covering middle ranking or more junior officials.  
上述 6.10 至 6.12 节中规定的内容不应被理解为包括中层或以下官员。
- e. For the purposes hereof, unless the context requires otherwise, the term “immediate family members” shall be deemed to include the following:  
除上下文另有规定外，术语“直系亲属”应包括：
- i. the spouse or the person with which a person cohabits for not less than one year;

- 配偶或共同居住一年以上的同居人；
- ii. the children and their spouses or the persons with which a person cohabits for not less than one year;  
子女及其配偶或共同居住一年以上的同居人；
  - iii. the parents.  
父母
- f. For the purposes hereof, unless the context requires otherwise, the term “persons known to be close associates” shall be to include the following:  
除上下文另有规定外，术语“密切合作人”应包括：
- i. any natural person who is known to have joint Beneficial Ownership of legal entities or legal arrangements, or any other close business relations, with a person referred to in Sections 6.10, 6.11 and 6.14 above;  
对法人实体或法定设施具有共同实际所有权的自然人，或上述 6.10、6.11 和 6.14 节所指的人员建立密切业务关系；
  - ii. any natural person who has sole Beneficial Ownership of a legal entity or legal arrangement which is known to have been set up for the benefit de facto of the person referred to in Sections 6.10, 6.11 and 6.14 above.  
对法人实体或法定设施具有唯一实益拥有权的任何自然人。在此，上述法人实体或法定设施事实上是为 6.10、6.11 和 6.14 节中所指人员设立。
- g. Without prejudice to any of the foregoing, the Company shall adopt the following additional due diligence measures when it establishes a Business Relationship with a Politically Exposed Person (PEP):  
在不对上述各项产生不利影响的情况下，公司在与政治公众人物（PEP）建立业务关系时，应采取下列追加尽职调查措施：
- i. the Company shall put in place appropriate risk management procedures to enable it to determine whether a prospective Customer is a Politically Exposed Person (PEP); such procedures may include, depending on the degree of risk, the acquisition and installation of a reliable commercial electronic database for Politically Exposed Persons (PEPs), seeking and obtaining information from the Customer himself or from publicly available information; in the case of legal entities and arrangements, the procedures will aim at verifying whether the Beneficial Owners, authorized signatories and persons authorized to act on behalf of the legal entities and arrangements constitute Politically Exposed Persons (PEPs); in the event that one of the above is identified as a Politically Exposed Person (PEP), then automatically the account of the legal entity or arrangement should be subject to the relevant procedures specified in this Section of the Manual;  
公司应制定合适的风险管理程序，以确定潜在客户是否为政治公众人物（PEP）；按照风险程度，该类程序包括有关政治公众人物（PEPs）可靠商业电子数据库的采集和设立，在此可从客户本身或公开渠道获取信息；对于法人实体或设施，程序将验证受益人、授权签字人以及法人实体和设施的授权代表是否构成政治公众人物（PEPs）；如上述人员被确认为政治公众人物（PEP），则法人实体或设施的账户将自动适用本手册该节中规定的相关程序要求；
  - ii. before establishing a Business Relationship with a Politically Exposed Person (PEP), the Company shall obtain adequate documentation to ascertain not only the identity of he said person, but also additional information allowing it to assess the business reputation of the Politically Exposed Person (PEP) (e.g., reference letters from third parties);

在与政治公众人物（PEP）建立业务关系前，公司应获得足够文件确认上述人员的身份，以及补充信息（例如：来自第三方的推荐信），以用于评估该政治公众人物（PEP）的商业信誉：

- iii. in addition, the Company shall compose the economic profile of the Politically Exposed Person (PEP) by obtaining the information specified hereinabove; the details of the expected business and nature of activities of the Customer shall form the basis for the future monitoring of the account of the Politically Exposed Person (PEP); the profile shall be regularly reviewed and updated with new data and information; the Company shall be particularly cautious and most vigilant where its Customers are involved in businesses, which appear to be most vulnerable to corruption such as trading in oil, arms, cigarettes and alcoholic drinks;

此外，公司应通过上述规定信息，了解政治公众人物（PEP）的经济概况；有关客户预期业务和活动性质的信息，将构成对政治公众人物（PEP）账户进行监督的基础；应对概况内容进行定期评审，并采用新数据和信息进行更新；对于客户涉及易腐败业务领域，比如石油、军火、烟草和酒类交易时，公司应予以特别注意：

- iv. the account shall be subject to annual review in order to determine whether to allow its continuance of operation; a short report shall be prepared summarizing the results of the review by the person who is in charge of monitoring the account; the report in question shall be submitted for consideration and approval to the Board of Directors and shall be filed in the Customer's personal file.

应对账户进行年度审核，以确定是否可持续经营；账户监管人应编制有关评审结果的简短报告；应将报告的问题提交至董事会进行审批，并保存在客户的个人文件中。

- c) Customers from countries, which are considered by the FATF not adequately to apply the FATF 40+9 Recommendations

来自 FATF 认为不适用 FATF 40+9 建议国家的客户

- a. The FATF 40+9 Recommendations constitute the primary internationally recognized standards for the prevention and detection of money laundering and terrorist financing.

FATF 40+9 建议构成反洗钱和打击恐怖分子融资的主要国际认可标准。

- b. The Company shall apply the following with respect to Customers from countries, which are considered by the FATF not adequately to apply the FATF 40+9 Recommendations:

关于来自 FATF 认为不适用 FATF 40+9 建议国家的客户，公司应采取下列措施：

- i. exercise additional monitoring procedures and pay special attention to Business Relationships and transactions with persons, including companies and financial institutions, from countries which do not apply or apply inadequately the aforesaid recommendations; 实施追加监督程序，并特别关注与来自上述不适用建议国家的人员建立业务关系和交易的情况；
- ii. transactions with persons from the said countries, for which there is no apparent economic or visible lawful purpose, shall be further examined for the purpose of establishing their economic, business or investment background and purpose; 如与上述国家人员开展的交易无明显经济或合法目的，则应对其进一步检查，以了解其经济、业务或投资背景和目的；
- iii. with the aim of implementing the above, the Company shall regularly consult the country assessment reports prepared by the FATF (<http://www.fatf-gafi.org>), the other regional bodies that have been established and work in accordance with the principles of FATF, such

as the CFATF (<https://www.cfatf-gafic.org/>), “Moneyval Committee” of the Council of Europe ([www.coe.int/moneyval](http://www.coe.int/moneyval)) and the International Monetary Fund ([www.imf.org](http://www.imf.org)); based on the said reports, the Company shall assess the risk of entering into transactions and Business Relationships with persons from various countries and, in particular, the risk of entering into transactions and/or Business Relationships with persons of the countries that inadequately apply the FATF’s recommendations; depending on the outcome of the assessment, the Company shall apply, when deemed necessary, enhanced due diligence measures for identifying and monitoring transactions of persons originating from countries with significant shortcomings in their legal and administrative systems for the prevention of money laundering and terrorist financing.

为执行上述规定，公司应定期查询 FATF (<http://www.fatf-gafi.org>)、按 FATF 原则，建立的其它区域机构，比如：CFATF (<https://www.cfatf-gafic.org/>)、欧洲议会“Moneyval 委员会” ([www.coe.int/moneyval](http://www.coe.int/moneyval)) 和国际货币基金组织 ([www.imf.org](http://www.imf.org)) 编制的国家评估报告；根据上述报告，公司应评估与来自不同国家人员开展交易和建立业务关系的风险，尤其是与来自不适用 FATF 建议国家的人员之间开展交易和建立业务关系的风险；根据评估结果，公司应在必要时，采用增强版尽职调查措施，识别和监督来自具有重大法律和关联体系缺陷国家的人员交易行为，以防止洗钱和恐怖分子融资。

## **XII. CUSTOMER IDENTIFICATION AND DUE DILIGENCE PROCEDURES [SPECIFIC CASES]** **客户身份识别和尽职调查程序（特定情况）**

1. The Company shall ensure that the appropriate documents and information with respect to the following cases shall be duly obtained, as applicable and appropriate:  
公司应确保获得有关下列情况的合适文件与信息：

### **i. ACCOUNTS OF NATURAL PERSONS**

#### 自然人账户

- a) The Company shall obtain the following information to ascertain the true identity of the natural persons willing to be a Customer:  
公司应获得下列信息，以确定希望成为客户的自然人真实身份：
  - a. true name and/or names used as these are stated on the official identity card or passport;  
真实姓名和/或正式身份证或护照上使用的姓名；
  - b. full permanent address, including postal code;  
完整的永久地址，包括邮政编码；
  - c. telephone (home and mobile), if any;  
电话（家庭固定电话和移动电话）；
  - d. e-mail address;  
电子邮件地址；
  - e. date of birth;  
出生日期；
  - f. billing address;  
账单地址；
  - g. other data, as may be deemed necessary by the Company.  
公司认为必要的其它资料。
- b) In addition to the information collected in accordance with Section 7.2 above, without prejudice to the application on a risk-sensitive basis, the Company shall require and receive information on public positions which the prospective Customer holds or held in the last twelve (12) months, as well as whether the prospective Customer is a close

relative or associate of such individual, in order to verify if the Customer is a Politically Exposed Person (PEP).

除了依照上述 7.2 节，收集信息外，在不对风险敏感度基础构成不利影响的情况下，公司应获得有关潜在客户当前担任或在过去十二（12）月中担任公职的信息，以及确定潜在客户是否是该类公职人员的近亲属或合作人，从而验证客户是否属于政治公众人物（PEP）。

- c) Furthermore, official national identification documents issued by the competent authorities of their country of origin shall be obtained; certified true copies of the pages containing the relevant information from the said documents shall also be obtained and kept in the Customer's files.

此外，应获得其所在国家主管当局签发的正式国家身份证明文件；同时，获得上述文件中含有相关信息的页面真实复印件，并保存在客户文件中。

- d) In addition, if in doubt for the genuineness of any identification document, the Company shall seek verification of identity with an Embassy or the Consulate of the issuing country or a reputable credit or financial institution situated in the Customer's country of residence.

此外，如对任何身份证明文件的真实性产生怀疑，公司应通过签发国大使馆或领事馆，或客户所在国家的具有良好声誉的信贷或金融机构，实施身份验证。

- e) In addition to the aim of preventing money laundering and terrorist financing, the abovementioned information is also essential for implementing the financial sanctions imposed against various persons by the United Nations; for this purpose, we reserve the right to require passport copies or relevant national identification so that the Company is in the position to verify precisely whether a Customer is included in the relevant list of persons subject to financial sanctions which are issued by the United Nations, based on a United Nations Security Council's Resolution and Regulation.

除了用于反洗钱和打击恐怖分子融资外，在联合国对各类人员实施金融制裁方面，该类信息也十分重要；为此，我们有权要求提供护照复印件或相关国家身份证明，从而公司能够对客户是否被包括在联合国金融制裁名单中进行准确验证。该名单基于联合国安理会决议和条例制定。

## ii. ACCOUNTS OF LEGAL ENTITIES

### 法人实体账户

- a) For Customers that are legal entities, the Company shall establish that the natural person appearing to act on their behalf, are appropriately authorized to do so and that their identity is satisfactorily established and verified in accordance with the procedures set forth hereinabove.

如客户属于法人实体，公司应确定代表该类法人实体的自然人经适当授权，并且已根据上述程序，对其身份进行验证。

- b) The Company shall take all necessary measures for the full ascertainment of the legal entity's control and ownership structure, as well as for the verification of the identity of the natural persons who are the Beneficial Owners and exercise control over the legal entity, all in accordance with the procedures set forth hereinabove. Company should take all necessary measures, for the full ascertainment of the control and ownership structure of the legal entity, all in accordance with the procedures set forth hereinabove, and verify the identity of the natural persons who are the Beneficial Owners and exercise control over the legal entity, all in accordance with the procedures set forth hereinabove.

公司应采取一切必要措施，对法人实体的控制和所有制结构进行全面认证，并依照上述程序，对作为该类法人实体受益人和控制人的自然人身份进行验证。

- c) The verification of the identification of a legal entity that requests the establishment of a Business Relationship, comprises the ascertainment of the following:

对于申请建立业务关系的法人实体身份验证，应包括确定下列内容：

- a. the registered number;  
注册号；
- b. the registered corporate name;  
注册公司名称；
- c. the full address of the head office;  
总部完整地址；
- d. the telephone numbers, fax numbers and e-mail address(es);  
电话号码、传真号码和电子邮件地址；

- e. the members of the Board of Directors;  
董事会成员;
  - f. the individuals that are duly authorized to operate the account and to act on behalf of the legal entity;  
经正式授权, 可代表法人实体操作账户和开展活动的个人;
  - g. the Beneficial Owners of private companies and public companies that are not listed in a Regulated Market of a country, which is considered by the FATF adequately to apply the FATF 40+9 Recommendations, or in a country with equivalent disclosure and transparency requirements;  
未列入 FATF 认为适用 FATF 40+9 建议国家或具有同等披露和透明度要求国家受管制市场内的私营公司或上市公司受益人;
  - h. the registered shareholders that act as nominees of the Beneficial Owners.  
作为受益人提名人的登记股东。
- d) For the verification of the identity of the legal entity, the Company shall request and obtain, among others, certified true copies of the following documents:  
在法人实体身份验证方面, 公司应申请并获得经认证的下列文件真实副本:
- a. certificate of incorporation and certificate of good standing (where available) of the legal entity;  
法人实体注册证明和存续证明 (如有);
  - b. certificate of registered office;  
注册办公地证明;
  - c. certificate of directors and secretary;  
董事和秘书证明;
  - d. certificate of registered shareholders in the case of private companies and public companies that are not listed on a Regulated Market of a country, which is considered by the FATF adequately to apply the FATF 40+9 Recommendations, or a third country with equivalent disclosure and transparency requirements;  
对于未列入 FATF 认为适用 FATF 40+9 建议国家或具有同等披露和透明度要求第三国受管制市场内的私营公司或上市公司, 应提供登记股东证明;
  - e. memorandum and articles of association of the legal entity;  
法人实体公司章程;
  - f. documents and data for the verification, in accordance with the procedures set forth hereinabove, of the identity of the Directors and persons that are authorized by the legal entity to operate the account.  
依照上述程序规定, 有关法人实体董事及被授权人操作账户所需的身份证明文件及资料。
- e) Where deemed necessary for a better understanding of the activities, sources and uses of funds/assets of a legal entity, the Company shall obtain copies of its latest audited financial statements (if available), and/or copies of its latest management accounts.  
为了便于更好了解法人实体资金/资产活动、来源和使用情况, 公司应获得其最新已审财务报表 (如有) 的复印件, 和/或其最新管理账户的复印件。
- f) As an additional due diligence measure, on a risk-sensitive basis, the Company shall carry out (when deemed necessary) a search and obtain information from the records of the Registrar of Companies or a corresponding authority in the company's (legal entity's) country of incorporation and/or request information from other sources in order to establish that the applicant company (legal entity) is not, nor is in the process of, being dissolved or liquidated or struck off from the registry of the Registrar of Companies or a corresponding authority and that it continues to be registered as an operating company.  
作为基于风险敏感度的追加尽职调查措施, 公司应 (在必要时) 从企业监管局或公司 (法人实体) 注册所在地的相关部门中查询信息记录, 和/或其它来源获取信息, 从而

确认申请公司（法人实体）不存在结算或清算过程中，或被企业监管局或相应管理机构注销，并仍属于存续的经营公司。

- g) It is pointed out that, if at any later stage any changes occur in the structure or the ownership status or to any details of the legal entity, or any suspicions arise emanating from changes in the nature of the transactions performed by the legal entity via its account, then it is imperative that further enquiries be made for ascertaining the consequences of these changes on the documentation and information held by the Company for the legal entity and that all additional documentation and information for updating the economic profile of the legal entity is collected.

应指出的是，在后续阶段，如法人实体的结构或所有权，或任何信息发生变更，或怀疑通过法人实体账户开展交易的性质发生变化，则应立即展开进一步调查，以确定该类变更对公司持有的法人实体文件和信息的影响，并同时收集所有补充文件和信息，以更新法人实体的经济概况。

iii. INVESTMENT FUNDS, MUTUAL FUNDS AND FIRMS PROVIDING FINANCIAL OR INVESTMENT SERVICES

投资基金、共同基金和提供金融或投资服务的企业

- a) The Company shall be entitled to establish and maintain Business Relationships with persons or legal entities who carry out the above services and activities, which are incorporated and/or operating in countries, which are considered by the FATF adequately to apply the FATF 40+9 Recommendations or which, in accordance with a relevant decision of the Advisory Authority, have been determined to apply procedures and measures for preventing money laundering and terrorist financing equivalent to the requirements of the FATF 40+9 Recommendations, provided that the said persons or entities:

公司应有与开展上述服务和活动的人员或法人实体建立与保持业务关系。上述人员或法人实体在 FATF 认为适用 FATF 40+9 建议的国家内注册和/或经营，或属于经监管当局认定，可采用等同于 FATF 40+9 建议的程序和措施的国家，以防止洗钱和恐怖分子融资。在此，上述人员或实体应：

- a. possess the necessary license or authorization from a competent supervisory/regulatory authority of the country of their incorporation and operation to provide the said services; and  
获得其注册和经营地监督/监管当局签发的必要许可或授权，以提供上述服务；及
- b. are subject to supervision by a competent supervisory/regulatory authority of the country of their incorporation and operation for the prevention of money laundering and terrorist financing purposes.  
接受其注册和经营地监督/监管当局的监督，以防止洗钱和恐怖分子融资。

- b) In the event of the establishment of a Business Relationship with persons who carry out the above services and activities and which are incorporated and/or operating in third countries other than those mentioned in Section 7.14 above, the Company shall request and obtain, in addition to the information and documentation mentioned above, all information and documentation required by the Manual for the identification and verification of legal entities and their Beneficial Owners, including, without limitation, the following:

当与开展上述服务或活动，以及在上述 7.14 节规定国家以外的第三国人员建立业务关系时，除了获得上述信息和文件外，公司还应申请及获取本手册要求的全部信息和文件，以用于识别和验证法人实体及其受益人，包括但不限于：

- a. a copy of the license or authorization granted to the said person from a competent supervisory/regulatory authority of its country of incorporation and operation, whose authenticity should be verified either directly with the relevant supervisory/regulatory authority or from other independent and reliable sources; and

上述人员注册经营地主管监督/监管当局颁发的许可或授权复印件。在此，通过相关监督/监管当局或其它独立和可靠来源，对其授权进行验证；及

- b. adequate documentation and sufficient information in order to fully understand the control structure and management of the business activities, as well as the nature of the services and activities provided by the Customer.  
提供充分的文件和信息，以全面了解企业活动的控制结构和管理，以及客户提供服务和活动的性质。
- c) In the case of investment funds and mutual funds, the Company, apart from identifying the Beneficial Owners, shall obtain information regarding the objectives and control structure of such investment funds and mutual funds, including documentation and information for the verification of the identity of investment managers, investment advisors, administrators, and custodians.  
对于投资基金和共同基金，除了确认受益人身份外，公司还应获得该类投资基金和共同基金目标即控制结构相关的信息，包括用于验证投资经营者、投资顾问、管理者和保管人身份的文件与信息。

### **XIII. ON-GOING MONITORING PROCESS**

#### **持续监管过程**

#### **1. GENERAL**

##### 概述

- i. The constant monitoring of the Customers' accounts and transactions is an imperative element in the effective controlling of the risk of money laundering and terrorist financing.  
为有效控制洗钱和恐怖分子融资风险，对客户账户和交易实施有效监督，十分必要。

#### **2. PROCEDURES**

##### 程序

- i. The procedures and intensity of monitoring Customers' accounts and examining transactions in light of the Customer's level of risk shall include the following:  
根据客户的风险等级，客户账户监督和交易检查的程序与强度包括下列内容：
  - a) the identification of:  
身份识别：
    - a. transactions which, as a result of their nature, may be associated with money laundering or terrorist financing;  
根据其性质，可能与洗钱或恐怖分子融资有关的交易；
    - b. unusual or suspicious transactions that are inconsistent with the economic profile of the Customer for the purposes of further investigation;  
与客户经济概况不一致的异常或疑似交易，从而需开展进一步调查；
  - b) the investigation of unusual or suspicious transactions; the results of the investigations shall be recorded in a separate memo and shall be kept in the file of the Customers concerned;  
异常或疑似交易调查；应将调查结果单独记录在备忘录中，并保存在相关的客户文件中；
  - c) the use of appropriate IT systems.  
采用合适的 IT 系统

### **XIV. RECORD-KEEPING PROCEDURES**

#### **记录保存程序**

#### **1. GENERAL**

##### 概述

- i. The Company shall maintain records of:  
公司应保持下列记录：



- a) the Customer identification documents obtained during the Customer identification and due diligence procedures, as applicable;  
客户身份识别和尽职调查程序期间, 适用的客户身份识别文件;
  - b) the details of all relevant records with respect to the provision of trading services to Customers.  
有关向客户提供交易服务的所有相关记录信息。
- ii. The documents/data of mentioned above shall be kept for a period of at least seven (7) years, which shall be deemed to commence after the execution of the relevant transaction(s) or the termination of the Business Relationship.  
上述文件/资料应被保存至少七 (7) 年, 其应自执行相关交易, 或业务关系终止后开始计算。

## 2. FORMAT OF RECORDS

### 记录格式

- i. The Company shall retain the documents/data mentioned in Section 9.1 of the Manual in electronic format, provided, however, that the Company must be able to retrieve the relevant documents/data without undue delay and present them at any time, to the FIA, the National Bank of the Virgin Islands and/or the FSC, after a relevant request.  
公司应以电子格式, 保存本手册 9.1 节中所述文件/数据。然而, 当提出相关要求时, 公司应能及时检索到有关文件/资料, 并将其提交至 FIA、维尔京群岛国家银行和/或 FSC。

## 3. EMPLOYEES' OBLIGATIONS

### 员工义务

- i. The Company's employees shall be personally liable for failure to report information or suspicion, regarding money laundering or terrorist financing.  
对于未报告有关洗钱或恐怖分子融资的信息或疑似内容, 公司员工应承担个人责任。
- ii. The employees must cooperate and report, without delay, in accordance with the provisions of Section 4.2, anything that comes to their attention in relation to transactions for which there is the slightest suspicion that they may be related to money laundering and/or terrorist financing.  
员工应依照 4.2 节规定, 就有关洗钱和/或恐怖分子融资交易的任何疑似情况, 立即汇报和提供合作。
- iii. The Company's employees shall fulfil their legal obligation to report their suspicions regarding money laundering and terrorist financing, after their compliance with Section 10.2 above.  
公司员工应依照上述 10.2 节规定, 履行其关于报告疑似洗钱和恐怖分子融资的法律义务。