

**Anti-Money Laundering Office Notification**

Concerning Rules for Designating or Reviewing List of High-Risk Customers Subject to Close Monitoring under Ministerial Regulation on Customer Due Diligence B.E. 2563 (2020)

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Since the customers identified by Anti-Money Laundering Office (AMLO) is regarded as a high risk factor within organization of financial institutions and businesses and professions under Section 16 (reporting entities) and is subjected to close monitoring of account movement and the conduct of transaction which is one of the measures for management of risk of customer for money laundering in accordance with Anti-Money Laundering Office Notification Concerning Guideline for Consideration of Risk Factors of Money-Laundering or Combating the Financing of Terrorism or Proliferation of Weapons of Mass Destruction, coupling with emerging issues involving online transaction which is non face-to-face, are more likely to be used in receiving and transferring of proceeds of crime. Despite know your customer (KYC) procedures are already in place, which require reporting entities to identify and verify such customer before conducting a transaction to prevent money laundering, it is still be found that other person's accounts are used for receiving and transferring fund deriving from commission of offences in an attempt to eliminate evidence that links to the offender.

In this regard, AMLO prescribed rules for designating or reviewing list of high-risk customers subject to close monitoring under Ministerial Regulation on Customer Due Diligence B.E. 2563 (2020). The Notification categorizes persons involving with the commission of predicate offences and money laundering offence into 2 groups, referring to as HR-03-1 and HR-03-2 which is input into the AMLO person screening system (APS), aiming to inform reporting entities to use the database for customer due diligence purposes and classifying customers according to their risk. By Virtue of Section 40 (3) (4) and Section 20/1 of Anti-Money Laundering Act B.E. 2542 (1999) in conjunction with Article 9, Article 10, Article 12,

Article 22, Article 23 and Article 25 of Ministerial Regulation on Customer Due Diligence B.E. 2563 (2020). Secretary-General of Anti-Money Laundering Board with the approval of Anti-Money Laundering Board hereby issues this notification. Details appear in the attachment.

Given on 13<sup>th</sup> December 2022

Theppasu Bovornchotidara

Deputy Secretary-General

Acting Secretary-General of the Anti-Money Laundering Board

Rules for Designating or Reviewing List of High-Risk Customers Subject to  
Close Monitoring under Ministerial Regulation on Customer Due Diligence B.E. 2563 (2020)  
with addition concerning the case of third party's account (HR-03-1 and HR-03-2)

Categories	Code	Rules for listing	Rules for de-listing
<p>List of persons involving with a commission of a predicate offence or is the owner of bank account used for commission of predicate offence.</p> <p><b>And the inquiry officer accepted and numbered as a criminal case</b></p>	HR-03-1	<p>1. being a person subjected to the petition or complaint involving a predicate offence that inquiry officer accepted and numbered as a criminal case or being the owner of bank account being used for commission of predicate offence.</p> <p>2. the name under 1 is received from a responsible agency for interrogation under Criminal Procedure Code together with electronic files consisting of the following information.</p> <p style="padding-left: 40px;">(1) personal information</p> <p style="padding-left: 80px;">- for a natural person – name-surname, ID number, date of birth or other information that can be used to identify the person</p> <p style="padding-left: 80px;">- for a juristic person – name of juristic person and juristic person ID</p> <p style="padding-left: 80px;">- for an alien, name-surname, nationality, passport number, date of birth or other information that can identify the person</p> <p style="padding-left: 40px;">(2) criminal case number of the agency receiving the complaint /reference number</p> <p style="padding-left: 40px;">(3) the predicate offence</p> <p style="padding-left: 40px;">(4) the conduct</p> <p style="padding-left: 40px;">(5) name of responsible inquiry officer, phone number, name of agency or contact number of contact center</p> <p style="padding-left: 40px;">(6) current case status</p>	<p>1. lapse of 3 years from the date of working group's resolution to list the person <b>unless</b> there is probable evidence to de-list prior to the said time period <b>or</b></p> <p>2. the responsible agency requesting for de-listing to AMLO due to non-commission of predicate offence or non-involvement with the commission of predicate offences or there was a verdict of criminal case that the said person was not guilty for a predicate offence or not involving with the commission of the predicate offence.</p>
<p>List of persons involving with a commission of a predicate offence or is the owner of bank account used for commission of predicate offence.</p> <p><b>But the inquiry officer did not accept and numbered as a criminal case</b></p>	HR-03-2	<p>1. being a person involving with commission of a predicate offence or is the owner of bank account being used for commission of predicate offence, but the inquiry officer did not accepted and numbered as a criminal case</p> <p>2. the name under 1 is received from a responsible agency.</p> <p style="padding-left: 40px;">2.1 Royal Thai Police: that the examination revealed that person involved with commission of a predicate offence or being the owner of bank account being used for commission of predicate offence.</p> <p style="padding-left: 40px;">2.2 Financial Investigation Division, AMLO: that the being a person relating to the commission of a predicate offence or being the owner of bank account used for the commission of a predicate offence or</p> <p style="padding-left: 40px;">2.3 Financial Investigation Division, AMLO: that the examination revealed that the person was reported for their suspicious transaction (form AMLO 1-03) and matches the name of person received from the responsible agencies for investigation under Criminal Procedure Code</p> <p style="padding-left: 40px;">2.4 Cooperation and Standard Development Division, AMLO: that the examination of information received from foreign counterparts revealed that the person involved with commission of a predicate offence or being the owner of</p>	<p>1. lapse of 3 years from the date of working group's resolution to list the person <b>unless</b> there is probable evidence to de-list prior to the said time period <b>or</b></p> <p>2. the responsible agency requesting for de-listing to AMLO due to non-commission of predicate offence or non-involvement with the commission of predicate offences or there was a verdict of criminal case that the said person was not guilty for a predicate offence or not involving with the commission of the predicate offence.</p>

Categories	Code	Rules for listing	Rules for de-listing
		<p>bank account being used for commission of predicate offence.</p> <p>2.5 a bank or an external agency: that the examination revealed that the person involved with commission of a predicate offence or being the owner of bank account being used for commission of predicate offence and the report was submitted to AMLO for the Financial Intelligence Division, AMLO to examine in accordance with 2.3</p> <p>Together with electronic files of the following information.</p> <p>(1) personal information</p> <ul style="list-style-type: none"> <li>- for a natural person – name-surname, ID number, date of birth or other information that can be used to identify the person</li> <li>- for a juristic person – name of juristic person and juristic person ID</li> <li>- for an alien, name-surname, nationality, passport number, date of birth or other information that can identify the person</li> </ul> <p>(2) criminal case number of the agency receiving the complaint /reference number</p> <p>(3) the predicate offence</p> <p>(4) the conduct</p> <p>(5) name of responsible inquiry officer, phone number, name of agency or contact number of contact center</p> <p>(6) current case status</p>	

**Remarks:**

List of persons involved with commission of a predicate offence, or being the owner of bank account being used for commission of a predicate offence under code HR-03 can be categorized into 2 groups as follows;

1) HR-03-1, a bank shall prescribe measures limiting the access to electronic transaction immediately and re-classify the customer’s risk level to high, and conduct enhanced due diligence (EDD) by requiring the customer to see a bank’s staff and providing additional information for EDD purpose. If the examination found that the information and evidence could clarify that any specific bank account did not involve with commission of a predicate offence, the bank can resume the access to electronic transaction only for such account. However, there is no prohibition to conduct a face-to-face transaction with such customer, but the bank shall have in place appropriate risk management measures for such customer during the period that the customer is in the high-risk list, and if there is a suspicious transaction, the bank shall consider making suspicious transaction report to AMLO.

2) HR-03-2, a bank shall re-classify the customer’s risk level to high, and conduct enhanced due diligence (EDD) by requiring the customer to see a bank’s staff and providing additional information for EDD purpose within 3 days (from the date of notification). If the examination found that the information and evidence could clarify that any specific bank account did not involve with commission of a predicate offence, the bank can resume the access to electronic transaction only for such account. But if the customer did not present, or provide information or evidence within the specified time, the bank shall limit the access to electronic transaction. However, there is no prohibition to conduct a face-to-face transaction with such customer, but the bank shall have in place appropriate risk management measures for such customer during the period that the customer is in the high-risk list, and if there is a suspicious transaction, the bank shall consider making suspicious transaction report to AMLO.

If the customer has any inquiry about transaction conduct, please contact the contact center.