

Comparison Table between the 2007 Measures¹ and the 2022 Measures²

(The key revisions made by the 2022 Measures against the 2007 Measures are marked in grey for readers' reference.)

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¹ **Han Kun Note:** The *Measures for Administration of Distinguishing Clients' Identities and Preserving Data on Clients' Identities and Transaction Records by Financial Institutions* (《金融机构客户身份识别和客户身份资料及交易记录保存管理办法》) jointly promulgated by the People's Bank of China (PBoC), the China Banking Regulatory Commission (CBRC), the China Securities Regulatory Commission (CSRC) and the China Insurance Regulatory Commission (CIRC) on 21 June 2007 and effective as of 1 August 2007.

² **Han Kun Note:** The *Measures for Administration of Client Due Diligence and Maintenance of Clients' Identity Information and Transaction Records by Financial Institutions* (《金融机构客户尽职调查和客户身份资料及交易记录保存管理办法》) jointly promulgated by PBoC, the China Banking and Insurance Regulatory Commission (CBIRC) and CSRC on 19 January 2022 and to be effective as of 1 March 2022.

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Chapter I General Provisions	Chapter I General Provisions
<p>Article 1</p> <p>These Measures are enacted pursuant to the provisions of the <i>Anti-Money Laundering Law of the People's Republic of China</i> and the relevant laws and administrative regulations for the purposes of preventing money laundering and terrorist financing activities, standardising the client identity identification and maintenance of clients' identity information and transaction records by financial institutions and safeguarding financial order.</p>	<p>Article 1</p> <p>These Measures are enacted pursuant to the provisions of the <i>Anti-Money Laundering Law of the People's Republic of China</i>, the Anti-Terrorism Law of the People's Republic of China and the relevant laws and administrative regulations for the purposes of preventing and curbing money laundering and terrorist financing activities, standardising the client due diligence and maintenance of clients' identity information and transaction records by financial institutions and safeguarding national security and financial order.</p>
<p>Article 2</p> <p>These Measures apply to the following financial institutions duly incorporated within the territory of China:</p> <p>(1) policy banks, commercial banks, rural cooperative banks, and urban credit cooperatives and rural credit cooperatives;</p> <p>(2) securities firms, futures companies and fund management companies;</p> <p>(3) insurance companies and insurance asset management companies;</p> <p>(4) trust companies, financial asset management companies, finance companies, financial leasing companies, automobile finance companies and currency brokerage companies; and</p>	<p>Article 2</p> <p>These Measures shall apply to the following financial institutions duly incorporated within the territory of China:</p> <p>(1) development financial institutions, policy banks, commercial banks, rural cooperative banks, rural credit cooperatives and village banks;</p> <p>(2) securities firms, futures companies and securities investment fund management companies;</p> <p>(3) insurance companies and insurance asset management companies;</p> <p>(4) trust companies, financial asset management companies, finance companies of enterprise groups, financial leasing companies, automobile finance companies, consumer finance companies,</p>

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<p>(5) other financial institutions as determined and announced by PBoC.</p> <p>These Measures apply to the institutions engaged in remittance and exchange business, payment and settlement business and fund sales business that perform the obligations of client identity identification and maintenance of clients' identity information and transaction records.</p>	<p>currency brokerage companies, lending companies and wealth management companies; and</p> <p>(5) other institutions engaged in financial business as determined and announced by the People's Bank of China (PBoC).</p> <p>These Measures on financial institutions shall apply to the performance of duties of client due diligence and maintenance of clients' identity materials and transaction records by non-banking payment institutions, bank card clearing institutions, fund clearing centers and institutions engaged in remittance and exchange business, fund sales business, specialized insurance agency and insurance brokerage business.</p>
<p>Article 3 Paragraph I</p> <p>Financial institutions shall act in due diligence, establish and implement sound policies for determining the clients' identities and follow the principle of "knowing your clients". For the clients, business relations or transactions that are of various money laundering or terrorist financing risk characteristics, financial institutions shall take corresponding measures to know about their clients, the purpose and nature of their transactions, the natural persons actually controlling the clients and the actual beneficiaries of the transactions.</p>	<p>Article 3</p> <p>Financial institutions shall be diligent and responsible, determine and verify the identities of their clients and the beneficial owners thereof under the principle of "knowing your clients" and take corresponding due diligence measures against the clients, business relationships or transactions with different characteristics of money laundering or terrorist financing risks.</p> <p>Financial institutions shall adopt ongoing due diligence measures throughout the existing business with clients. Under circumstances with high risks of money laundering or terrorist financing, financial institutions shall adopt the corresponding enhanced due diligence measures, and where necessary, refuse to establish business</p>

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	relationships or handle business, or terminate the existing business relationships.
<p>Article 3 Paragraph 2</p> <p>A financial institution shall, under the principles of safety, accuracy, completeness and confidentiality, properly maintain the clients' identity information and transaction records and ensure that each transaction can be reproduced, so as to provide the information necessary for determining the clients' identities, the monitoring and analysis of transactions, the investigation of suspicious transactions activities and handling of money laundering cases.</p>	<p>Article 4</p> <p>A financial institution shall, under the principles of safety, accuracy, completeness and confidentiality, properly maintain its clients' identity information and transaction records and ensure that each and every transaction can be reproduced, so as to provide the information necessary for the client due diligence, the monitoring and analysis of transactions, the investigation of suspicious transaction activities as well as the investigation and handling of money laundering and terrorist financing cases.</p>
<p>Article 4</p> <p>A financial institution shall, pursuant to the laws and regulations governing anti-money laundering and counter-terrorist financing, establish and improve their internal operation rules for determining the clients' identities and maintaining the identity information and transaction records thereof, etc., assign persons to be responsible for the compliance of anti money laundering and counter terrorist financing, reasonably design their business process and operation standards and conduct an internal audit on a regular basis, so as to evaluate whether or not their internal operation rules are sound and valid and to timely modify and improve relevant policies.</p>	<p>Article 5</p> <p>A financial institution shall, in accordance with these Measures and the relevant laws and regulations on anti-money laundering and counter-terrorist financing, and in conjunction with the risk status of money laundering and terrorist financing faced by the financial institution, establish and improve the internal control systems in respect of client due diligence, maintenance of clients' identity materials and transaction records, regularly audit and evaluate whether the internal control policies are sound and effective and timely modify and improve the relevant policies.</p> <p>A financial institution shall reasonably design its business process and operational standards so as to ensure the effective implementation of</p>

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	the policies on client due diligence and the maintenance of clients' identity materials and transaction records.
<p>Article 5</p> <p>A financial institution shall supervise and manage the implementation by its branches of its policies for determining the clients' identities and maintaining clients' identity information and transaction records.</p> <p>The head office or group headquarter of a financial institution shall set uniform requirements for determining the clients' identities and maintaining client's identity information and transaction records.</p> <p>A financial institution shall require its overseas branches and subsidiaries to implement relevant requirements of these Measures to the extent permitted by the laws of the countries or regions where such branches and subsidiaries are located. Where the requirements of these Measures are stricter than those of the countries or regions where such branches and subsidiaries are located, but such countries or regions prohibit or restrict the implementation of these Measures by the overseas branches and subsidiaries, a financial institution shall report to PBoC.</p>	<p>Article 6</p> <p>A financial institution shall, at the head office' level, make unified deployment or arrangement for the client due diligence and the maintenance of clients' identity materials and transaction records and formulate information sharing policies and procedures for anti-money laundering and counter-terrorism financing, so as to ensure the effective performance of client due diligence and management of money laundering and terrorist financing risks.</p> <p>A financial institution shall supervise and manage the implementation by its branches for policies and procedures of client due diligence and maintenance of clients' identity materials and transaction records</p> <p>A financial institution shall require its overseas branches and subsidiaries to implement the relevant requirements of these Measures to the extent permitted by the laws of the countries or regions where such branches and subsidiaries are located. In case the countries or regions where such branches and subsidiaries are located have stricter requirements, such requirements shall prevail. Where the requirements of these Measures are stricter than those of the countries or regions where such branches and subsidiaries are located, but such countries or regions prohibit or restrict the implementation of these Measures by the overseas branches and subsidiaries, a financial institution shall take appropriate measures to cope with money</p>

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	laundrying and terrorist financing risks and report to PBoC.
Chapter II Policies for Distinguishing Clients' Identities	Chapter II Client Due Diligence
	Section 1 General Requirements
	<p>Article 7</p> <p>Where a financial institution, at the time of establishing a business relationship with a client, processing of a one-off transaction exceeding the prescribed amount, or throughout the lifecycle of the business relationship, suspects that the client and its transactions are involved in money laundering or terrorist financing or has any doubts about the authenticity, validity or completeness of the client's identity information obtained previously, it shall conduct client due diligence and take the following due diligence measures:</p> <p>(1) determining the clients' identities and verifying the identity through supporting materials, data or information from reliable and independent sources;</p> <p>(2) understanding the purpose and nature of the business relationship and transactions established by the client and obtaining the relevant information based on the risk status;</p> <p>(3) understanding the source and purpose of the funds of the client and taking enhanced due diligence measures based on the risk status for circumstances with high money laundering or terrorist financing risks;</p> <p>(4) carrying out ongoing due diligence on the client throughout the</p>

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	<p>lifecycle of the business relationship, reviewing and examining the client's status and transaction profile, so as to confirm that the various services and transactions provided to the client are consistent with the financial institution's understanding of the client's identity and background, business needs, risk status, as well as the source and purpose of the client's funds; and</p> <p>(5) determining and taking reasonable measures to verify the beneficial owner of the client if the client is a legal person or unincorporated organization.</p> <p>The financial institution shall determine the extent and specific methods of due diligence measures based on the differentiation of risk status and shall not take due diligence measures which are obviously inconsistent with the risk status, so as to strike a balance between risk prevention and service optimization.</p>
	<p>Article 8</p> <p>A financial institution shall not provide services to clients whose identity is unknown or conduct transactions with such clients, open anonymous accounts or accounts in pseudonyms for clients, or open accounts for clients who falsely use the identity of others.</p>
<p>Article 7</p> <p>Where a policy bank, commercial bank, rural cooperative bank, urban credit cooperative, rural credit cooperative or any other financial institution or an agency engaged in remittance and exchange business</p>	<p>Article 9</p> <p>Development financial institutions, policy banks, commercial banks, rural cooperative banks, rural credit cooperatives, village banks and other financial institutions as well as institutions engaged in remittance</p>

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<p>establishes a business relation with a client by opening an account or other means, provide cash remittance, cash exchange, payment of negotiable instruments or other one-off financial services to another client who does not open an account therewith, and the amount involved in a single transaction is more than RMB10,000 or in any foreign currencies equivalent to more than USD1,000, it shall determine the said identity, get to know the natural person actually controlling the client and the actual beneficial owner of the transaction in question, check the client's valid identity certificate or other identity documents, register the client's basic identity information and maintain copies of photocopies of the said valid identity certificate or other determine document.</p> <p>If the said client is an important political figure of a foreign country, a financial institution shall obtain the approval of its senior management for the opening of an account for the said client.</p>	<p>and exchange business shall conduct client due diligence, register the basic identity information of clients and maintain copies or photocopies of the valid identity certificates or other identity documents of clients when handling the following businesses:</p> <p>(1) establishing a business relationship with the clients by opening an account or by other means of agreement; and</p> <p>(2) providing cash remittance, cash exchange, bill payment, purchase and sale of physical precious metals, sale of various financial products and other one-off transactions for clients who do not open an account therein, and the amount of a single transaction exceeds RMB50,000 or USD10,000 or its equivalent value in any foreign currencies.</p>
<p>Article 8</p> <p>Where a commercial bank, rural cooperative bank, urban credit cooperative, rural credit cooperative or any other financial institution processes a single transaction of cash depositing or withdrawal with the amount of more than RMB50,000 or in any foreign currencies equivalent to USD10,000 for a natural-person client, it shall check the client's valid identity certificate or other identity documents.</p>	<p>Article 10</p> <p>Commercial banks, rural cooperative banks, rural credit cooperatives, village banks and other financial institutions shall determine and verify the client's identity, learn about and register the source or purpose of the funds when handling a single transaction of cash deposit or withdrawal involving more than RMB50,000 or USD10,000 or its equivalent value in any foreign currencies for a natural-person client.</p>

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<p>Article 9</p> <p>When providing safe deposit box services, a financial institution shall get to know the actual user of the safe deposit box.</p>	<p>Article 11</p> <p>When providing safe deposit box services, a financial institution shall get to know the actual user of the safe deposit box, register the actual user's name, contact information, and the type, number and validity period of his/her valid identity certificate or other identity document and maintain copies or photocopies of his/her valid identity certificate or other identity document.</p>
<p>Article 11</p> <p>Security companies, futures companies, fund management companies or other institutions engaged in fund sale business shall determine the client concerned, get to know the natural person actually controlling the client and the actual beneficiary of the transaction in question, check the client's valid identity certificate or other identity documents, register the client's basic identities, and maintain copies or photocopies of the said valid identity certificate or other identity documents when handling the following businesses for clients:</p> <p>(1) opening, canceling or modifying a capital account, or depositing or withdrawing funds or other transactions;</p> <p>(2) opening a fund account;</p> <p>(3) opening, reporting the loss of, or canceling a securities account on behalf of the client, or applying for, reporting the loss of, or canceling trading serial number by futures clients;</p>	<p>Article 12</p> <p>Securities firms, futures companies, securities investment fund management companies and other institutions engaged in fund sales business shall conduct client due diligence, register the basic identity information of clients and maintain copies or photocopies of their valid identity certificates or other identity documents when handling the following businesses for clients:</p> <p>(1) brokerage business;</p> <p>(2) asset management business;</p> <p>(3) selling various financial products to clients who do not open an account therein, and the amount of a single transaction exceeds RMB50,000 or USD10,000 or its equivalent value in any foreign currencies;</p> <p>(4) margin trading and securities lending, stock pledge, repurchase</p>

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<p>(4) signing a futures brokerage contract with the client;</p> <p>(5) handling or canceling for the client an agency authorization;</p> <p>(6) transferring a trust, designating a transaction or canceling a designated transaction;</p> <p>(7) confirmation of shares on behalf of the client;</p> <p>(8) reporting the loss of a trading password;</p> <p>(9) modifying the basic information of the client's identity and other data;</p> <p>(10) using online trading, telephone trading or other over the counter trading methods;</p> <p>(11) signing a securities borrowing and lending contract or other credit transaction contracts; or</p> <p>(12) processing other transactions as determined jointly by PBoC and the China Securities Regulatory Commission.</p>	<p>agreement and other credit trading business;</p> <p>(5) over-the-counter derivatives trading and other over-the-counter business;</p> <p>(6) underwriting and sponsorship, financial advisory for merger, acquisition and reorganization of listed companies, appointed management of corporate bonds, recommendation of non-listed public companies, asset securitization and other services; and</p> <p>(7) other securities businesses for which client due diligence shall be conducted as required by PBoC and CSRC.</p>
	<p>Article 13 Paragraph I</p> <p>When concluding a life insurance contract or an insurance contract of investment nature with a client, an insurance company shall conduct client due diligence, confirm the relationship between the policyholder and the insured as well as the relationship between the insured and the beneficiary, register the basic identity information of the policyholder</p>

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	<p>and maintain copies or photocopies of the valid identity certificate or other identity documents of the policyholder; determine and verify the identity of the insured and the beneficiary, register the name, contact information, and the type, number and validity period of valid identity certificate or other identity documents of the insured and beneficiary and maintain copies or photocopies of their valid identity certificate or other identity documents. Where the aforesaid insurance contract does not specify the beneficiary but does so through description of characteristics, statutory inheritance or any other method, the insurance company shall determine and verify the identity of the beneficiary at the time of specifying the identity of the beneficiary or making indemnity or payment.</p>
<p>Article 12</p> <p>With regard to a property insurance contract, the premium of which is more than RMB10,000 or in any foreign currency equivalent to more than USD1,000 and is paid in cash, a life insurance contract, the premium of which for a single insurant is more than RMB20,000 or in any foreign currencies equivalent to more than USD2,000 and is paid in cash, or an insurance contract, the premium of which is more than RMB200,000 or in any foreign currencies equivalent to more than USD 20,000 and is paid through the transfer of account, an insurance company shall, when concluding an insurance contract with a client, determine and verify the identity of the policyholder and the insured, check the valid identity certificates or other identity documents of the policy holder and the named beneficiary in life insurance other than the</p>	<p>Article 13 Paragraph II</p> <p>With regard to a property insurance contract or a personal insurance contract such as health insurance or accident insurance with the premium amount of more than RMB50,000 or USD10,000 or its equivalent in any foreign currencies, an insurance company shall, when concluding an insurance contract with a client, determine and verify the identity of the policyholder and the insured, register the name, contact information, and the type, number and validity period of the valid identity certificate or other identity documents of the policyholder, the insured and the beneficiary and maintain copies or photocopies of the policyholder's valid identity certificate or other identity documents.</p>

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<p>insured and the heir at law, register the basic identities of the named beneficiary other than the policy holder, the insured and the heir at law, and maintain copies or photocopies of the valid identity certificates or other identity documents.</p>	
<p>Article 13</p> <p>In the event that a client applies for rescinding an insurance contract, if the refunded premium or refunded cash value for the insurance policy is more than RMB10,000 or in any foreign currencies equivalent to more than USD1,000, the insurance company concerned shall request the client to produce the original of the insurance contract or the original of the insurance certificate, check the client's valid identity certificate or other identity documents, and confirm the client's identity.</p>	<p>Article 14</p> <p>When a client applies for termination of an insurance contract, reduction of insurance amount or applies for a policy loan, if the premium refunded or the amount of loan provided is more than RMB10,000 or USD1,000 or its equivalent in any foreign currencies, an insurance company shall require the applicant to produce the insurance contract or insurance voucher, verify the identity of the applicant, register the reason for termination of an insurance contract, reduction of insurance amount or application for policy loan and return or pay the premium to the account of the policyholder himself/herself. If the premium cannot be returned or paid to the account of the policyholder himself/herself under any special circumstance, the insurance company shall register the reason and obtain the approval of the senior management.</p>
<p>Article 14</p> <p>Where, at the time of requesting an insurance company for a claim or insurance compensation by the insured or beneficiary of an insurance contract with the insurance company, the sum is more than RMB 10,000 or in any foreign currencies equivalent to more than USD 1,000, the insurance company shall check the valid identity certificate or other</p>	<p>Article 15</p> <p>With regard to a life insurance contract or any other insurance contract of investment nature, an insurance company shall, when making indemnity or payment of the insurance benefits, verify the identity of the insured and the beneficiary and maintain copies or photocopies of the valid identity certificate or other identity documents of the</p>

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<p>identity documents of the said insurant or beneficiary, confirm the relationship among the insured, the beneficiary and the policy holder, register the basic identities of the insured and the beneficiary, and maintain copies or photocopies of the valid identity certificates or other identity documents.</p>	<p>beneficiary.</p> <p>With regard to a property insurance contract or a personal insurance contract such as health insurance or accident insurance, if the amount claimed by the insured or the beneficiary for indemnity is more than RMB50,000 or USD10,000 or its equivalent value in any foreign currencies, the insurance company shall determine and verify the identity of the insured or the beneficiary, register the name, contact information, and the type, number and validity period of valid identity certificate or other identity documents of the insured or the beneficiary and maintain copies or photocopies of valid identity certificate or other identity documents of the insured or beneficiary.</p> <p>The insurance company shall pay the insurance benefits to the account of the insurance beneficiary, the insured or the designated payee. Where the insured or the beneficiary requests that the insurance benefits be paid to a third party other than the insured, the beneficiary or the designated payee, the insurance company shall confirm the relationship between the insured and the actual payee, or the relationship between the beneficiary and the actual payee, determine and verify the identity of the actual payee, register his/her name, contact information, and the type, number and validity period of his/her valid identity certificate or other identity documents and maintain copies or photocopies of his/her valid identity certificate or other identity documents.</p>
	<p>Article 16</p>

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	<p>When an insurance company enters into a pension security management contract with a client, it shall determine and verify the identity of the appointing party, register his/her basic identity information and maintain copies or photocopies of his/her valid identity certificate or other identity documents. When the amount collected is more than RMB50,000 or USD10,000 (or its equivalent value in any foreign currencies) in a single transaction, the insurance company shall determine and verify the identity of the beneficiary.</p>
	<p>Article 17</p> <p>A non-banking payment institution shall conduct client due diligence, register the client's basic identity information and maintain copies or photocopies of his/her valid identity certificate or other identity documents when handling any of the following business:</p> <p>(1) establishing a business relationship with the client by opening a payment account or any other means, or selling a real-name prepaid card to client or selling an anonymous prepaid card of more than RMB10,000 in a one-off manner;</p> <p>(2) providing a payment transaction for the client that does not open a payment account with the institution by signing a contract or tying up a card with the amount of more than RMB10,000 or USD1,000 (or its equivalent value in any foreign currencies) in a single transaction, or the cumulative bilateral receipt or payment within 30 days is more than RMB50,000 or USD10,000 or its equivalent value in any foreign</p>

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	<p>currencies; or</p> <p>(3) other circumstances prescribed by PBoC.</p>
	<p>Article 18</p> <p>Banks and non-banking payment institutions providing acquiring services for authorized merchants shall conduct client due diligence on the authorized merchants, register the basic identity information of the authorized merchants and their legal representatives or responsible persons and retain copies or photocopies of valid identity certificates or other identity documents of the authorized merchants and their legal representatives or responsible persons.</p>
<p>Article 15</p> <p>When setting up a trust, a trust company shall check the valid identity certificate or other identity documents of the principal, get to know the source of trust estate, register the basic identities of the principal and the beneficiary, and maintain copies or photocopies of the valid identity certificate or other identity documents.</p>	<p>Article 19</p> <p>When setting up a trust or handling the transfer of trust beneficiary rights for a client, a trust company shall determine and verify the identity of the trustor, understand the source of the trust property, register the basic identity information of the trustor and the beneficiary and maintain copies or photocopies of the trustor's valid identity certificate or other identity documents.</p>
	<p>Article 20</p> <p>Where the funds of a client are trust funds or the property is trust property, a financial institution shall, when establishing a business relationship with the client or providing a one-off transaction above the prescribed amount, determine the trustor, trustee, beneficiary or</p>

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	any other natural person who is ultimately and effectively in control of the trust property and register their names and contact information.
<p>Article 16</p> <p>Where a financial asset management company, finance company, financial leasing company, automobile finance company, currency brokerage company, insurance asset management company, or other financial institution as determined by PBoC signs a contract with its clients on financial business, it shall check the client's valid identity certificate or other identity documents, register the client's basic identities, and maintain copies or photocopies of the valid identity certificate or other identity documents.</p>	<p>Article 21</p> <p>When establishing a business relationship with a client, an insurance asset management company, financial asset management company, finance company of an enterprise group, financial leasing company, automobile finance company, consumer finance company, currency brokerage company, lending company, wealth management company or any other financial institution determined by PBoC shall determine and verify the identity of the client, register the basic identity information of the client and maintain copies or photocopies of the valid identity certificate or other identity documents of the client.</p> <p>Where a financial institution carries out the aforesaid business through any other institution, it shall comply with Article 39 of these Measures.</p>
	<p>Article 22</p> <p>During client due diligence, if the client is a legal person or an unincorporated organization, the financial institution shall determine and verify the identity of the client, understand the client's business nature, ownership and control structure and determine and take reasonable measures to verify the beneficial owner(s) of the client, i.e. one or more natural persons ultimately owning or actually controlling the legal person or the unincorporated organization identified by the following methods:</p>

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	<p>(1) natural person(s) directly or indirectly owning 25% or more of the equity or partnership interests in the legal person or the unincorporated organization;</p> <p>(2) natural person(s) independently or jointly exercising actual control over the legal person or the unincorporated organization, including but not limited to exercising control through agreement, kinship, etc., such as deciding on the appointment or dismissal of directors or senior management personnel, deciding on the formulation or implementation of major business operation or management decisions, deciding on financial revenues and expenditures, and dominating the use of material assets or major funds for a long period of time; or</p> <p>(3) natural person(s) directly or indirectly owning 25% or more of the rights to yields of the legal person or the unincorporated organization.</p> <p>A financial institution shall determine and verify the beneficial owner(s) of the client through a combination of the aforesaid three methods and determine the senior management personnel of the legal person or the unincorporated organization when the beneficial owner(s) is/are unable to be identified through any of the aforesaid methods.</p>
	<p>Article 23</p> <p>Where the beneficiary of a life insurance contract is a legal person or an unincorporated organization and has a relatively high risk, an insurance company shall, at the time of making indemnity or payment</p>

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	<p>of insurance benefits, take enhanced due diligence measures to determine and adopt reasonable measures to verify the beneficial owner of the beneficiary of the insurance policy.</p>
<p>Article 23</p> <p>In addition to checking the valid identity certificate or other identity documents of any of its clients, financial institutions may take one or several of the following measures to determine or re-determine a client's identity:</p> <ol style="list-style-type: none"> (1) requiring the client to make an addition by providing other identity data or documents; (2) revisiting the client; (3) conducting an on-site investigation of the client; (4) obtaining relevant verifications from public security authorities, administrative authorities for industry and commerce and other authorities; or (5) other measures which may be taken in accordance with law. <p>Where, at the time of performing its obligations of determining a client's identity, a banking financial institution needs to check the ID card of a relevant natural person in accordance with the provisions of laws, administrative regulations, or rules of the departments of the State Council, it shall proceed through the Online Verification System for</p>	<p>Article 24</p> <p>A financial institution shall verify the identity of a client through evidentiary materials, data or information from reliable and independent sources, including one or more of the following methods:</p> <ol style="list-style-type: none"> (1) verifying the identity of the client through the information obtained from the authorities in charge of public security, market regulation, civil affairs, taxation and immigration or through other channels made public by the government; (2) verifying the identity of the client through the information certified by a foreign government or an international organization; (3) supplementation of other identity materials or evidentiary materials by the client; and (4) other information sources recognized by PBoC. <p>Where a bank needs to verify the second-generation ID card of a relevant natural person pursuant to the provisions of laws, administrative regulations and departmental rules when performing the obligation of client due diligence, it shall conduct the verification through the Online Verification System for Citizen Identity</p>

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<p>Citizen Identity Information established by PBoC. At the time of determining the citizen identities of a natural person, other financial institutions may proceed through the Online Verification System for Citizen Identity Information established by PBoC.</p>	<p>Information established by PBoC.</p>
<p>Article 21</p> <p>Where financial institutions other than trust companies get to know or ought to know that the funds or property of their clients is trust estate, they shall determine the parties to the trust, register the names or titles and contact information of the settler and beneficiary respectively.</p>	
<p>Article 24</p> <p>Where a financial institution appoints another financial institution to sell financial products to its clients, it shall, in an appointment agreement, expressly specify the duties of the parties thereto in respect of determining its clients, the necessary assistance provided to each other by the parties thereto, and the effective measures for determining the clients' identities s taken accordingly by the parties thereto. If the following conditions are satisfied, a financial institution may rely on the results from the identification of its clients provided by a financial institution appointed with selling financial products and no longer repeats the finished procedures for determining its clients, but it shall bear the liability arising from a failure by a financial institution selling financial products to perform the obligations of determining its clients:</p> <p>(1) the measures for determining clients taken by a financial institution</p>	

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<p>selling financial products are in compliance with the requirements of anti-money laundering laws, administrative regulations and these Measures; and</p> <p>(2) a financial institution can effectively obtain and maintain the clients' identities.</p>	
	<p>Article 25</p> <p>A financial institution shall, at the time of establishing a business relationship or processing a one-off transaction, verify the identity of a client and its beneficial owner. Under the circumstance of effective management of money laundering and terrorist financing risks, for a normal transaction which is difficult to be interrupted, the financial institution may complete the verification of the identity of the client and its beneficial owner as soon as possible after establishing a business relationship. Where a financial institution handles any businesses for the client before completing the verification on the identities of the client and its beneficial owner, it shall take appropriate risk management measures.</p>
<p>Article 20</p> <p>Financial institutions shall confirm the existence of an agency relationship by reasonable means and shall, at the time of taking client identity identification measures against a client as required by these Measures, check the agent's valid identity certificate or other identity documents, register the agent's name or title, contact information, and</p>	<p>Article 26</p> <p>A financial institution shall take reasonable measures to confirm the existence of an agency relationship, and shall, at the time of conducting client due diligence in accordance with the relevant requirements of these Measures, determine and verify the identity of the agent, register the agent's name, contact information, and type and</p>

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type and number of the identity certificate or other identity documents.	number of its/his valid identity certificate or other identity documents and maintain copies or photocopies of the valid identity certificate or other identity documents of the agent.
<p>Article 18</p> <p>Financial institutions shall, in light of the characteristics of the clients or the nature of the clients' accounts and taking into account such factors as the region, business and industry involved, whether or not a client is an important political figure of a foreign country, classify risk levels for their clients and, on the basis of continuously paying attention thereto, adjust the risk levels at an appropriate time. Under the same conditions, the risk level of the clients from a country (or region) with weak supervision of anti money laundering and counter terrorist financing shall be higher than that of the clients from other countries (or regions).</p> <p>Financial institutions shall, in light of the risk levels of their clients or their clients' accounts, regularly examine the basic information of their clients, conduct a stricter examination of their clients or their clients' accounts with higher risk levels compared to the clients or the clients' accounts with lower risk levels, and conduct an examination of the clients or the clients' accounts with the highest risk levels at least every half year.</p> <p>Financial institutions shall submit their standards for classifying risk levels to PBoC.</p>	<p>Article 27</p> <p>When establishing a business relationship with a client, a financial institution shall, based on the information obtained from client due diligence, promptly assess the client's risks, classify the risk levels and determine the frequency and method of regular review of the client's identity status during the existence of the business based on the client's risk status. For a client with the highest risk level for money laundering or terrorist financing, a financial institution shall conduct review at least once a year.</p> <p>A financial institution shall continuously pay attention to any change in the client's risk status, transactions and identity information and promptly adjust the client's risk level for money laundering and terrorist financing.</p>

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<p>Article 19</p> <p>During the existence of the business with a client, financial institutions shall take continuous measures for the client identity identification, pay attention to the client and the client's daily business activities and financial transactions, and promptly remind the client of updating his/its information.</p> <p>With respect to a client or account holder with high risk level, financial institutions shall get to know the source and use of the client's funds, the client's economic or business conditions and other information, strengthen the monitoring and analysis of the client's activities of financial transaction. For an important political figure of a foreign country, financial institutions shall take reasonable measures to get to know the source and use of the client's fund.</p> <p>If the term of validity of the identity certificate or other identity documents previously submitted by the client has expired and the client fails to update them within a reasonable period of time, without giving a reasonable cause, financial institutions shall suspend serving the client.</p> <p>Article 22</p> <p>Under any of the following circumstances, financial institutions shall re-determine a client's identity:</p> <p>(1) if the client requests to modify its/his name or title, type of identity certificate or other identity documents, number of identity certificate,</p>	<p>Article 28</p> <p>During the existence of the business with a client, a financial institution shall continuously pay attention to and verify the client's identity status and transactions. Under any of the following circumstances, a financial institution shall verify the client's identity information it maintains and promptly update or supplement the client's identity certificate or other identity documents, identity information or other materials to confirm that various services and transactions it provides to the client are consistent with its understanding of the client's identity background, business needs, risk status and the source and purpose of the client's funds:</p> <p>(1) there are any abnormalities in the client's relevant acts or transactions, or there are any changes to the client's risk status;</p> <p>(2) a financial institution doubts the authenticity, validity and completeness of the client's identity information previously obtained;</p> <p>(3) the client requests to change its/his name, type of identity certificate or other identity documents, identity certificate number, business scope, legal representative or beneficial owner;</p> <p>(4) the client applies for changing the policyholder, the insured or the beneficiary of an insurance contract;</p> <p>(5) the term of validity of the identity certificate or other identity documents previously submitted by the client has expired; or</p>

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<p>the registered capital, scope of business, legal representative or principal;</p> <p>(2) if there is an unusual circumstance in the client's acts or transactions;</p> <p>(3) if the client's name or title is the same as that of a criminal suspect or a person involved in money laundering or terrorism financing whom financial institutions are required, in accordance with the law, by a relevant department or office of the State Council or the judiciary body to be investigated into or paid attention to;</p> <p>(4) if the client is suspected to be involved in a money laundering or terrorism financing activity;</p> <p>(5) if there is an inconsistency or conflict between the client's new information obtained by a financial institution and relevant information a financial institution has previously had;</p> <p>(6) if a financial institution doubts the authenticity, validity and completeness of the client's identity information previously obtained; or</p> <p>(7) other circumstances where a financial institution deems it necessary to re-determine the client's identity.</p>	<p>(6) other circumstances under which the client's identity status and transactions need to be paid attention to and examined.</p> <p>Where the term of validity of the identity certificate or other identity documents previously submitted by the client has expired, and the client fails to update within a reasonable period of time without giving a reasonable cause after a financial institution has performed the necessary notification procedures, a financial institution shall suspend serving the client.</p>
	<p>Article 29</p> <p>At the time of establishing a business relationship with a client or throughout the lifecycle of such business relationship, a financial</p>

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	<p>institution shall comprehensively take into account the client's characteristics, business relationship, nature and purpose of the transaction, source and purpose of funds and other factors. Enhanced due diligence measures shall be adopted based on the risk status where the client presents a high risk for money laundering or terrorist financing, or the client is a person investigated or announced by national judicial organs, law enforcement and supervisory authorities for suspected money laundering, terrorist financing and related crimes.</p>
	<p>Article 30</p> <p>For clients with high risk for money laundering or terrorist financing and other high-risk clients, a financial institution shall adopt one or a combination of the following enhanced due diligence measures corresponding to the risk status:</p> <p>(1) obtaining the relevant information on business relationship, purpose and nature of transactions and source and purpose of funds, and requiring the clients to provide supporting materials for verification where necessary;</p> <p>(2) understanding the clients' economic status or business status through onsite inspections, etc.;</p> <p>(3) strengthening monitoring and analysis of clients and their transactions;</p> <p>(4) increasing the frequency of information review and update of</p>

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	<p>clients and their beneficial owners; and</p> <p>(5) obtaining the approval from the senior management for the establishment and maintenance of business relationships with clients or the handling of business for clients.</p> <p>Upon adoption of enhanced due diligence measures, where a financial institution deems that there is a need to carry out risk management for money laundering or terrorist financing risks of the clients, it shall implement reasonable restrictions on the mode, scale, frequency, etc. of the clients' transactions; where the financial institution deems that the money laundering or terrorist financing risks of the clients exceed the risk management capacity of the financial institution, it shall reject the transaction or terminate the established business relationship.</p>
	<p>Article 31</p> <p>Where the financial institution determines that the money laundering or terrorist financing risks of a certain type of clients, business relationships or transactions are low upon risk assessment with adequate reasons, by referring to the following information while taking into account the client's characteristics and the purpose and nature of business relationship or transactions:</p> <p>(1) the national money laundering risk assessment report;</p> <p>(2) the relevant provisions and guidelines on AML, counter-terrorist financing and account management, risk warnings, analysis report on money laundering types and risk assessment report promulgated by</p>

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	<p>PBoC; and</p> <p>(3) other relevant provisions stipulated by laws and administrative regulations.</p> <p>When adopting simplified due diligence measures, the financial institution shall at least determine and verify the identity of the client, register the client's name, contact information, and the type, number and validity period of his/her valid ID card or other identity documents, and retain the identity materials as necessary for the client due diligence. For clients, business relationships or transactions for which simplified due diligence measures are adopted, the financial institution shall examine their risk status on a regular basis and adjust the scope of services and business functions provided based on their risk levels; where any clients, business relationships or transactions are suspected of money laundering or terrorist financing or are of high risks, the financial institution shall not adopt simplified due diligence measures.</p>
	<p>Article 32</p> <p>Where a financial institution is unable to complete due diligence measures stipulated in these Measures for a client, it shall refuse to establish a business relationship with the client, adopt the requisite restrictive measures or reject the transaction, or terminate the established business relationship and submit a report on suspicious transaction based on the risk profile.</p>

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	<p>Article 33</p> <p>Where a client is suspected of money laundering or terrorist financing and client due diligence may result in disclosure of confidential information, financial institutions may opt not to conduct client due diligence but shall submit a report on suspicious transaction.</p>
	<p>Section II Other Requirements</p>
<p>Article 6</p> <p>Where a financial institution establishes an agency relationship or a similar business relationship with an overseas financial institution, it shall collect sufficient information on the business, reputation, internal control, supervision and investigation received by the overseas institution, evaluate the supervision and investigation received by the overseas financial institution, the soundness and effectiveness of the anti-money laundering and counter-terrorist financing measures adopted by the overseas financial institution, and specify in writing the duties for itself and the overseas financial institution in respect of determining clients and maintaining clients' identity information and transaction records.</p> <p>Where a financial institution establishes agency relationship or similar business relationship with an overseas financial institution, it shall obtain the approval of its board of directors or other senior management.</p>	<p>Article 34</p> <p>Where a financial institution establishes an agency relationship or similar business relationship with an overseas financial institution, or accepts appointment to provide domestic securities and futures trading for an overseas broker or its clients, it shall understand the risk status of money laundering and terrorist financing of the country or region where the overseas institution is located, collect sufficient information on the agency nature, reputation, internal control, supervision and investigation received by the overseas institution, evaluate the supervision and investigation received by the overseas institution for anti-money laundering and counter-terrorism financing, and the soundness and effectiveness of anti-money laundering and counter-terrorism financing measures and specify the duties of a financial institution and the overseas institution in client due diligence and maintenance of clients' identity materials and transaction records.</p> <p>Where a financial institution establishes agency relationship or similar business relationship with an overseas financial institution or accepts</p>

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	<p>appointment to provide domestic securities and futures trading for an overseas broker or its clients, it shall obtain the approval of its board of directors or senior management responsible to the board of directors. A financial institution shall not establish agency relationship or similar business relationship with a shell bank and shall ensure that the agency does not provide any account for the shell bank to use.</p> <p>A financial institution shall continuously pay attention to and examine the supervision received by overseas institution for anti-money laundering and counter-terrorism financing, as well as the risk status of money laundering and terrorist financing of the country or region where the overseas institution is located, assess the risk level of the overseas institution and implement dynamic management.</p>
	<p>Article 35</p> <p>A financial institution shall take reasonable measures to determine whether a client or its beneficial owner is a senior political figure of a foreign country, a senior manager of an international organization, or a special interested party of the senior political figure of a foreign country or senior manager of an international organization. If the client or its beneficial owner is any of the aforesaid persons, a financial institution shall take risk management measures to get to know the source and purpose of the funds or property of the client or its beneficial owner, obtain the approval of the senior management when establishing or maintaining a business relationship with the client and</p>

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	<p>take intensified and continuous monitoring measures on the client and business relationship.</p> <p>If the beneficiary or its beneficial owner of a life insurance policy is a senior political figure of a foreign country, a senior manager of an international organization, or a special interested party of the senior political figure of a foreign country or senior manager of an international organization, an insurance company shall obtain the approval of the senior management when making indemnity or payment and take enhanced due diligence measures against the policyholder and the business relationship.</p>
<p>Article 10</p> <p>Where a policy bank, commercial bank, rural cooperative bank, urban credit cooperative, rural credit cooperative, any other financial institution or an institution engaged in remittance and exchange business remits funds out of China for a client, it shall register the name or title, account number, domicile of the remitter, the name, domicile and other information of the remittee, maintain the aforesaid information in a remittance voucher or a relevant information system and provide the overseas institution receiving the remittance with the name or title, account number, domicile and other information of the remitter. If the remitter does not open an account with the said financial institution and thus a financial institution cannot register the account number of the remitter, it may register and provide the overseas institution with other relevant information so as to ensure that the</p>	<p>Article 36</p> <p>A financial institution or institution engaged in remittance and exchange business shall, when remitting funds out of China for a client, register the name or title, account number and domicile of the remitter, the name or title, account number and other information of the payee, maintain the aforesaid information in a remittance voucher or a relevant information system and provide the overseas institution receiving the remittance with the name or title, account number, domicile and other information of the remitter. If the remitter does not open an account therein and a financial institution cannot register the account number of the remitter, it may register and provide the overseas institution with other relevant information so as to ensure that the transaction in question is traceable and auditable.</p> <p>Where a financial institution or an institution engaged in remittance</p>

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<p>transaction in question is traceable and auditable. If the domicile of the overseas remitter is not clear, a financial institution may register the name of the place where the overseas institution receiving the remittance is located.</p> <p>If a financial institution receiving remittance from abroad finds that the name or title, account number or domicile of the remitter is absent, it shall require the overseas financial institution to make corresponding supplement. If the remitter does not open an account with the overseas institution processing the remittance transaction and thus the domestic financial institution receiving the remittances cannot register the account number of the remitter, it may register other relevant information in order to ensure the transaction in question is traceable and auditable. If the domicile of the overseas remitter is not clear, the domestic financial institution may register the name of a place from which the funds are remitted.</p>	<p>and exchange business remits funds out of China for a client for an amount of more than RMB5,000 or USD1,000 or its equivalent value in any other foreign currency in a single transaction, it shall verify the identity of the remitter and ensure the accuracy of its/his information. If it is found that the client is involved in money laundering or terrorist financing, a financial institution shall take reasonable measures to verify the identity of the remitter, regardless of the amount of funds remitted out.</p> <p>When acting as an intermediary of cross-border remittance business, a financial institution shall completely transfer the information of the remitter and the payee attached to the remittance business, take reasonable measures to determine whether there is a lack of necessary information of the remitter and the payee and specify the corresponding circumstances of executing, refusing or suspending the aforesaid remittance business and the corresponding follow-up measures in light of the risk status.</p> <p>If a financial institution receiving remittance from abroad finds that the name or title, account number and domicile of the remitter are absent, it shall require the overseas institution to make supplements. If the remitter does not open an account with the overseas institution handling the remittance business and the domestic financial institution receiving the remittance cannot register the account number of the remitter, it may register other relevant information so as to ensure that the transaction in question is traceable and auditable.</p>

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	<p>Article 37</p> <p>When handling domestic remittances for clients, a financial institution and institution engaged in remittance and exchange business shall refer to the requirements set forth in Paragraphs 1 and 2 of Article 36 of these Measures. If the remittance institution cannot provide the remitter's information to the institution receiving the remittance in time, it shall at least provide the remitter's account number or other information that can ensure that the transaction in question is traceable and auditable and provide the remitter's information to the institution receiving the remittance or the relevant competent authority if so required.</p> <p>Any financial institution or institution engaged in remittance and exchange business that fails to meet the requirements for remittance business set forth in Article 36 and Paragraph 1 of Article 37 of these Measures shall not handle the remittance business for clients. Where a financial institution or institution engaged in remittance and exchange business conducts remittance business through its domestic or overseas branches, subsidiaries or agencies, it shall ensure that its domestic or overseas branches, subsidiaries or agencies comply with the relevant provisions on remittance business.</p>
<p>Article 17</p> <p>A financial institution providing over the counter services to clients via telephones, internet, ATMs or by other means shall implement strict identity authentication measures, and adopt corresponding technical</p>	<p>Article 38</p> <p>When a financial institution establishes non-face-to-face business relationship with clients or provides clients with financial services in accordance with laws via the internet, mobile communications and</p>

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<p>support methods so as to strengthen internal management procedures and determine clients' identities.</p>	<p>other information technologies, it shall establish an effective client identity verification mechanism and take effective measures to determine and verify clients' identities so as to confirm the authenticity of clients' identities and the reasonableness of transactions.</p>
<p>Article 25</p> <p>Where a financial institution appoints a third party which is not a financial institution to determine clients' identities, it shall satisfy all the following requirements:</p> <p>(1) it can prove that the third party has, pursuant to the requirements of anti money laundering laws, administrative regulations and these Measures, taken necessary measures for determining clients and preserving the clients' identity materials;</p> <p>(2) there is no hindrance in legal or technical terms, and other aspects for the third party to provide the information on any client to a financial institution; and</p> <p>(3) a financial institution can immediately obtain from the third party the information of a client when processing business for the client and may, if necessary, obtain from the third party the original, copy or photocopy of the valid identity certificate or other identity documents of the client.</p> <p>Where a financial institution appoints a third party to determine its clients' identities, it shall bear the liability arising from the failure by the third party to perform the obligations of determining its clients'</p>	<p>Article 39</p> <p>Where a financial institution carries out due diligence measures as specified in Items (1), (2) and (5) of Paragraph 1 of Article 7 of these Measures through a third party, it shall meet the following requirements and bear the liability for failure to fulfill the obligation of client due diligence:</p> <p>(1) the third party shall be subject to anti-money laundering and counter-terrorist financing supervision or monitoring;</p> <p>(2) a financial institution shall assess the third party's risk status and its ability to perform anti-money laundering and counter-terrorist financing obligations and ensure that the third party has taken client due diligence and measures to maintain clients' identities and transaction records in accordance with laws and regulations on anti-money laundering and counter-terrorist financing and the relevant requirements of these Measures; if the third party has a relatively high risk profile or does not have the ability to perform anti-money laundering and counter-terrorist financing obligations, a financial institution shall not determine the clients' identities through the third party;</p>

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<p>identities.</p>	<p>(3) a financial institution can immediately obtain necessary information for client due diligence from the third party; and</p> <p>(4) if necessary, a financial institution can immediately obtain copies or photocopies of the identity certificate or other identity documents and other materials obtained by the third party through client due diligence.</p> <p>The third party shall perform the corresponding client due diligence obligations in strict accordance with laws and contractual agreements, and shall provide necessary clients' identity information to the financial institution; where the financial institution has any doubts on the authenticity, accuracy or completeness of the clients' identity information, or suspects that the clients are involved in money laundering or terrorist financing activities, the third party shall cooperate with the financial institution in client due diligence. If the third party fails to cooperate with the financial institution in performing client due diligence obligations, it shall assume the corresponding liabilities.</p> <p>Where a financial institution identifies its clients through a third party other than a financial institution, it shall meet the requirements as specified in Items (2) to (4) of Paragraph 1 of this Article.</p>
	<p>Article 40</p> <p>Financial institutions shall cooperate with each other in client due diligence.</p>

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	<p data-bbox="1142 256 1290 288">Article 41</p> <p data-bbox="1142 328 2033 762">A financial institution shall establish and improve its working mechanism and timely obtain the list of organizations and persons suspected of terrorist activities and the list of persons suspected of money laundering and other relevant crimes to which attention shall be paid as required by PBoC. If there are reasonable grounds to suspect that a client or its transaction counterparty, or the funds or other assets of the client or its transaction counterparty are related to the list, a financial institution shall take due diligence and risk management measures. If it is otherwise provided for in laws, administrative regulations or rules, such provisions shall prevail.</p>

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	<p>Article 42</p> <p>A financial institution shall establish and improve its working mechanism and timely obtain the list of high-risk countries or regions and countries or regions under intensified monitoring promulgated by the international anti-money laundering organizations and the relevant Chinese authorities. For a client or a transaction from a high-risk country or region, a financial institution shall, in light of the business relationship and the risk status of the transaction, take enhanced due diligence measures and necessary risk management measures. For a client from a country or region under intensified monitoring, a financial institution shall pay attention to the risk status of the country or region where the client is located when conducting client due diligence and rating the risk status of the client.</p> <p>If a financial institution conducts client due diligence through an overseas third party, it shall fully consider the risk status of the country or region where the third party is located and shall not conduct client due diligence through a third party from a high-risk country or region.</p>
<p>Article 26</p> <p>A financial institution shall, when determining the clients' identity, report the following suspicious circumstances to the China Anti-Money Laundering Monitoring and Analysis Center and the local branches of PBoC:</p> <p>(1) if a client refuses to provide his valid identity certificate or other</p>	<p>Article 43</p> <p>When conducting client due diligence, a financial institution shall, <u>in light of the risk profile,</u> report the following suspicious activities to the China Anti-Money Laundering Monitoring and Analysis Center and the local branches of PBoC:</p> <p>(1) the client refuses to provide its/his valid identity certificate or other</p>

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<p>identity documents;</p> <p>(2) if, after submitting a request to an overseas institution remitting funds into China, a financial institution still cannot obtain a remitter's complete information such as the name or title, account number, domicile and other relevant substitute information;</p> <p>(3) if the refuses to update its/his basis information without justifiable excuses;</p> <p>(4) if a financial institution, after taking necessary measures, still has doubts over the authenticity, validity, and/or completeness of the identities previously obtained by it for the client; and</p> <p>(5) other suspicious activities detected by a financial institution at the time of performing its obligations of determining the clients' identity.</p> <p>A financial institution may, by reference to the Measures for Administration of Reporting of Large Amount Transactions and Suspicious Transactions by Financial Institutions (Order [2006] No.2 of PBoC) and other relevant provisions, report the aforesaid suspicious circumstances.</p>	<p>identity documents;</p> <p>(2) there are obvious reasons to suspect that the purpose and nature of the business relationship established by the client are related to money laundering, terrorist financing and other illegal and criminal activities;</p> <p>(3) after making a request to an overseas institution that remits funds into China, a financial institution still cannot completely obtain the name, account number and domicile of the remitter;</p> <p>(4) after taking necessary measures, a financial institution still has doubts over the authenticity, validity and completeness of the client's identity materials previously obtained; or</p> <p>(5) other suspicious activities detected when performing the obligation of client due diligence.</p> <p>A financial institution shall report the aforesaid suspicious activities in accordance with the relevant provisions of PBoC on the reporting of large-amount transactions and suspicious transactions by financial institutions.</p>
Chapter III Maintenance of Clients' Identity Information and Transaction Records	Chapter III Maintenance of Clients' Identity Information and Transaction Records
<p>Article 27</p> <p>Clients' identity information and transaction records that financial institutions shall maintain include various records and materials</p>	<p>Article 44</p> <p>The clients' identity materials that a financial institution shall maintain include various records and materials recording the clients' identity</p>

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<p>recording clients' identity information and materials and reflecting the identification of clients conducted by financial institutions.</p> <p>The transaction records that a financial institution shall maintain include data, business vouchers and account books on each transaction as well as the contracts, business vouchers, receipts, business letters and other materials reflecting the actual status of transactions as required by the relevant provisions.</p>	<p>information and reflecting the client due diligence conducted by a financial institution.</p> <p>The transaction records that a financial institution shall maintain include the data, business vouchers and account books on each transaction as well as the contracts, business vouchers, receipts, business letters and other materials reflecting the actual status of transactions as required by the relevant provisions.</p>
<p>Article 28</p> <p>A financial institution shall take necessary management and technical measures to prevent the loss, damage or disclosure of the clients' identity materials and transaction records.</p> <p>A financial institution shall take effective and practical measures to maintain their clients' identity information and transaction records so as to facilitate anti-money laundering investigation, supervision and administration.</p>	<p>Article 45</p> <p>A financial institution shall take necessary management and technical measures to gradually realize the complete and accurate maintenance of the clients' identity materials and transaction information via electronic means, protect the business secrets and personal information according to laws and prevent the loss, damage and disclosure of the clients' identity materials and transaction records.</p> <p>The maintenance method and management mechanism of the financial institution for clients' identity materials and transaction records shall be sufficient to reproduce and trace each and every transaction so as to facilitate the anti-money laundering work of the financial institution as well as the relevant anti-money laundering investigation, supervision and management.</p>
<p>Article 29</p> <p>A financial institution shall maintain the clients' identity materials and</p>	<p>Article 46</p> <p>A financial institution shall maintain the clients' identity materials and</p>

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<p>transaction records for the following periods:</p> <p>(1) the clients' identity materials shall be maintained for at least five years from the year when a business relationship closes or a one-off transaction is charged into an account; and</p> <p>(2) the transaction records shall be maintained for at least five years from the year in which a transaction is charged into an account.</p> <p>Where the clients' identity materials and transaction records are involved in suspicious transactions under an anti-money laundering investigation, and the anti-money laundering investigation will not be completed at the expiry of the minimum maintenance period as prescribed in the preceding paragraph, financial institutions shall maintain such materials or records until the anti-money laundering investigation is completed.</p> <p>Where the clients' identity materials or transaction records with different maintenance periods are maintained on same medium, such materials or records shall be maintained for the longest of such maintenance periods. Where the clients' identity materials or transaction records are maintained on different media, a financial institution shall maintain such materials or records on at least one of the media in accordance with the aforesaid maintenance period requirements.</p> <p>Where any laws, administrative regulations or other rules require a longer maintenance period for clients' identity materials and transaction</p>	<p>transaction records for the following periods:</p> <p>(1) the clients' identity materials shall be maintained for at least five years after the completion of a business relationship or a one-off transaction; and</p> <p>(2) the transaction records shall be maintained for at least five years after the completion of a transaction.</p> <p>Where any of the clients' identity materials and transaction records is involved in a suspicious transaction under an anti-money laundering investigation, and the anti-money laundering investigation will not be completed at the expiry of the minimum maintenance period as prescribed in the preceding paragraph, a financial institution shall maintain the related clients' identity materials and transaction records until the anti-money laundering investigation is completed.</p> <p>Where the clients' identity materials or transaction records with different maintenance periods are maintained on the same medium, such materials or records shall be maintained for the longest of such maintenance periods. Where the clients' identity materials or transaction records are maintained on different media, a financial institution shall maintain such materials or records on at least one of the media in accordance with the aforesaid maintenance period requirements.</p> <p>Where any laws or administrative regulations require a longer maintenance period for clients' identity materials and transaction</p>

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records, such provisions shall prevail.	records, such provisions shall prevail.
<p>Article 30</p> <p>Where a financial institution goes bankrupt or dissolves, it shall hand over its clients' identity materials and transaction records to the agency designated by PBoC, the China Banking Regulatory Commission (CBRC), the China Securities Regulatory Commission (CSRC) or the China Insurance Regulatory Commission (CIRC).</p>	<p>Article 47</p> <p>When a financial institution goes bankrupt or dissolves, it shall hand over its clients' identity materials, transaction records as well as the media containing such materials and records to the agency designated by PBoC, the China Banking and Insurance Regulatory Commission (CBIRC) or CSRC.</p>
Chapter IV Legal Liability	Chapter IV Legal Liability
<p>Article 31</p> <p>Any financial institution in violation of these Measures shall be punished by PBoC in accordance with Articles 31 and 32 of the <i>Anti-Money Laundering Law of the People's Republic of China</i>; PBoC shall, in light of different circumstances, advise CBRC, CSRC or CIRC to take the following measures:</p> <p>(1) ordering a financial institution to suspend business for internal rectification or revoking the business license thereof;</p> <p>(2) disqualifying the directly liable directors, senior management personnel and other directly liable persons from holding their positions and prohibiting them from working in the financial industry; and</p> <p>(3) ordering a financial institution to take disciplinary actions against directly liable directors and senior management personnel or other</p>	<p>Article 48</p> <p>Any financial institution in violation of these Measures shall be punished by PBoC in accordance with Articles 31 and 32 of the <i>Anti-Money Laundering Law of the People's Republic of China</i>; PBoC shall, in light of different circumstances, take or advise CBIRC and CSRC to take the following measures:</p> <p>(1) ordering a financial institution to suspend business for rectification or revoking its operating permit; or</p> <p>(2) disqualifying the directly liable directors, senior management personnel and other directly liable persons from holding their positions and prohibiting them from working in the financial industry.</p> <p>Where a sub-branch of PBoC in a county (or city) discovers that a financial institution violates these Measures, it shall report to the branch of PBoC at the next higher level, and the branch of PBoC at</p>

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<p>directly liable persons.</p> <p>Where a sub-branch of PBoC in a county (or city) discovers that a financial institution violates these Measures, it shall report to the branch of PBoC at the next higher level, and the branch of PBoC at the next higher level shall impose penalties or put forward suggestions in accordance with the provisions of the preceding paragraph.</p>	<p>the next higher level shall impose penalties or put forward suggestions in accordance with the provisions of the preceding paragraph.</p>
Chapter V Supplementary Provisions	Chapter V Supplementary Provisions
<p>Article 32</p> <p>These Measures shall not apply to the performance of obligations by insurance companies to determine the clients' identities when handling reinsurance business.</p>	<p>Article 49</p> <p>These Measures shall not apply to the performance of client due diligence obligations by insurance companies when handling reinsurance business.</p>
<p>Article 33</p> <p>The relevant terms in these Measures shall be defined as follows:</p> <p>“Basic identity information” of a natural-person client shall refer to the name, gender, nationality, occupation, domicile or employer address, contact details, and the type, number and validity period of his/her identity certificate or any other identity documents. Where the domicile of the client is inconsistent with his/her habitual residence, the habitual residence shall be registered.</p> <p>“Basic identity information” of a legal person, other organization or individual business client shall refer to the name, domicile, scope of business, organization code, and tax registration certificate number; the</p>	<p>Article 50</p> <p>The relevant terms in these Measures shall be defined as follows:</p> <p>Basic identity information of a natural person client shall refer to the name, gender, nationality, occupation, domicile or employer address, contact details, and the type, number and validity period of his/her identity certificate or any other identity documents. Where the domicile of the client is inconsistent with his/her habitual residence, the habitual residence shall prevail.</p> <p>Basic identity information of a legal person, unincorporated organization or individually-owned business client shall refer to the name, domicile, scope of business, and the name, number and validity</p>

The 2007 Measures	The 2022 Measures
<p>name, number and validity period for its license, certificate or document proving that the client is duly established or may engage in business or social activities according to laws; the name of the controlling shareholder or actual controller, legal representative, person-in-charge and the personnel authorized to handle the business, and type, number, and validity period of the identity certificates or any other identity documents of the controlling shareholder or actual controller, legal representative, person-in-charge and the personnel authorized to handle the business.</p>	<p>period of the license, certificate or document proving that the client is established according to laws or may engage in business or social activities according to laws; the name of the legal representative or person-in-charge and the personnel authorized to handle the business, and type, number and validity period of the identity certificate or any other identity documents of the legal representative or person-in-charge and the personnel authorized to handle the business; and the name, address of the beneficial owner, and type, number and validity period of the identity certificate or any other identity documents of the beneficial owner.</p>
<p>Article 34</p> <p>These Measures shall be interpreted by PBoC in conjunction with CBRC, CSRC and CIRC.</p>	<p>Article 51</p> <p>These Measures shall be interpreted by PBoC in conjunction with CBIRC and CSRC. Where a financial institution fails to meet the requirements for due diligence on existing clients with whom it has established business relationships or conducted transactions prior to the effective date of these Measures, it shall, within one year as of the effective date of these Measures, complete the due diligence on existing clients with a relatively high-risk level or above and complete the due diligence on all existing clients within two years as of the effective date of these Measures.</p>
<p>Article 35</p> <p>These Measures come into effect on 1 August 2007.</p>	<p>Article 52</p> <p>These Measures shall come into force on 1 March 2022, simultaneously superseding the <i>Measures for Administration of Distinguishing Clients' Identities and Preserving Data on Clients</i></p>

The 2007 Measures	The 2022 Measures
	<p><i>Identities and Transaction Records by Financial Institutions</i> (Order [2007] No. 2 of PBoC, CBRC, CSRC and CIRC). Where there are any discrepancies between these Measures and other provisions on client due diligence and maintenance of clients' identity information and transaction records promulgated prior to the effective date of these Measures, these Measures shall prevail.</p>