

Anti-Money Laundering Office Notification
Concerning Guideline for Identification and Verification
of Customers and Ultimate Beneficial Owners

In accordance with Article 17 (1) and (2) of Customer Due Diligence B.E. 2563 (2020), prescribing that financial Institutions and businesses and professions under Section 16 may identify the customer and the ultimate beneficial owner and verify the identity of customer and the ultimate beneficial owner using documents, data or information from reliable sources in addition to those obtained from the customer, and Article 9 of Prime Minister Office Notification on Customer Identification Procedures for Financial Institutions and Businesses and Professions under Section 16 requires financial institutions and businesses and professions under Section 16 to set out and implement customer verification measures to examine correctness and authenticity of supporting information and evidences submitted for identification of a customer.

By virtue of Article 17 paragraph two of the Ministerial Regulation on Customer Due Diligence B.E. 2563 (2020), the Secretary-General of the Anti-money Laundering Board hereby issues a notification as follows;

Article 1 This Notification shall come into force on the day following the date of its publication in the Government Gazette.

Article 2 The following Notifications shall be revoked.

(1) Anti-Money Laundering Office Notification Re: Guidelines for Identification of Customers and Ultimate Beneficial Owners, dated 11 October 2013.

(2) Anti-Money Laundering Office Notification Re: Guidelines for Identification of Customers and Ultimate Beneficial Owners, dated 3 March 2017.

Article 3 Where a customer is a natural person, after having such customer identified oneself in accordance with Prime Minister Office Notification on Customer Identification Procedure for Financial Institutions and Businesses and Professions under Section 16, the financial institution or business or profession under Section 16 shall identify and verify such customer's identification according to risk of product or service resulted from organizational risk assessment and risk assessment for new product or service, which, at the minimum shall;

(1) Where the customer uses low risk product or service, financial institution or business or profession under Section 16 shall identify and verify customer from completed identification information and examine whether the information is correct and up-to-date from reliable information source, including, verify whether the customer is truly the owner of such information or evidence. Identification verification of a customer either with or without physical presence shall;

(A) Where a national identity card is used as identification evidence, one of the following procedures or any other equally reliable procedures shall be conducted as appropriate.

1) Verifying such information using smart ID card reader which connected to electronic verification system of a government agency.

2) Verifying such information using smart ID card reader and comparing against information appears on ID card of such customer.

3) Verifying such information against other government agency's database.

4) Examining and verifying the correctness of such information by the officers that such customer is the owner of such information.

(B) Where a passport is used as identification evidence, one of the following procedures or any other equally reliable procedures shall be conducted as appropriate.

1) Using electronic data retrieved from the passport such as data from near field communication technology to compare against information appears on the passport.

2) Examining and verifying the correctness of such information by the officers that such customer is the owner of such information.

Where verification is undertaken on a face-to-face customer, photograph of customer shall be taken and recorded for comparing with photograph of customer appears on identity card, passport or such other reliable information or evidence to ensure authenticity of such customer in place of physical presence.

(2) Where a customer uses high risk product or service, financial institution or business or profession under Section 16 shall identify and verify customer from completed identification information and acquire other information prescribed in Ministerial Regulation on Customer Due Diligence of 2020. It shall at the minimum include the followings;

(A) In verification of a face-to-face customer, financial institutions and businesses and professions under Section 16 shall examine correctness, fact and recentness of information and identification information acquiring from verification or identification of customer from reliable data source as well as ensure that the customer is the genuine owner of information and evidence.

1) Where a smart ID card is used as identification evidence, information shall be examined by using smart ID card reader through electronic examination system of government agency or any other procedures having equivalent reliability.

2) Where a passport is used as identification evidence, data from the passport such as data retrieved from near field communication technology shall be compared with information on the passport and examination of other documents issued by government of the Kingdom of Thailand or government agency of citizenship or any other procedures having equivalent reliability.

3) Other method having equivalent reliability or biometric technology may be used to increase efficiency in customer verification.

(B) In verification of a non-face-to-face customer, financial institutions and businesses and professions under Section 16 shall examine correctness, fact and recentness of information and identification information acquiring from reliable data source including shall prove that the customer is an authentic owner of information and evidence.

1) Where a smart ID card is used as identification evidence, information shall be examined by using smart ID card reader through electronic examination system of government agency or any other procedures having equivalent reliability.

2) Where a passport is used as identification evidence, data from the passport such as data retrieved from near field communication technology shall be compared with information on the passport and examination of other documents issued by government of the Kingdom of Thailand or government agency of citizenship or any other procedures having equivalent reliability.

In implementation under 1) and 2), photograph of customer shall be taken and recorded and advanced technology under international standard or acceptable standard shall be used for comparing photograph of customer with biometric data retrieved from the smart ID card or electronic data retrieved from the passport to ensure that such person is genuinely the customer in place of their physical presence or any other method having equivalent reliability.

(3) Where a customer uses product or service not falling under circumstances under (1) and (2), financial institutions and businesses and professions under Section 16 shall identify and verify customer from completed identification information and acquire other information as prescribed in Ministerial Regulation on Customer Due Diligence of 2020, which shall at the minimum include the followings;

(A) In verification of a face-to-face customer, financial institutions and businesses and professions under Section 16 shall examine correctness, fact and recentness of information and identification information acquiring from verification or identification of customer from reliable data source as well as ensure that the customer is the genuine owner of information and evidence.

1) Where a smart ID card is used as identification evidence, one of the following procedures may be conducted.

1.1) Verifying such information using smart ID card reader which connected to electronic verification system of a government agency.

1.2) Verifying such information using smart ID card reader and comparing against information appears on ID card of such customer.

1.3) Verifying information appears on ID card and ID card status through electronic examination system of government agency.

1.4) Verifying such information against other government agency's database.

2) Where a passport is used as identification evidence, data from the passport such as data retrieved from near field communication technology shall be compared with information on the passport. In a case where information could not be retrieved from near field communication reading, comparison may be made against other documents issued by government of the Kingdom of Thailand or government agency of citizenship.

3) Other method having equivalent reliability or biometric technology may be used to increase efficiency in customer verification.

(B) In verification of a non-face-to-face customer, financial institutions and businesses and professions under Section 16 shall examine correctness, fact and recentness of information and identification information acquiring from reliable data source including shall prove that the customer is an authentic owner of information and evidence.

1) For using smart identity card as identification information, one of the following procedures may be conducted.

1.1) Verifying such information using smart ID card reader and comparing against information appears on ID card of such customer.

1.2) Verifying information appears on ID card and ID card status through electronic examination system of government agency.

2) Where a passport is used as identification evidence, data from the passport such as data retrieved from near field communication technology shall be compared with information on the passport. In a case where information could not be retrieved from near field communication reading, comparison may be made against other documents issued by government of the Kingdom of Thailand or government agency of citizenship.

For implementation under 1) and 2), photograph of customer shall be taken and recorded and advanced technology under international standard or acceptable standard shall be used for comparing photograph of customer with biometric data retrieved from the smart ID card or electronic data retrieved from the passport to ensure that such person is genuinely the customer in place of their physical presence or any other method having equivalent reliability.

Article 4 Where a customer is a legal person, after conducting customer identification in accordance with Prime Minister Office Notification on Customer Identification Procedures for Financial Institutions and Businesses and Professions under Section 16, the financial institution or business or profession under Section 16 shall, at the minimum, perform following identification and verification on such customer;

(1) Where the customer uses low risk product or service, financial institution or business or profession under Section 16 shall identify and verify customer from completed identification information and acquire other information as prescribed in Ministerial Regulation on Customer Due Diligence of 2020, which shall at the minimum include the followings;

(A) For a legal person registered in Thailand, a registration certificate issued by the registrar within six months shall be examined.

(B) For a legal person not registered in Thailand, evidence of legal status issued by a reputable agency or organization within six months shall be examined.

(C) For a government agency, governmental organization, state enterprise or any other government agency who is a juristic person; a letter of intent to conduct a transaction, a letter of authorization or a power of attorney shall be examined.

(D) For a cooperative, foundation, association, club, temple, mosque, shrine, and any other legal person of a similar nature; a letter of intent to conduct a transaction, a registration certificate issued by the relevant agency, a letter of authorization or a power of attorney shall be examined.

(2) Where a customer uses high risk product or service, financial institution or business or profession under Section 16 shall identify and verify customer from completed identification information and acquire other information prescribed in Ministerial Regulation on Customer Due Diligence of 2020 and shall also examine information and evidence against government agency's database as follows;

(A) For a legal person registered in Thailand, a registration certificate issued by the registrar within six months shall be examined.

(B) For a legal person not registered in Thailand, evidence of legal status issued by a reputable agency or organization within six months shall be examined.

(C) For a government agency, governmental organization, state enterprise or any other government agency who is a juristic person; a letter of intent to conduct a transaction, a letter of authorization or a power of attorney shall be examined.

(D) For a cooperative, foundation, association, club, temple, mosque, shrine, and any other legal person of a similar nature; a letter of intent to conduct a transaction, a registration certificate issued by the relevant agency, a letter of authorization or a power of attorney shall be examined.

(3) Where a customer uses product or service not falling under circumstances under (1) and (2), financial institutions and businesses and professions under Section 16 shall identify and verify customer from completed identification information and acquire other information as prescribed in Ministerial Regulation on Customer Due Diligence of 2020, and may examine information and evidence against government agency's database, which shall be as follows;

(A) For a legal person registered in Thailand, a registration certificate issued by the registrar within six months shall be examined.

(B) For a legal person not registered in Thailand, evidence of legal status issued by a reputable agency or organization within six months shall be examined.

(C) For a government agency, governmental organization, state enterprise or any other government agency who is a juristic person; a letter of intent to conduct a transaction, a letter of authorization or a power of attorney shall be examined.

(D) For a cooperative, foundation, association, club, temple, mosque, shrine, and any other legal person of a similar nature; a letter of intent to conduct a transaction, a registration certificate issued by the relevant agency, a letter of authorization or a power of attorney shall be examined.

Article 5 After completion of identification of a customer under Article 3 and Article 4, financial institutions and businesses and professions under Section 16 shall assess risk of each customer by considering risk factors prescribed in 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. Where overall risk of a customer is high, financial institutions and businesses and professions under Section 16 shall consider additional identification procedures by requesting for additional information or examining other information other than information prescribed in Ministerial Regulation on Customer Due Diligence of 2020, such as, utility payment for the house or place of business, copies of business contract or agreement between the customer and a third party that could prove actual business operation or reference of business relationship with other reputable financial institutions, etc.

Article 6 Identification of ultimate beneficial owners of a customer under Article 20 (2) of Ministerial Regulation on Customer Due Diligence of 2020, financial institutions and businesses and professions under Section 16 shall acquire sufficient information relating to the ultimate beneficial owners to prove that they are the natural person who are recognized by laws of any country and has relationship with the customer, which shall focus on business relationship unless there is other information suggesting that such person is the ultimate beneficial owner of the customer without any business relationship, such as, being a family member, political involvement, or any other commitment, etc. The information for identification of ultimate beneficial owners under this Article shall be sufficient for actions under Article 17 (3) of Ministerial Regulation on Customer Due Diligence of 2020 to be taken.

Article 7 In the case that financial institutions and businesses and professions under Section 16 are required to comply with other laws relating to identification and verification of customers and ultimate beneficial owners which are more stringent than this Notification, such law shall be followed.

Article 8 Financial institutions and businesses and professions under Section 16 shall revise policies and procedures to be in line with this Notification and shall implement accordingly within 240 days from the date this Notification came into force.

Given on 20th January 2021

Police Major General Preecha Jaroensahayanon

Deputy Secretary-General

Acting Secretary-General of the Anti-Money Laundering Board