

Anti-Money Laundering Office Notification
Re: Guidelines for Prescribing Factors
for Customer Risk Consideration in Relation to Areas or Jurisdictions

By Virtue of Article 13 (2) of the Ministerial Regulation on Customer Due Diligence for Businesses and Professions under Section 16 Paragraph One (2), (3), (4), (5), (6), (7), (8) and (10) B.E. 2559 (2016), the Secretary General of the Anti-Money Laundering Board hereby issues the Notification of the Anti-Money Laundering office 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 Businesses and professions under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) shall undertake money laundering and terrorism financing risk management with every customer in order to set out appropriate customer due diligence measures under Article 11 of Ministerial Regulation on Customer Due Diligence for Businesses and Professions under Section 16 Paragraph One (2), (3), (4), (5), (6), (7), (8) and (10) B.E. 2559 (2016).

Article 3 Businesses and professions under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) shall classify areas or jurisdictions listed in the Financial Action Task Force's Public Statement for not applying or not sufficiently applying International Standards in Anti-Money Laundering and Combating the Financing of Terrorism as areas or jurisdictions having high risk in money laundering and terrorism financing.

Article 4 Businesses and professions under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) shall also classify the following areas as having high risk in money laundering and terrorism financing;

(1) The area under State of Emergency Notification under emergency law on government administration under state of emergency

(2) The area prescribed by the Office as high money laundering and terrorism financing risk areas, which will be specifically prescribed only in case where there is situation causing high risk. Announcement or notification under this Article will consider the security of government information on ad hoc basis.

Article 5 Businesses and professions under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) may prescribe other area or jurisdiction as having high money laundering and terrorism financing risk by considering the following;

(1) Area or jurisdiction that was assessed by reputable organization or international organization as not applying or not sufficiently applying anti-money laundering and combating the financing of terrorism measures.

(2) Area or jurisdiction that was barred or sanctioned or prohibited from international trade by United Nations or distinguished international organization.

(3) Area or jurisdiction that was assessed by reputable organization or international organization as having high corruption or serious crime rate.

(4) Area or jurisdiction that was assessed by reputable organization or international organization as being a hub for terrorism, terrorism financing or having terrorist organization operation.

(5) Area or jurisdiction reported from other law enforcement agency as having high risk in serious crime which is predicate offense.

Article 6 In the case where business or profession under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) found other factors that alter assumption relating to area or jurisdiction under Article 3 or Article 4, i.e. lower money laundering and terrorism financing risk. For example, customer holds nationality of risk area or jurisdiction under Article 3 or Article 4 or Article 5 but migrated to Thailand permanently, and there is no further transaction or business relationship with risk area or jurisdiction. Business or profession under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) may consider lower risk level in accordance with appropriate assessment, in conjunction with other information on risk factors of that customer.

Article 7 Risk factor consideration with regard to area or jurisdiction under this Notification shall be for the purpose of money laundering and terrorism financing risk management, which is internal risk management within business or profession under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10). In case business or profession under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) found out that the customer is high risk from area or jurisdiction, business or profession under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10) may consider reject relationship establishment or terminate relationship and shall be taken as internal risk management within business or profession under Section 16 paragraph one (2), (3), (4), (5), (6), (7), (8) and (10).

Article 8 Provisions under this Notification shall apply to occasional customer, *mutatis mutandis*.

Given on 3 March B.E. 2560 (2017)
Police General Chaiya Siriamphankul
Secretary General of the Anti-Money Laundering Board