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舉報可疑交易 – 法律責任與保障、 統計數字及個案分享

香港警務處 高級督察 葉啟銘先生

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Joint Financial
Intelligence Unit



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◆ 關於聯合財富情報組

◆ 主要法例

◆ 可疑交易報告 (STR)

◆ 個案分享



◆ 關於聯合財富情報組

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關於聯合財富情報組

- ▶ 成立於1989年
- ▶ 由香港警務處及香港海關人員組成
- ▶ 負責管理本港可疑交易舉報機制的唯一機構
- ▶ 與世界各地的財富情報單位及執法機關交換財富情報
- ▶ 由1996年起為埃格蒙特組織成員 (Egmont Group)
- ▶ 重組組織架構 - 「財富情報及調查科」(FIIB) (2021年第二季)



關於聯合財富情報組



本組職責

- 就可疑交易報告進行行動分析
- 與世界各地交換財富情報及資訊
- 就財富情報及其他資訊進行策略分析
- 就洗錢及恐怖分子資金籌集活動趨勢和類型學進行研究
- 運作可疑交易報告管理系統 (STREAMS)
- 為防止繼續處理可疑財產的臨時措施提供支援
- 參謀本地及國際打擊洗錢及恐怖分子資金籌集的政策事宜
- 籌辦打擊洗錢及恐怖分子資金籌集培訓及外展活動



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主要法例

1989

Drug Trafficking (Recovery of Proceeds) Ordinance(DTROP, Cap. 405)
販毒(追討得益)條例 (第405章)

1994

Organized and Serious Crimes Ordinance (OSCO, Cap. 455)
有組織及嚴重罪行條例 (第455章)

2002

United Nations (Anti-Terrorism Measures) Ordinance (UNATMO, Cap. 575)
聯合國(反恐怖主義措施)條例 (第575章)

2012

AML & CFT (Financial Institutions) Ordinance (AMLO, Cap. 615)
打擊洗錢及恐怖分子資金籌集(金融機構)條例 (第615章)

2018

Amendment of AMLO, Cap. 615
打擊洗錢及恐怖分子資金籌集條例(第615章)的修訂



主要法例 (打擊洗錢)

如有人

- 知道或有合理理由相信
- 任何財產
- 全部或部分、直接或間接代表任何人的販毒 / 從可公訴罪行的得益而仍處理該財產

即屬犯罪

最高刑罰:

罰款\$5,000,000及監禁14年

《販毒(追討得益)條例》(第405章) 第25條

《有組織及嚴重罪行條例》(第455章) 第25條

主要法例 (打擊恐怖分子資金籌集)

任何人不得在下述情況以任何方法直接或間接**提供或籌集財產**

- **懷有將該財產的全部或部分用於作出一項或多於一項恐怖主義行為的意圖**(不論該財產實際上有否被如此使用); 或
- 知道該財產的全部或部分將會用於作出一項或多於一項**恐怖主義行為**(不論該財產實際上有否被如此使用)

最高刑罰:
罰款及監禁14年

《聯合國(反恐怖主義措施)條例》(第575章) 第7條

主要法例 (可疑交易舉報的法律責任)

凡任何人知道或懷疑任何財產是 ——

(a) 全部或部分、直接或間接代表任何人的販毒得益；

(b) 曾在與販毒有關的情況下使用；或

(c) 擬在與販毒有關的情況下使用，

該人須在合理範圍內盡快把該知悉或懷疑，連同上述知悉或懷疑所根據的任何事宜，向獲授權人(聯合財富情報組)披露。

最高刑罰：

**第5級罰款(50,000港元)及
監禁3個月**

《販毒(追討得益)條例》(第405章) 第25A(1)條

《有組織及嚴重罪行條例》(第455章) 第25A(1)條

《聯合國(反恐怖主義措施)條例》(第575章) 第12(1)條



主要法例 (可疑交易舉報的法律責任)

任何人如知道或懷疑已有任何披露根據第(1)或(4)款作出，而仍向其他人披露任何相當可能損害或者會為跟進前述披露而進行的調查的事宜，即屬犯罪。

最高刑罰：
罰款\$500,000及監禁3個月

《販毒(追討得益)條例》(第405章) 第25A(5)條

《有組織及嚴重罪行條例》(第455章) 第25A(5)條

《聯合國(反恐怖主義措施)條例》(第575章) 第12(5)條



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可疑交易報告(STR)作用



可疑交易報告(STR)作用

← 公私營機構合作→

舉報機構

金融機構及
指定非金融企業及行業

客戶盡職審查(CDD)
+ 認識你的客戶(KYC)

備存記錄

內部監控

提交可疑交易報告

財富情報單位

聯合財富情報組

可疑交易報告機制

情報交換

國際合作

培訓與外展

執法機關

警方、海關、廉政公署等

財富調查

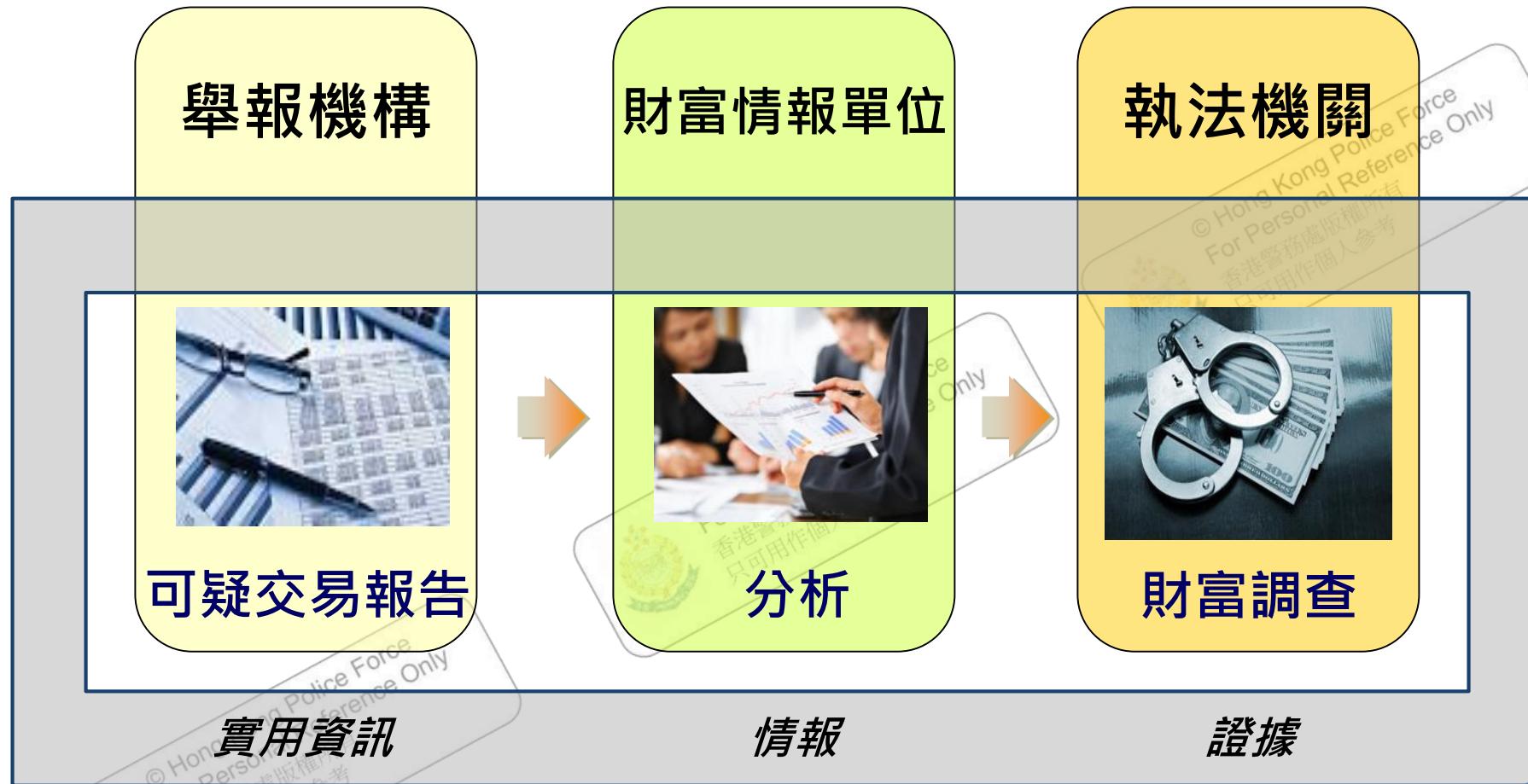
資產追查

限制及沒收

相互法律協助

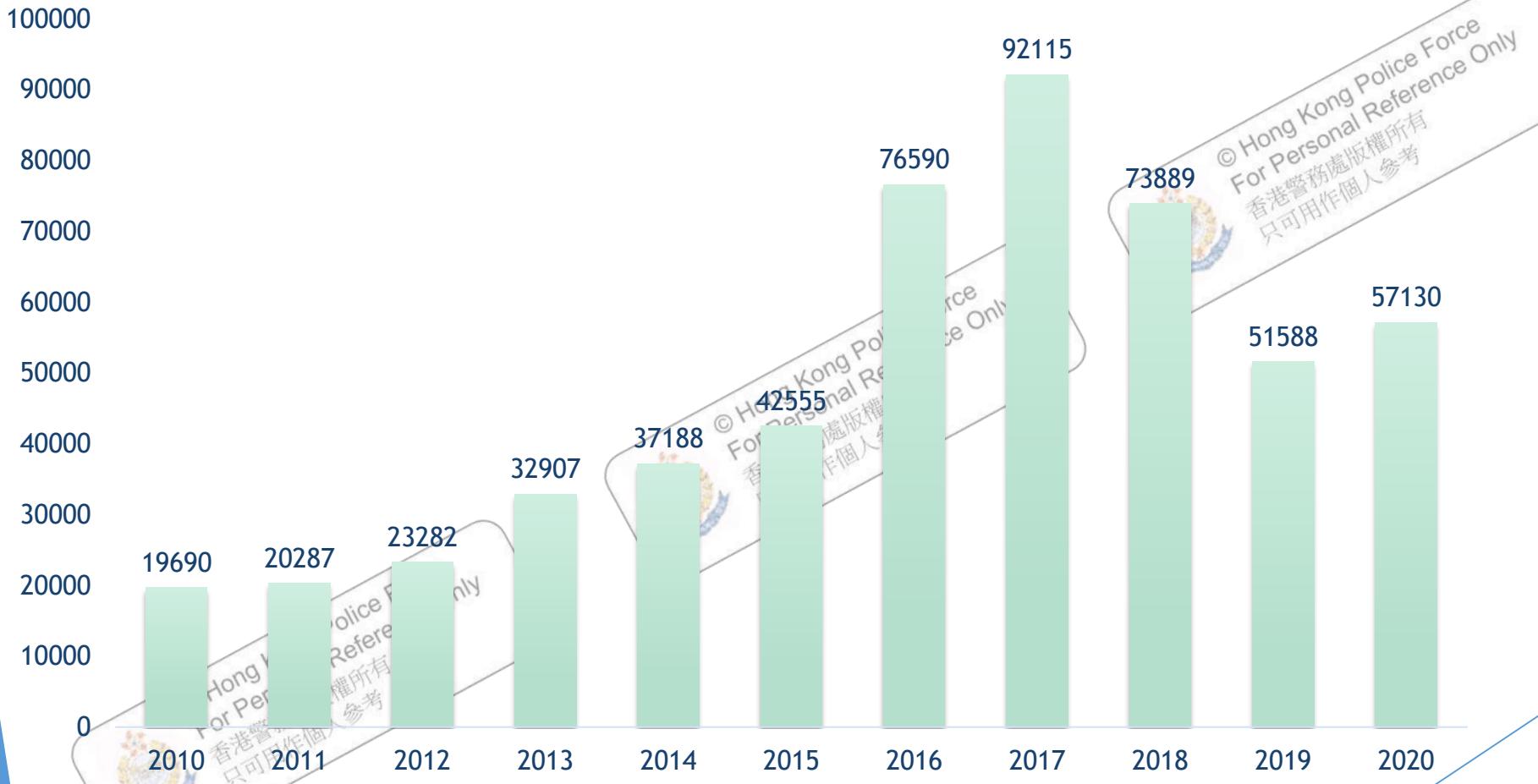


可疑交易報告(STR)訊息流向



可疑交易報告的統計資料

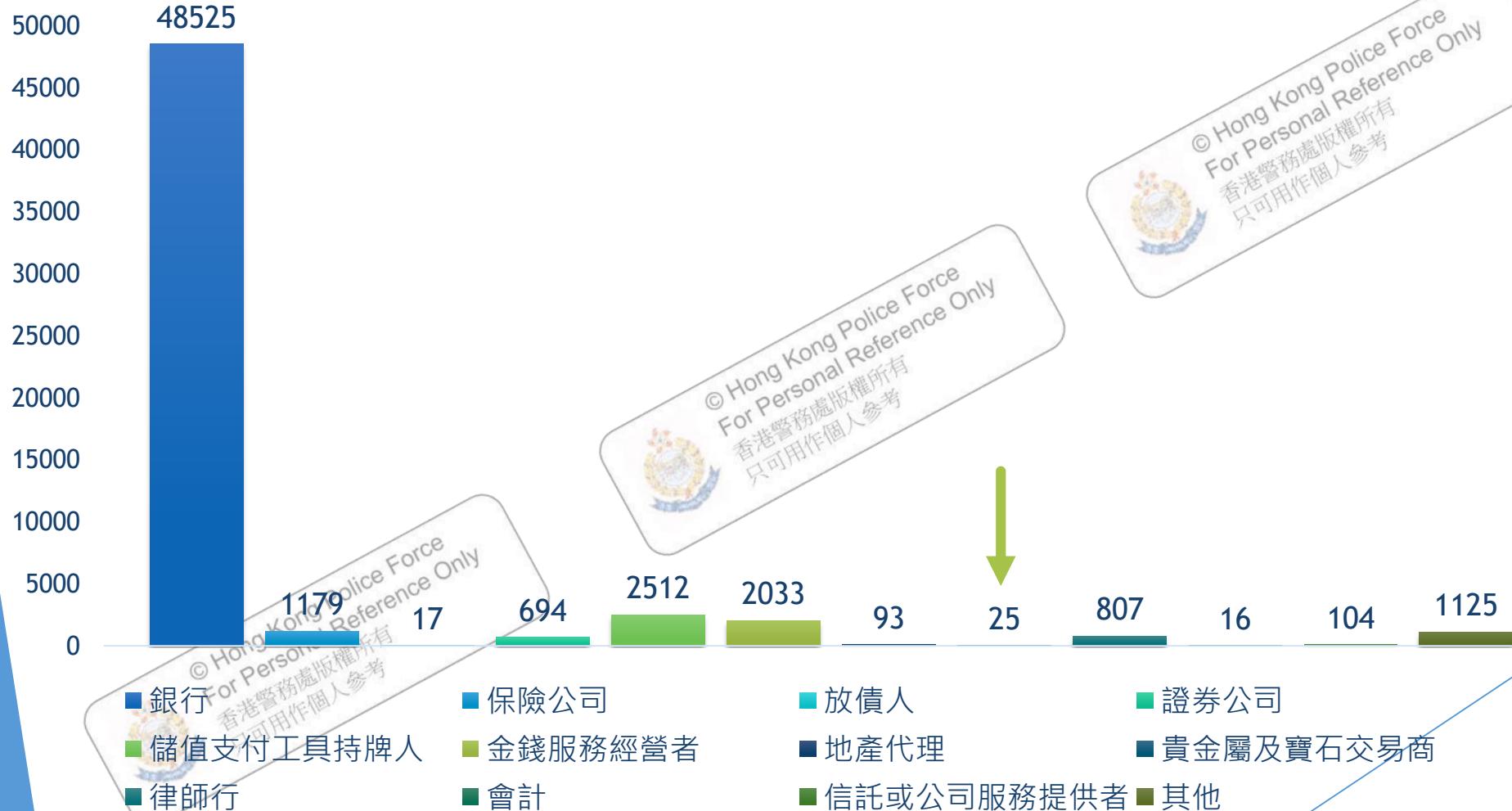
2010-2020年接獲的可疑交易報告數字



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可疑交易報告的統計資料

2020年接獲的可疑交易報告數字(不同行業)

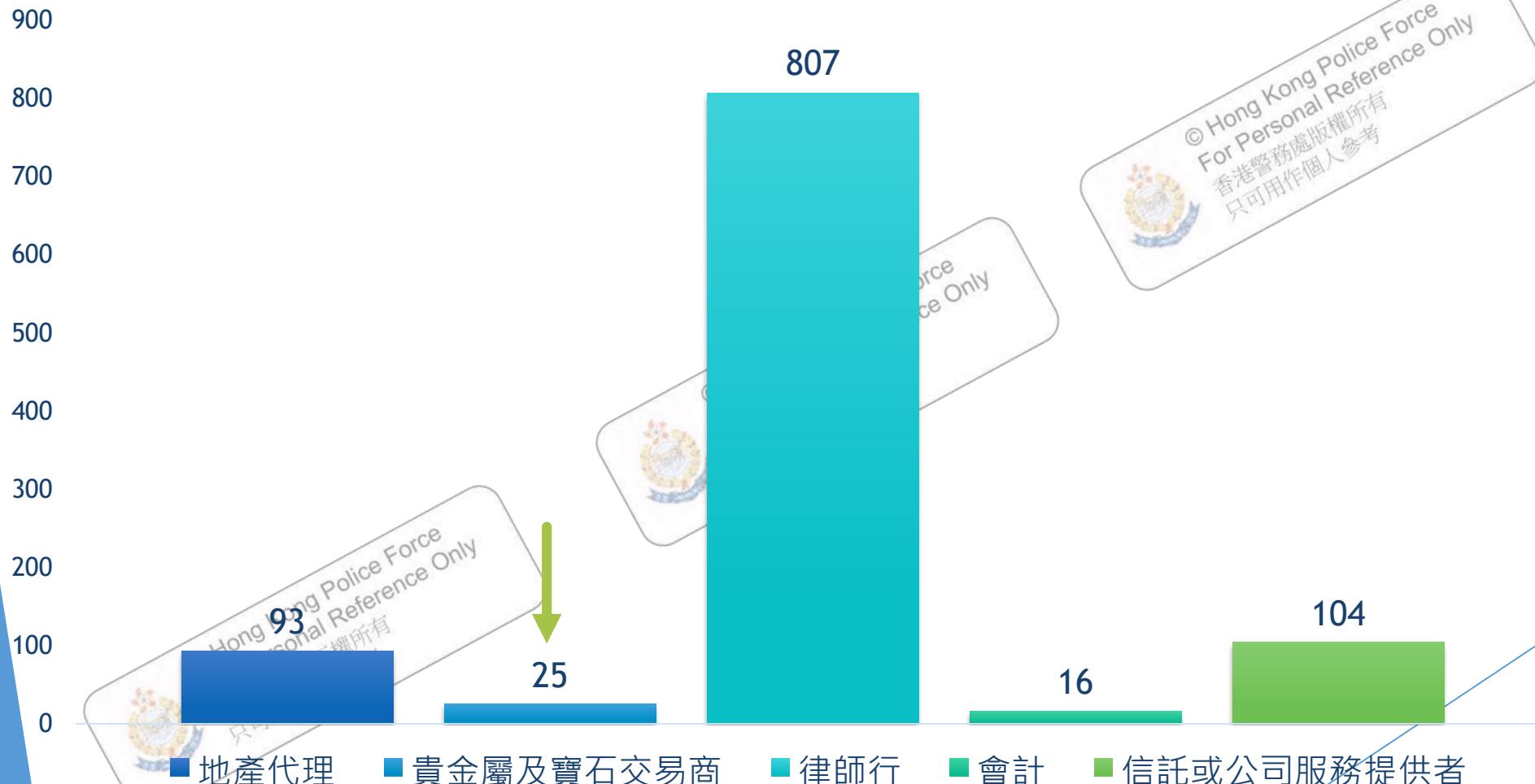


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可疑交易報告的統計資料

2020年接獲的可疑交易報告數字(指定非金融企業及行業)



報告方式

怎樣向聯合財富情報組舉報？

請以下列其中一種方式，遞交可疑交易報告：

- 網上舉報 – 可疑交易報告管理系統網上舉報表格
- 電郵 – 電郵地址jfiu@police.gov.hk



- 傳真 – 傳真號碼：(852) 2529 4013



- 郵遞 – 請寄往香港郵政總局信箱6555號聯合財富情報組收



- 電話 – (852) 2866 3366（只限於辦公時間內提供緊急報告之用）



STREAMS



如要經可疑交易報告管理系統舉報，請填寫 **申請表** 及交回聯合財富情報組(傳真 – 傳真號碼：
(852) 2529 4013或 電郵 – 電郵地址jfiu@police.gov.hk). 如需進一步的資料，請聯絡聯合財富情
報組人員。

標準設計的表格

(STR Summary) (Reporting Body) (Subject) (Organization) (Phone) (Address) (Account) (Transaction)
 Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Subject

Sequence No: 1

English Name:	Family Name: _____	Given Name: _____	Middle Name: _____	
Chinese Name:	CCC: <input type="text"/>	HKID: <input type="text"/> (<input type="text"/>)	+ -	
Other ID	Type: _____	if Others: _____		
	+ -	ID No.: _____	Country: _____	
DOB:	_____	Gender:	<input type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> U	Occupation: _____
Nature:	_____			
Phone:	_____			
Email:	_____			
Address:	_____			
Additional Information:	_____			



(STR Summary) (Reporting Body) (Subject) (Organization) (Phone) (Address) (Account) (Transaction)
 Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Account

Sequence No: 1

Account Institution:	_____		
Account Number:	_____	Account Type: _____	if Others: _____
Opening Date:	_____	Closing Date:	_____
Balance:	Currency: HKD	Amount: + -	Date: _____
Related Person:	_____	Role: _____	if Others: _____
Related Company:	_____	Role: _____	if Others: _____
Additional Information:	_____		



可疑交易報告填寫

(STR Summary) Reporting Body Subject Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

REPORT MADE UNDER SECTION 25A OF THE
DRUG TRAFFICKING (RECOVERY OF PROCEEDS) ORDINANCE OR
ORGANIZED AND SERIOUS CRIMES ORDINANCE/
SECTION 12 OF THE UNITED NATIONS (ANTI-TERRORISM MEASURES) ORDINANCE
TO THE JOINT FINANCIAL INTELLIGENCE UNIT ("JFIU")

STR Summary	
STR Number:	_____
Submission Number:	_____
Date of Submission:	_____
Acknowledgement Issue Date:	_____
Consent Letter Issue Date:	_____
Consent:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
Consent Remark:	_____

Special Cases with Time Critical Nature:

* Report Related to Existing Investigation:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

Attachment:

No.	File Name	File Size	+ Refresh
1	_____	KB	- ...
	Total	KB	



可疑交易報告填寫

STR Summary Reporting Body Subject Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Reporting Body	
Organization ID:	_____
Organization Name:	_____
Reporting Officer ID:	_____
Reporting Officer:	_____
Organization Reference:	_____
Phone:	_____
Fax:	_____
Email:	_____

*Reason for Disclosure:

Drug Trafficking (ROP) Ordinance [Cap.405]:	<input type="checkbox"/>
Organized and Serious Crimes Ordinance [Cap. 455]:	<input type="checkbox"/>
United Nations (Anti-Terrorism Measures) Ordinance [Cap. 575]:	<input type="checkbox"/>

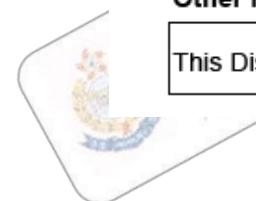
Other Information:

This Disclosure Related to a Previous Disclosure:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
---	------------------------------	--



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可疑交易報告填寫

STR Summary Reporting Body **Subject** Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists **Check Save Print**

Subject

Sequence No: 1 + -

English Name:	Family Name: _____	Given Name: _____	Middle Name: _____	
Chinese Name:	CCC: 	HKID: ()		
Other ID	Type: _____	if Others: _____		
	+ -	ID No.: _____	Country: _____	
DOB:	_____	Gender:	<input type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> U	Occupation: _____
Nature:	_____			
Phone:	_____			
Email:	+ -	_____		
Address:	_____			
Additional Information:	_____			



可疑交易報告填寫

STR Summary Reporting Body Subject Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Organization

Sequence No: 1 [+] [-]

English Name:			
Chinese Name:	Date of Incorporation:		
Local Company: <input type="checkbox"/>	BR No.: _____	CR No.: _____	Public Listed Company No.: _____
Oversea Company: <input type="checkbox"/>	Country: _____	Reg. No.: _____	
Non-Government Organization:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Charitable Organization:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Nature:	Business Nature:		
Phone:			
Email: [+] [-]			
Address:			
Related Person:	Role: ▼	if Others: _____	
Related Company:	Role: ▼	if Others: _____	
Additional Information:			



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可疑交易報告填寫

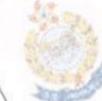
STR Summary Reporting Body Subject Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Phone Entity

Save +

No.	Linked?	Country Code	Area Code	* Subscriber Number	Extension
1	<input type="checkbox"/>				-

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可疑交易報告填寫

STR Summary Reporting Body Subject Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Address Entity

Save +

No.	Linked?	Address Detail
1	<input type="checkbox"/>	



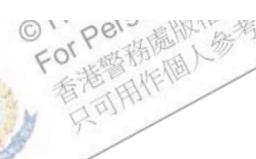
可疑交易報告填寫

STR Summary Reporting Body Subject Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Account

Sequence No: 1 + -

Account Institution:			
Account Number:		Account Type:	if Others:
Opening Date:		Closing Date:	
Balance:	Currency: HKD	Amount: +	Date:
Related Person:		Role:	if Others:
Related Company:		Role:	if Others:
Additional Information:			



可疑交易報告填寫

STR Summary Reporting Body Subject Organization Phone Address Account **Transaction**
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists **Check Save Print**

Summary of Suspicious Transaction in the Reviewed Period

[+/-...]

No.	From (Date)	To (Date)	Subject	Type	Currency	Amount
1					HKD	[+/-...]
Transaction Branch:						
Transaction Counterpart:			A/C: _____	Others: _____		

Remark:

* Total Amount of Suspicious Transactions Reported (in HKD)

* Total Period covering the Suspicious Transactions (in days)

* Daily Average of the Suspicious Transactions Reported



可疑交易報告填寫

[STR Summary](#) [Reporting Body](#) [Subject](#) [Organization](#) [Phone](#) [Address](#) [Account](#) [Transaction](#)
[Suspected Crimes](#) [Suspicious Indicators](#) [Open Source Info.](#) [Entity Lists](#) [Check](#) [Save](#) [Print](#)

Suspected Crimes (Please put a "√" in the selected box(es).)

Designated Categories of Offences by FATF

[Clear Checkbox](#)

- | | |
|---|---|
| <input type="checkbox"/> Participation in an Organized Criminal Group and Racketeering | <input type="checkbox"/> Counterfeiting Currency |
| <input type="checkbox"/> Terrorism including Terrorist Financing | <input type="checkbox"/> Counterfeiting and Piracy of Products |
| <input type="checkbox"/> Trafficking in Human Beings and Migrant Smuggling | <input type="checkbox"/> Environmental Crime |
| <input type="checkbox"/> Sexual Exploitation including Sexual Exploitation of Children | <input type="checkbox"/> Murder, Grievous Bodily Injury |
| <input type="checkbox"/> Illicit Trafficking in Narcotic Drugs and Psychotropic Substances | <input type="checkbox"/> Kidnapping, Illegal Restraint and Hostage-Taking |
| <input type="checkbox"/> Illicit Arms Trafficking | <input type="checkbox"/> Robbery or Theft |
| <input type="checkbox"/> Illicit Trafficking in Stolen and Other Goods | <input type="checkbox"/> Smuggling (including in relation to customs and excise duties and taxes) |
| <input type="checkbox"/> Corruption and Bribery | <input type="checkbox"/> Tax Crimes (related to direct taxes and indirect taxes) |
| <input type="checkbox"/> Fraud <ul style="list-style-type: none"><input type="checkbox"/> Email Scam<input type="checkbox"/> Investment Scam<input type="checkbox"/> Romance Scam<input type="checkbox"/> Telephone Deception<input type="checkbox"/> Others (Please specify) | <input type="checkbox"/> Extortion |
| <input type="checkbox"/> Money Laundering | <input type="checkbox"/> Forgery |
| <input type="checkbox"/> Self Laundering | <input type="checkbox"/> Piracy |
| <input type="checkbox"/> Third-Party Laundering | <input type="checkbox"/> Insider Trading and Market Manipulation |
| <input type="checkbox"/> No Crime Related | |
| <input type="checkbox"/> Other (Please specify in 'Additional Information') | |

Additional Information:

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可疑交易報告填寫

(STR Summary) (Reporting Body) (Subject) (Organization) (Phone) (Address) (Account) (Transaction)
(Suspected Crimes) (Suspicious Indicators) (Open Source Info.) (Entity Lists) (Check) (Save) (Print)

Suspicious Indicators (Please put a "√" in the selected box(es).)

Fund Movement Pattern <input type="checkbox"/> Indirect Transaction/ Transaction Intended to Break Audit Trail <input type="checkbox"/> Uneconomical Transaction/ Transaction with No Business Purpose <input type="checkbox"/> Temporary Repository of Fund <input type="checkbox"/> Numerous Transaction Counterparties without Apparent Reasonable Cause <input type="checkbox"/> Transaction Involving High-Risk Jurisdiction/Region <input type="checkbox"/> Large Cash Transaction <input type="checkbox"/> N/A	Customer Background/Behavior <input type="checkbox"/> Transactions/ Amount Incommensurate with the Background of the Person / Business <input type="checkbox"/> Suspected Money Courier/Unlicensed Money Service Operator <input type="checkbox"/> Politically Exposed Persons (PEP) <input type="checkbox"/> Customer Insisted to Use Less Secured Transactions <input type="checkbox"/> Customer Evasive/Reluctant to Provide Information <input type="checkbox"/> Suspected Counterfeit Document Presented by the Customers <input type="checkbox"/> N/A
Accounts <input type="checkbox"/> Shell Company <input type="checkbox"/> Account Operated/Controlled by Third-Party other than Signatory/Account Holder <input type="checkbox"/> Non-Resident Personal Account <input type="checkbox"/> Offshore Company <input type="checkbox"/> N/A	
Others <input type="checkbox"/> Casino related Suspicious Transaction <input type="checkbox"/> Charitable Organization/NPO related Suspicious Transaction <input type="checkbox"/> Others (Please Specify) <input type="checkbox"/> N/A	

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Narrative comment about the questioned transactions:



可疑交易報告填寫

(STR Summary) (Reporting Body) (Subject) (Organization) (Phone) (Address) (Account) (Transaction)
Suspected Crimes Suspicious Indicators Open Source Info. Entity Lists Check Save Print

Open Source Information

Website:



Additional Information:



可疑交易報告填寫

STR Summary Reporting Body Subject Organization Phone Address Account Transaction
Suspected Crimes Suspicious Indicators Open Source Info Entity Lists Check Save Print

Entity Lists

Subject List

No.	Linked	English Name	Chinese Name	HKID	Other ID No.	Country	Occupation	+ ...
1	<input type="checkbox"/>							- ...

Only

Organization List

No.	Linked	Company Name	Registration Type	Person Name	Person Role	Company Name	Company Role	+ ...
1	<input type="checkbox"/>							- ...

Phone List

No.	Country Code	Area Code	* Subscriber Number	Extension	+ ...
1					- ...

Account List

No.	Account Number	Account Type	Person Name	Person Role	Company Name	Company Role	+ ...
1							- ...

Address List

No.	Address Detail	+ ...
1		- ...



可疑交易報告建議內容

- 1) 觸發報告原因
- 2) 報告對象背景
- 3) 交易
- 4) 查詢及公開資料
- 5) 總結及跟進



可疑交易報告建議內容

1) 觸發報告原因

- ▶ 有關罪案 (詐騙，貪污，國際制裁，恐怖主義行為等)
- ▶ 收到搜查令 / 其他法庭命令
- ▶ 公開資料 (新聞消息，監管機構名單等)
- ▶ 可疑交易模式 (大額現金，資金短暫停留等)

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2) 報告對象背景

- ▶ 個人: 年齡，職業，收入，過往交易紀錄等
- ▶ 公司: 成立日期，業務性質，預期交易額等



可疑交易報告建議內容

3) 交易

- ▶ 審查時段
- ▶ 過往交易模式 (突然改變?)
- ▶ 總存款 / 提款額
- ▶ 可疑交易 (不只限於大量 / 大額交易)
- ▶ 可疑交易模式

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可疑交易報告建議內容

4) 查詢及公開資料

- ▶ 帶出可疑指標的查詢 (KYC查詢，world check結果等 → 無須報告所有進行過的查詢)
- ▶ 公開資料的連結

5) 總結及跟進

- ▶ 報告總結
- ▶ 跟進行動 (進一步審查，終止客戶關係等)

可疑交易報告意見回饋

- ▶ 接到報告的收條
- ▶ 同意 / 不同意處理書
- ▶ 可疑交易報告季度分析報告
- ▶ 會面



◆ 關於聯合財富情報組

◆ 主要法例

◆ 可疑交易報告 (STR)

◆ 個案分享



個案分享

- ▶ A客戶於香港一間珠寶首飾零售商購買600條999.9金條
- ▶ 該零售商向A進行查詢，但A的說辭十分可疑
- ▶ 零售商提交可疑交易報告
- ▶ 期後警方調查，發現A的收入來源及背景與該交易不符
- ▶ 採取拘捕行動，A聲稱將金條交予不知名神秘男子





謝謝!

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