

香港第二次洗錢及恐怖分子資金籌集風險評估

2nd Money Laundering and Terrorist Financing Risk Assessment of Hong Kong

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季芯儀高級督察
財富情報及調查科
洗黑錢及恐怖份子資金籌集風險評估



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議程 Agenda

■ 介紹 Introduction

■ 世界銀行工具 World Bank Tool

■ 風險評估報告 Risk Assessment Report

➤ 整體洗錢威脅 Overall Money Laundering Threat

➤ 整體洗錢脆弱性 Overall Money Laundering Vulnerability

➤ 法人及法律協議 Legal Persons and Arrangements

➤ Terrorist Financing and Proliferation Risk

➤ 整體風險 Overall Risk

➤ 挑戰 Emerging Challenges



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香港特別行政區政府簡介



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一國兩制



流通貨幣



國際金融中心



地理位置

香港的洗錢及恐怖分子資金籌集風險評估報告

財務行動特別組織要求成員辨識及評估其洗錢及恐怖分子資金籌集風險，並採取相應的風險消減措施。本報告按特別組織的要求，評估香港有關行業及整體所面對的洗錢及恐怖分子資金籌集威脅及脆弱度。



第一份風險評估報告

- 於2018年公佈
- 更新2011年至2015年的統計數據
- 首次全港風險評估



第二份風險評估報告

- 於2022年公佈
- 更新2016年至2020年的統計數據
- 重點解決財務行動特別組織公布香港的相互評估報告中指出的缺點
- 以及財務行動特別組織已經或將要引入的新要求如虛擬銀行、虛擬資產以及虛擬資產服務提供者等

第二份風險評估報告增強以下範圍

- 金融租賃業務、非銀行信用卡業務和儲蓄互助社等行業風險評估
- 資助大規模毀滅武器擴散資金籌集風險評估
- 與最新趨勢和個案類型有關的資料，以及國際和區內關注的事宜

方法論 Methodology



風險評估
Risk Assessment



世界銀行工具
World Bank Tool

世界銀行工具 World Bank Tool

關鍵概念 Key Concept

風險 Risk = F (威脅、脆弱性、後果 Threat, Vulnerability, Consequence*)



估計後果具挑戰性，各國可主要側重於全面了解其威脅和脆弱性

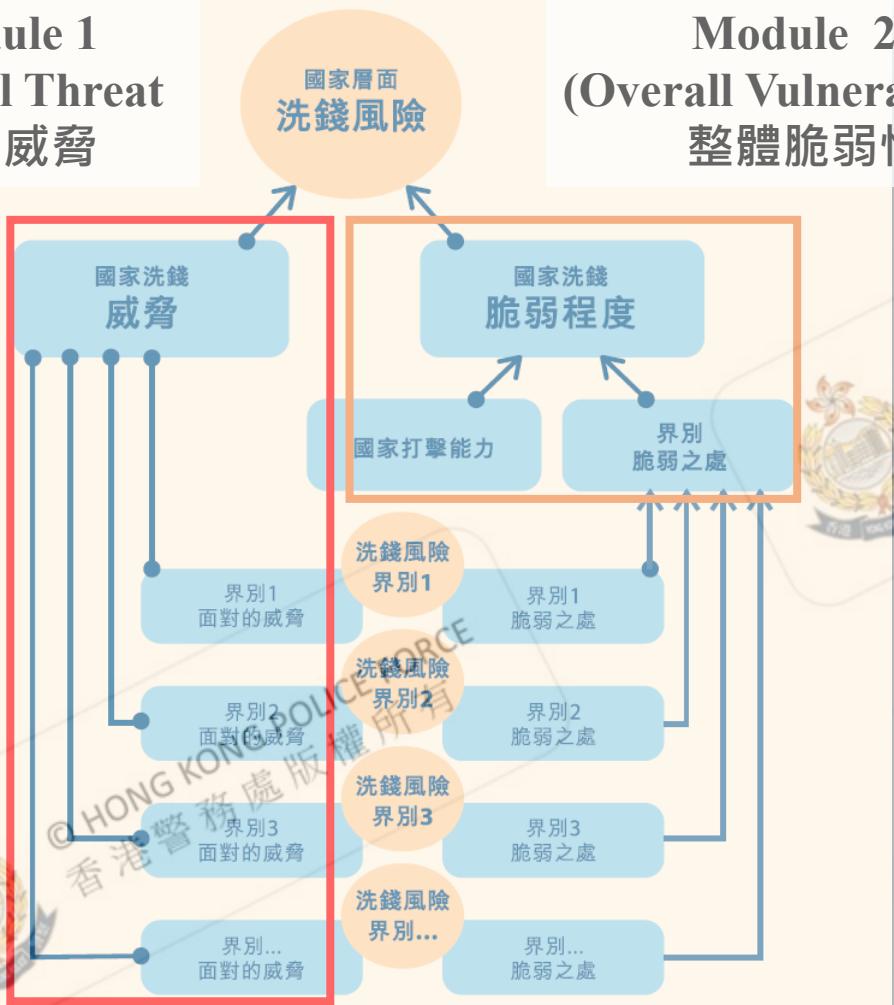
Given the challenges in estimating the consequences, countries may focus primarily on achieving a comprehensive understanding of their threats and vulnerabilities.

世界銀行工具



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Module 1 (Overall Threat) 整體威脅

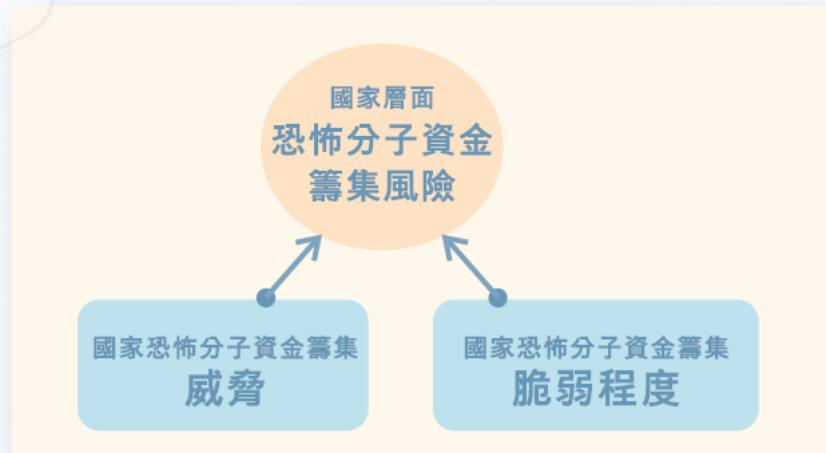


Module 2 (Overall Vulnerability) 整體脆弱性



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- Module 3 - 7
Individual Sector's
Vulnerability
產業脆弱性:
- (3) 銀行業 Bank
 - (4) 證券業 Securities
 - (5) 保險業 Insurance
 - (6) 其他金融業 Other Fis
 - (7) 指定非金融業人
士DNFPBs

Module 8 (TF) 恐怖分子資金籌集



單元一—整體洗錢威脅

Module 1- Overall ML Threat

罪行的普遍程度

Prevalence

洗錢活動的範圍和
複雜及精密程度

Scope, Complexity
and Sophistication
of ML

犯罪得益的款額
Magnitude of
Proceeds
Generated

其他國際／區域層面
的相關因素

Regional &
International Situation

行業規模/經濟份額

Size of Sector /
Share in Economy

調查洗錢相關
數字
ML Investigation
related figure

定罪、限制及
沒收罪行得益
Conviction,
Restraint and
Confiscation

其他國際／區域層面
的相關因素

Regional &
International Situation



中高
Medium-high



整體洗錢威脅 Overall ML Threat Summary of ML Threat Ratings

上游罪行 Predicate Offence	第一份風險評估報告評分 Rating in 1 st HRA	第二份風險評估報告評分 Rating in 2 nd HRA
詐騙/騙案 Fraud/Deception	高 High	
毒品 Dangerous Drugs	中高 Medium-high	
稅務罪行 Tax Crimes	中 Medium (境外:中高, 本地:低 Foreign: Medium-high, Domestic: Low)	
貪污 Corruption	中 Medium (境外:中高, 本地:低 Foreign: Medium-high, Domestic: Low)	現狀 Status Quo
嚴重賭博罪行 Serious Gambling Offences	中 Medium	
走私物品 Goods Smuggling	中 Medium	
放高利貸 Loansharking	中 Medium	
賣淫 Vice	中低 Medium-low	
盜竊 Theft	中低 Medium-low	

整體洗錢威脅 Overall ML Threat Summary of ML Threat Ratings



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上游罪行 Predicate Offence	第一份風險評估報告評分 Rating in 1 st HRA	第二份風險評估報告評分 Rating in 2nd HRA
知識產權 Intellectual Property	中低 Medium-low	
販運人口 Human Smuggling/ Trafficking	中低 Medium-low	現狀 Status Quo
爆竊Burglary	低 Low	
搶劫Robbery	低 Low	
勒索Blackmail	低 Low	



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整體洗錢威脅 Overall ML Threat

行業威脅 Summary of Sectoral Threat Ratings

行業 Sector	第一份風險評估報告評分 Rating in 1 st HRA	第二份風險評估報告評分 Rating in 2 nd HRA
銀行業包括虛擬銀行 Bank (incl' Virtual Banks)	高 High	
金錢服務業MSO	中高 Medium-high	
證券業Securities	中 Medium	
儲值支付工具行業SVFs	中 Medium	
信托或公司服務提供者TCSPs	中 Medium	
貴金屬及寶石交易商DPMS	中低 Medium-low	
地產代理 Estate Agents	中低 Medium-low	
保險業Insurance	中低 Medium-low	
會計專業人士 Accountants	中低 Medium-low	
法律專業人士 Lawyers	中低 Medium-low	
放債人 Money Lenders	中低 Medium-low	
虛擬資產服務業Virtual Asset Service Providers	低 Low	中低 Medium-low
非銀行信用卡業務Non-bank Credit Card Companies	不適用 N/A	低 Low
金融組租賃業Standalone Financial leasing	不適用 N/A	低 Low



現狀
Status Quo



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整體洗錢威脅 Overall ML Threat 主要觀察 Key Observations

- 香港洗錢威脅組合維持不變
ML threat portfolio of HKC remains status quo
- 欺詐/詐騙仍然是最普遍，其次是毒品犯罪
Fraud/Deception continued to be most prevalent followed by drug offences
- 海外稅收和海外貪污仍然是全球和區域性的主要問題，威脅等級升為中高水平
Foreign tax and foreign corruption continued to be major global and regional concerns and were assigned an escalated threat rating of medium-high
- 其他犯罪，如賣淫、放高利貸、盜竊、入屋盜竊和搶劫，屬於本地問題，受到較低的威脅
Other offences such as vice, loansharking, theft, burglary and robbery are confined to domestic level and bear lower ML threat
- 總體洗錢威脅被評估為“中高”，其中繼續以海外上游罪行構成比本地更高的威脅
Overall ML threat is assessed as 'Medium-high', where foreign predicates continue to pose a higher threat than domestic ones

ML Threat Level: MEDIUM HIGH
洗錢威脅評估：中高



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整體洗錢脆弱性 Overall ML Vulnerability

產業脆弱性 Summary of Sectoral Vulnerability

行業Sector	第一份風險評估報告評分 Rating in 1 st HRA	第二份風險評估報告評分 Rating in 2 nd HRA
銀行業包括虛擬銀行 Bank (incl' Virtual Banks)	中高Medium-high	現狀Status Quo
金錢服務業MSO	中高Medium-high	現狀Status Quo
信托或公司服務提供者TCSPs	中高Medium-high	中Medium
證券業Securities	中Medium	現狀Status Quo
儲值支付工具行業SVFs	中Medium	現狀Status Quo
保險業Insurance	中低Medium-Low	現狀Status Quo
貴金屬及寶石交易商DPMS	中低Medium-Low	中Medium
會計專業人士Accountants	中Medium	中低Medium-low
法律專業人士 Lawyers	中Medium	中低Medium-low
地產代理 Estate Agents	中Medium	中低Medium-low
虛擬資產服務業 Virtual Asset Service Providers	中Medium	現狀Status Quo
放債人Money Lenders	中低Medium-low	現狀Status Quo
非銀行信用卡業務 Non-bank Credit Card	不適用N/A	低Low
金融組租賃業 Standalone Financial leasing	不適用N/A	低Low

整體洗錢脆弱性 Overall ML Vulnerability 產業脆弱性 Summary of Sectoral Vulnerability

主要觀察 Key observations:

- 指定非金融企業及行業評級提升 Upgrade in ratings of DNFBPs
- 主要風險因素 Major Risk Factors
 - 非面對面分發/線上參與 Non-face-to-face distribution/ virtual on-boarding
 - 新的支付方式 New payment methods
 - 密集現金交易 Cash intensive transactions
- 緩解措施 Mitigation Measures
 - 培訓、外展和出版刊物 Capacity building via training, outreaching and publications
 - 持續審視AML/CFT 準則以符合最新的國際標準 Continuous review of AML/CFT guidelines to align latest international standards
 - 加強以風險為本的監管及本地合作 Enhanced risk-based supervision and domestic cooperation

ML Vulnerability Level: MEDIUM
洗錢脆弱性評估 : 中

Legal Persons and Arrangements

法人及法律協議

主要觀察 Key observations :

- 空殼公司仍然是一貫洗錢的渠道 Shell companies remain as a common conduit for ML
 - 虛假跨境商業活動/混入合法資金/欺詐性貨幣優勢（貸款/減稅） fake cross-border business activities / commingling with legitimate funds / fraudulent monetary advantages (loan / tax reduction)
- 加強對客戶盡職調查的要求 → 較少利用離岸公司 Enhanced CDD requirements of reporting entities → use of offshore companies has become less popular
- 信託 - 香港本地信託比海外信託的風險較低 Trust: low risk of HKC trust, more significant risks of foreign trusts



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產業風險評估 Overall Sectoral Risk

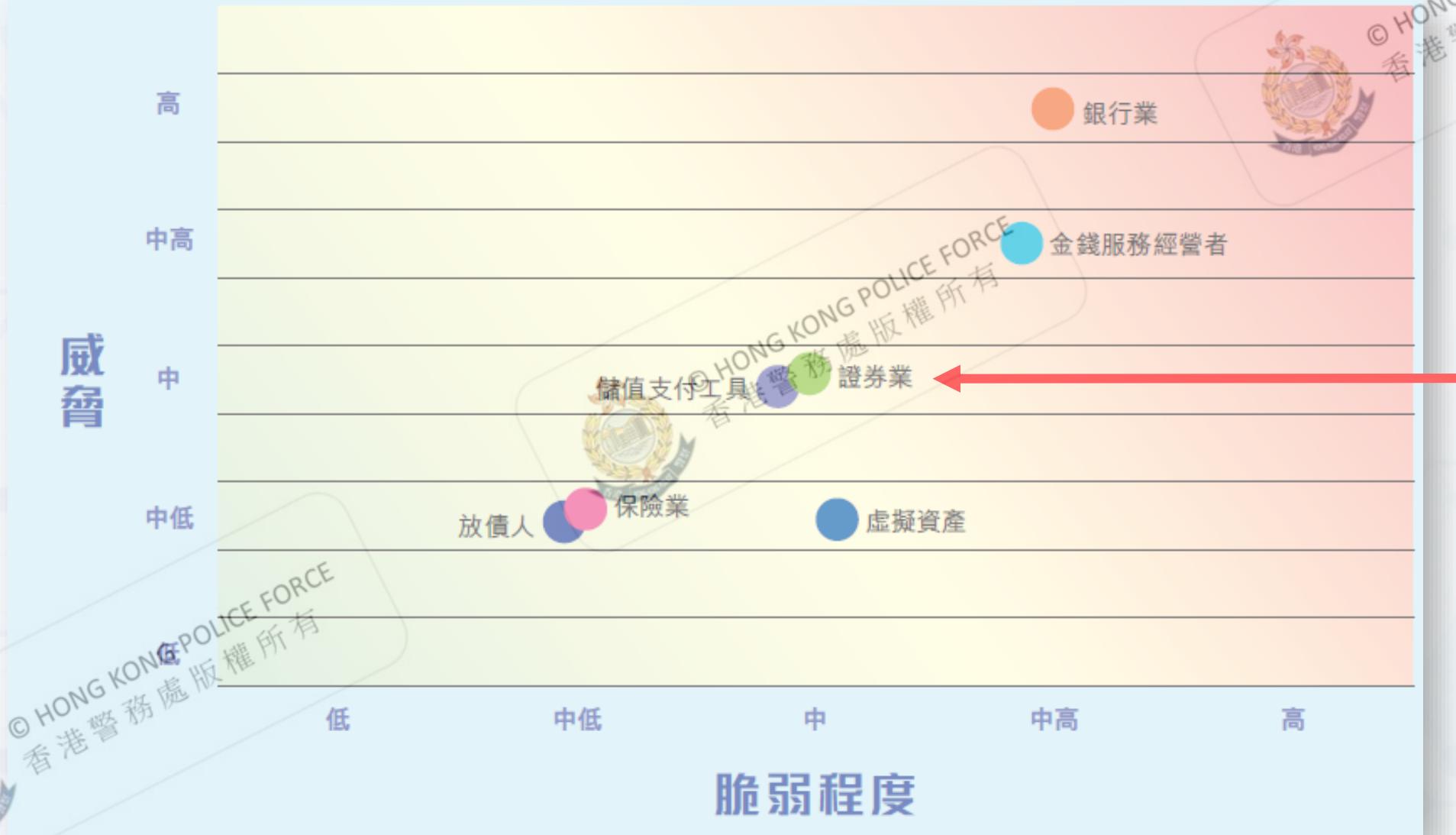
Sector	Sectoral Threat	Sectoral Vulnerability	Sectoral ML Risk
銀行業 Banking	High (1 st HRA: High)	Medium-High (1 st HRA: Medium-High)	 High (1 st HRA: High)
金錢服務業 MSO	Medium-High (1 st HRA: Medium-High)	Medium-High (1 st HRA: Medium-High)	Medium-High (1 st HRA: Medium-High)
證券業 Securities	Medium (1 st HRA: Medium)	Medium (1 st HRA: Medium)	Medium (1 st HRA: Medium)
保險業 Insurance	Medium-Low (1 st HRA: Medium-Low)	Medium-Low (1 st HRA: Medium-Low)	Medium-Low (1 st HRA: Medium-Low)
信託或公司服務提供者 TCSP	Medium (1 st HRA: Medium)	Medium (1 st HRA: Medium-High)	Medium (1 st HRA: Medium-High)
儲值支付工具行業 SVF	Medium (1 st HRA: Medium)	Medium (1 st HRA: Medium)	Medium (1 st HRA: Medium)
法律專業人士 Lawyers	Medium-Low (1 st HRA: Medium-Low)	Medium-Low (1 st HRA: Medium)	Medium-Low (1 st HRA: Medium)
會計專業人士 Accountants	Medium-Low (1 st HRA: Medium-Low)	Medium-Low (1 st HRA: Medium)	Medium-Low (1 st HRA: Medium)

Overall Sectoral Risk 產業風險評估

Sector	Sectoral Threat	Sectoral Vulnerability	Sectoral ML Risk
虛擬資產服務業 VASP (assessed VC in 1st HRA)	Medium-Low (1 st HRA: Low)	Medium (1 st HRA: Medium)	 Medium (1 st HRA: Medium-Low)
地產代理 Estate Agent	Medium-Low (1 st HRA: Medium-Low)	Medium-Low (1 st HRA: Medium)	Medium-Low (1 st HRA: Medium)
貴金屬及寶石交易 商 DPMS	Medium-Low (1 st HRA: Medium-Low)	Medium (1 st HRA: Medium-Low)	Medium (1 st HRA: Medium-Low)
放債人 Money Lenders	Medium-Low (1 st HRA: Medium-Low)	Medium-Low (1 st HRA: Medium-Low)	Medium-Low (1 st HRA: Medium-Low)
非銀行信用卡業務 Non-bank Credit Card	Low (1 st HRA: not explicitly assessed)	Low (1 st HRA: not explicitly assessed)	Low (1 st HRA: not explicitly assessed)
金融租賃業 Financial Leasing	Low (1 st HRA: not explicitly assessed)	Low (1 st HRA: not explicitly assessed)	Low (1 st HRA: not explicitly assessed)

Summary of Sectoral Risk Ratings

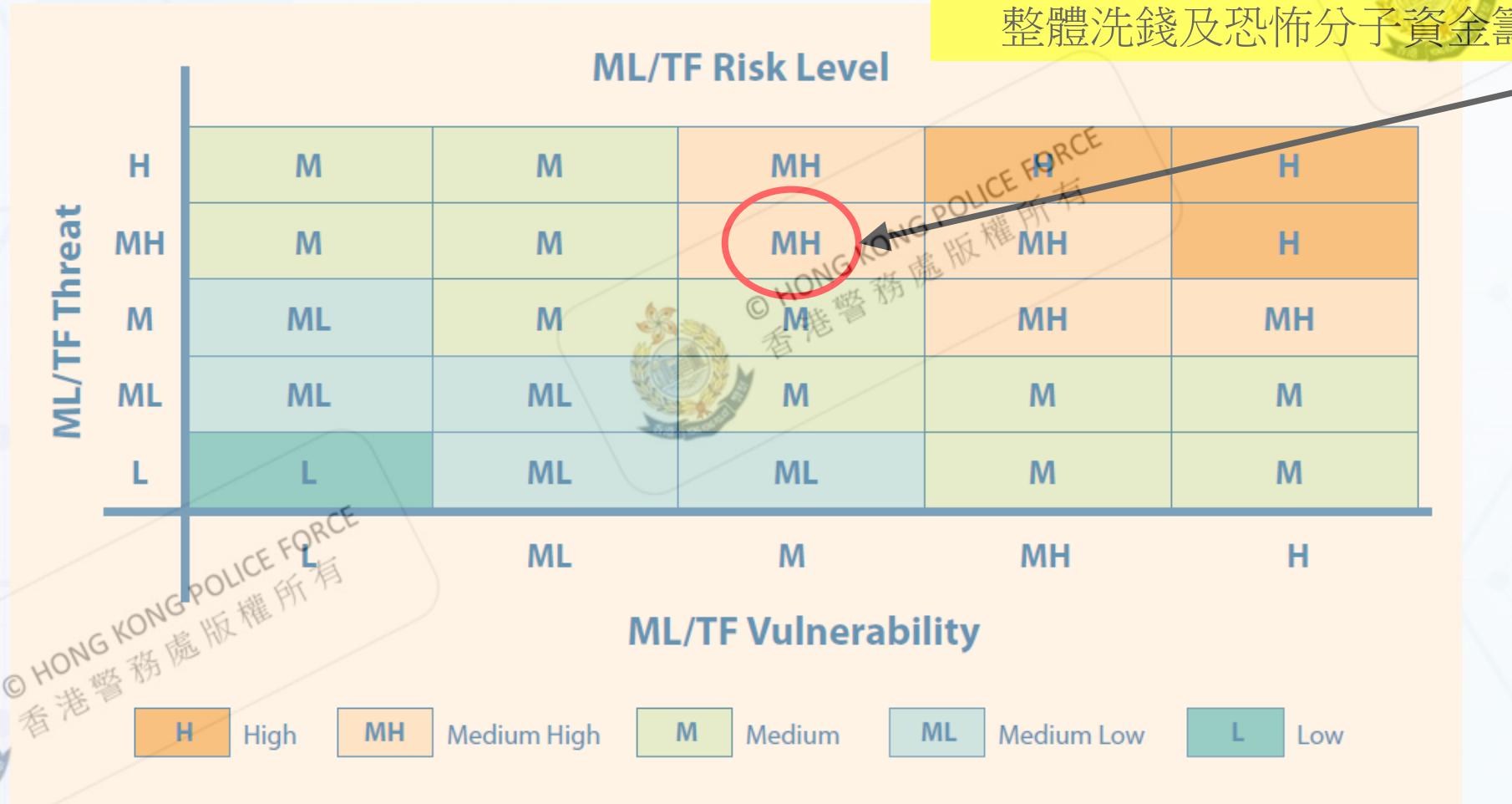
產業風險程度概覽



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香港整體洗錢及恐怖分子資金籌集風險 Overall ML/TF Risk of HK



Overall ML/TF Risk of HK: : Medium-high
整體洗錢及恐怖分子資金籌集風險評估: 中高



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恐怖分子資金籌集及大規模毀滅武器擴散資金籌集風險

Terrorist Financing and Proliferation Financing Risk

恐怖主義威脅 (中級) Terrorism Threat (Moderate)

- 境外的恐怖主義行為維持穩定 Situation of external terrorism remain stable

恐怖分子資金籌集及大規模毀滅武器擴散資金籌集威脅 (中低)

Terrorist Financing and Proliferation Financing Threat (Medium-Low)

- 香港並沒有確定涉及恐怖分子資金籌集的檢控或定罪案件 No confirmed case of TF/PF
- 本地激進分子有可能帶來風險 Anti-government/ localist movements gained traction, raising concerns for the threat of TF/PF in HKC

Terrorist Financing and Proliferation Financing Vulnerability (Medium-low)

- 穩健管控措施，包括立例及修例 Legislation and policy changes
- 加強本地跨部門合作及資源分配 Enhanced domestic cooperation and dedicated resources

Overall TF/PF Risk of HK: : **MEDIUM LOW**
整體恐怖分子資金籌集及大規模毀滅武器擴散
資金籌集風險評估 :**中低**

大規模毀滅武器擴散資金籌集

Proliferation Financing



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- 主要風險特徵 Key risk features

- 資金自由流動+地理位置+市場進入和公司成立的便利性
Free capital flow + geographical location + Ease of market entry and company formation
- 小型機構和最近受監管的行業出現差距
Gaps observed for smaller entities and more recently regulated sectors
- 不受聯合國安理會（UNSC）的任何制裁
Not subject to any sanctions imposed by the United Nations Security Council (UNSC)
- 沒有與大規模毀滅武器擴散資金籌集、資產和經濟資源相關的證據
No evidence of PF-related funds, assets and economic resources
- 進行複雜調查的能力
Ability to conduct complex investigations

- 緩解措施 Mitigating Measures and Next Step

- 加強打擊大規模毀滅武器擴散策略的法律制度 Enhanced PF TFS regime
- 制定和制裁相關的跨部門合作機制 Formalised sanction-related multi-agency cooperation mechanism
- 加強外展和培訓 Capacity building via outreaching and training

新出現的挑戰 Emerging Challenges

- 增加使用儲值支付工具
Increase in the use of Stored Value Facilities (SVFs)
- 利用虛擬銀行
Exploitation of Virtual Banks
- 虛擬資產帶來的威脅
Threat imposed by Virtual Asset



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電話
傳真
電郵

- : (852) 2305 7604/2305 7519
- : (852) 2305 7578
- : ip-sip-ra-1-fiib@police.gov.hk
- : ip-sip-ra-2-fiib@police.gov.hk



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