

今期內容
Inside this issue:

| | |
|--|---|
| 可疑交易報告統計 (2011年) Suspicious Transaction Reports Statistics | 1 |
| 國際趨勢及發展 - 博彩中介人 (第一部份) International Trends and Developments – Junkets (Part 1) | 2 |
| 個案例子 Case Studies | 4 |
| 國際趨勢 – 最新修訂的 FATF建議 International Trend – Re- vision of FATF Recommendations | 6 |



可疑交易報告統計 (2011年)

Suspicious Transaction Reports
Statistics (Year 2011)

| STR數量(份) | 2011年 | 2010年 |
|------------|------------------|----------------|
| 由金融及保險機構舉報 | 477 (30.5%) | 338 (27.7%) |
| 由幸運博彩經營者舉報 | 1,082 (69.2%) | 814 (66.7%) |
| 由其他機構舉報 | 4 (0.3%) | 68 (5.6%) |
| 總數 | 1,563 | 1,220 |

● 本辦公室於2011年所收到的STR數量，較2010年上升了28.1%。

● 來自金融機構的STR佔總數量的30.5%，而由博彩公司舉報的STR約佔69.2%。

● 本辦公室向檢察院舉報的STR共190份。

- The total number of STRs received by GIF in year 2011 increased by 28.1%, as compared with year 2010.
- STRs received from financial institutions and gaming sectors constituted 30.5% and 69.2% of total respectively.
- A total of 190 STRs were sent to the Public Prosecutions Office for further investigation.

| Number of STRs | 2011 | 2010 |
|---|------------------|----------------|
| From Financial Institutions and Insurance Companies | 477 (30.5%) | 338 (27.7%) |
| From Games of Fortune Operators | 1,082 (69.2%) | 814 (66.7%) |
| From Other Institutions | 4 (0.3%) | 68 (5.6%) |
| Total | 1,563 | 1,220 |

國際趨勢及發展 – 博彩中介人 (第一部份)

博彩中介人的特徵

今期的博彩業通訊中，我們將討論博彩中介人的性質和被利用進行清洗黑錢之漏洞。

博彩中介人是一個與娛樂場有合約關係之獨立經營者。他們會利用各項獎賞去吸引那些在旗下貴賓廳進行博彩的客戶。博彩中介人會為客戶安排一個包含交通、住宿及提供資金調配服務的旅行團，以鼓勵客戶在娛樂場內消遣。

博彩中介人依靠中介者介紹客人，一般他們會選擇高資產價值的客戶而不會選擇一般市民。他們依靠佣金或各種費用來維持他們的業務。佣金包括：

- 博彩賬戶金額之百分比；
- 泥碼之佣金；
- 現金籌碼之佣金；
- 按客戶損失計算之佣金；
- 娛樂場理論上贏款之百分比。



客人和金錢怎樣流向娛樂場

其中博彩中介人活動的漏洞是他們利用第三者將大量金錢輸送到外地及各娛樂場。客戶一般依靠博彩中介人替他們調撥資金，這樣會很難辨別出資金的來源及客戶的身份。若博彩中介人串同客戶進行清洗黑錢活動，甚至是罪犯利用他們將不法資金與合法資金融為一體，這會令資金來源及客戶的身份識別更為困難。

博彩中介人也會替客戶匯款，但負責發送和接收款項的金融機構或娛樂場並不了解博彩中介人客戶的身份。基於當地的反洗錢及反恐怖活動融資監管要求，博彩中介人和他們的代理人須為其客戶進行客戶盡職調查（CDD），但監管機構仍要面對娛樂場之間資金跨境轉移的挑戰。

International Trends and Developments – Junkets (Part 1)

Features of Junkets

In this issue we would like to look into the nature of junkets and its vulnerability to money laundering.

A junket may be run by independent operators who have a contract with the casino. Junkets provide incentives for patrons to play at a particular casino. As part of this, junkets may organize all aspects of a player's tour to the casino, including transportation, accommodation, and the movement of funds to be played in the casino.

Junkets generally target the high net worth clients and they often do not deal with the general public, but rely on introductions from intermediaries. Junkets rely on commissions or fees to support their business. These commissions vary, but may include:

- A percentage of front money;
- A commission on non-negotiable chips;
- A commission on cash chips;
- A commission on players' losses;
- A percentage of the casino's theoretical win.

Movement of People and Money to Casinos

A vulnerability of junket programs is that they involve the movement of large amounts of money across borders and through multiple casinos by third parties. Patrons generally rely on junkets to move their funds to and from the casinos. This creates layers of obscurity around the source and ownership of the money and the identities of the players. This is made more difficult if junket is complicit in any money laundering activity by the player, or is solicited by criminals to blend illicit funds with the pool of legitimate funds.

Junkets may use wire transfers to move funds on behalf of clients. The identity of the junket patrons may be unknown to the sending and receiving financial institution or the receiving casino. Junkets and their agents have a role in conducting customer due diligence (CDD) on junket patrons due to local anti-money laundering / countering the financing of terrorism (AML/CFT) controls, but authorities still face challenges with cross border fund transfer among casinos.

透過博彩中介人清洗黑錢的疑點

- ◆ 客人拒絕透露身份；
- ◆ 利用代表或第三者以現金買入籌碼；
- ◆ 在沒有博彩的情況下，中介人贖回現金；
- ◆ 拒絕透露買碼資金的來源；
- ◆ 買碼資金是來自公司；
- ◆ 客人買入籌碼的價值與他的職業不相稱；
- ◆ 中介人簽發支票給作為競爭對手的娛樂場；
- ◆ 在沒有證明贏錢的情況下轉移資金給客人；
- ◆ 客人經常要求中介人以低於報告門檻的金額簽發支票。

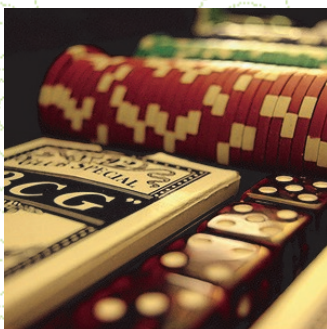


個案例子

案件: 利用博彩中介人及娛樂場貴賓廳在國家與國家之間調撥資金

一位商人由於外匯管制不能從其國家 A 進行大額匯款到國家 B。在博彩中介人的幫助下，他把資金轉移到當地的一個娛樂場貴賓廳，並由該貴賓廳通知位於國家 B 的一名地下錢莊匯款人。匯款人然後會安排所需資金付予受益人。而國家 B 如有國民希望於國家 A 的娛樂場博彩但難以攜帶大量現金時，他們可以透過同一個地下錢莊匯款人安排匯款，而該匯款人會通知有關客人的詳細資料予國家 A 的貴賓廳。當這些客戶到達了貴賓廳後，他們便可立刻獲得該金額並進行博彩活動。貴賓廳及地下錢莊匯款人會在之後進行對數，雙方基本上是不需要資金交收。

- 疑點:**
1. 該匯款請求是通過地下渠道來進行，在國家 A 和 B 之間的並沒有資金的實際調撥；
 2. 缺乏對匯款人盡職調查的措施；



- 建議:**
1. 博彩中介人應該記錄其客戶資金的流入和流出；
 2. 娛樂場和監管當局應該向博彩中介人強調識別客戶的重要性。

Indicators of Money Laundering through Junket Operations

- ◆ Players refusing to provide identification;
- ◆ Use of representatives/third parties to conduct cash buy-in;
- ◆ Junket chips redeemed without any gambling activity;
- ◆ Source of funds for buy-in not disclosed;
- ◆ Source of funds for buy-in from companies;
- ◆ Buy-in of junket chips by a person whose occupation is not commensurate with the buy-in value;
- ◆ Junket issuing cheques to rival casinos;
- ◆ Junket transferring funds to players with no verifiable proof of winnings;
- ◆ Player frequently requesting cheques from junket operator below threshold amounts.

Case Studies

Case: Use of Junket and Casino VIP Room to Move Cash between Countries

A merchant in country A could not perform a large remittance to country B due to its foreign exchange control. With the help of a junket, he transferred the monies to the VIP room of a local casino, which informed an underground remitter in country B about the amount and beneficiary of the funds. The remitter would then arrange payment of the fund to the beneficiary. For country B citizens who wished to gamble in this casino of country A, but had difficulty in bringing in the cash, they would arrange alternative remittance through this remitter who would then inform details of these customers to the VIP room. When these citizens arrived at the VIP room, they could immediately obtain the amount required for gambling. Both the VIP room and the remitter would perform reconciliation for net settlement, and basically no transfer of monies between two sides was required.

Red Flags: 1. The requested remittance through underground channel with no physical movement of cash between country A and B;

2. Lack of CDD measures on remitter;

Recommendations:

1. Junkets should keep records for their patrons' inflow and outflow of funds;

2. Casinos and authorities should stress the importance of aiming junkets to identify their patrons.



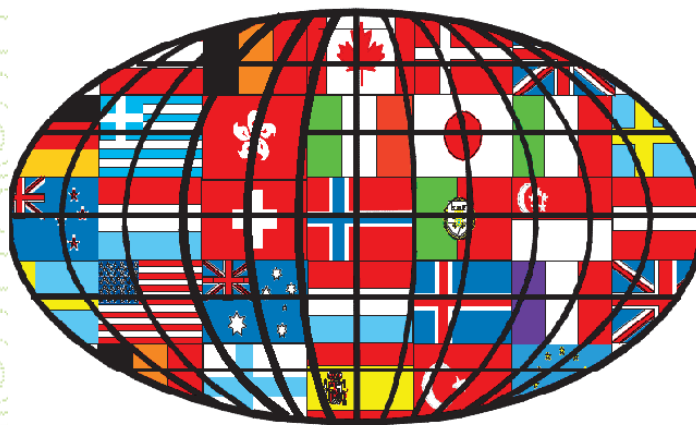
Content extracted from FATF and APG Joint Report "Vulnerabilities of Casino and Gaming Sector" of March 2009

國際趨勢 – 最新修訂的FATF建議

金融行動特別組織(FATF)是一個國際性組織，目的為專門研究及制定打擊清洗黑錢及恐怖融資以至最近期關於大殺傷力武器融資的相關措施，並為此建立了一系列的建議作為實施該等目的的基本框架。時至今日，FATF共有36個會員國家以及遍佈全球超過180個國家的FATF同類地區性組織共同參與，相關建議也成為了各大國家的反清洗黑錢和反恐怖融資的綱領性標準，在全球被廣泛使用。

為使有關建議能緊貼時勢發展並應付最新的清洗黑錢威脅，FATF花了兩年的努力對有關建議進行修訂，最終在2012年2月舉行的FATF全體大會上獲會員一致通過採納，新修訂的FATF建議將由原來40+9項建議重新整合為分類成7部份的40項建議。是次修訂可提供各國政府更強而有力的體系，以進一步打擊嚴重罪行及在國際金融體系間浮現的最新犯罪威脅。

此外，新修訂的FATF建議也可促進各個國家的機構採取更有效的監控措施，由識別銀行客戶的開戶身份資料以至調查、檢控及充公資產等不同領域上，全面地打擊清洗黑錢及恐怖融資活動。在國際層面上，FATF亦會持續監控及推動各國實施的相關建議。



最新修訂的FATF建議已將反清洗黑錢及反恐融資的監控措施融為一體，所涵蓋的範圍及深度亦大大提高，正如引入打擊製造大殺傷力武器融資的新措施、更有效地處理來自貪污及稅務的犯罪所得、加強高風險情況的監察要求和容許國家採用具針對性的

的風險為本措施來處理與日俱增的可疑交易等。

International Trend – Revision of FATF

Recommendations

The Financial Action Task Force (FATF) is the global standard-setter for measures to combat money laundering, terrorist financing, and (most recently) the financing of proliferation. It is an intergovernmental organization with 36 members and with the participation of over 180 countries through a global network of FATF-Style Regional Bodies. It established a series of Recommendations that set out the basic framework for anti-money laundering efforts and are intended to be of universal application.



In order to maintain the Recommendations up to date and relevant to the evolving threat of money laundering, the FATF has revised the Recommendations after two years of efforts and adopted in the FATF Plenary in February 2012. The previous version of 40+9 Recommendations have been restructured into

the new 40 Recommendations, which are grouped into different categories. The revisions provide authorities with a stronger framework to act against criminals and address new threats to the international financial system.

The revision will enable national authorities to take more effective action against money laundering and terrorist financing at all levels - from the identification of bank customers opening an account through to investigation, prosecution and forfeiture of assets. At the global level, the FATF will also monitor and take action to promote implementation of the standards.

The revised FATF Recommendations now fully integrate counter-terrorist financing measures with anti-money laundering controls, introduce new measures to counter the financing of the proliferation of weapons of mass destruction, and they will better address the laundering of the proceeds of corruption and tax crimes. They also strengthen the requirements for higher risk situations and allow countries to take a more targeted risk-based approach.

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金融情報辦公室

地址：澳門蘇亞利斯博
士大馬路307至
323號

中國銀行大廈22
樓

電話：(853) 2852 3666

傳真：(853) 2852 3777

電郵：info@gif.gov.mo

網址：www.gif.gov.mo

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訊，請與辦公室聯絡。

主要的修訂概括如下：

- ◆ 就聯合國安理會的要求，通過貫徹的針對性經濟制裁措施，以打擊製造大殺傷力武器的融資；
- ◆ 提高透明度以使罪犯及恐怖份子更難掩飾其身份或以法人及法律安排隱藏其資產；
- ◆ 提高處理涉及政治敏感人物交易的監察要求；
- ◆ 將稅務犯罪引入清洗黑錢的上游犯罪以擴大涵蓋範圍；
- ◆ 採用強化的風險為本措施，以便各個國家及私人領域能更有效地投放其資源，專注處理較高風險的領域；
- ◆ 增強國際之間的合作，尤其包括相關實體的信息互換、聯合調查行動及追蹤、凍結和充公不法資產等；
- ◆ 優化金融情報組織及執法機關操作系統、技術及職能，以促進調查及起訴清洗黑錢及恐怖融資的犯罪活動。

各幸運博彩經營者可透過FATF的網站www.fatf-gafi.org取得FATF建議的最新資料。(下期待續...)

The main changes are:

- *Combating the financing of the proliferation of weapons of mass destruction* through the consistent implementation of targeted financial sanctions when these are called for by the UN Security Council.
- *Improved transparency* to make it harder for criminals and terrorists to conceal their identities or hide their assets behind legal persons and arrangements.
- Stronger requirements when dealing with *politically exposed persons (PEPs)*.
- *Expanding the scope of money laundering predicate offences* by including tax crimes.
- *An enhanced risk-based approach* which enables countries and the private sector to apply their resources more efficiently by focusing on higher risk areas.
- *More effective international cooperation* including exchange of information between relevant authorities, conduct of joint investigations, and tracing, freezing and confiscation of illegal assets.
- *Better operational tools* and a wider range of techniques and powers, both for the financial intelligence units, and for law enforcement to investigate and prosecute money laundering and terrorist financing.

All casinos are advised to visit the FATF website www.fatf-gafi.org to obtain the latest information of the FATF Recommendations.

(To be continued...)

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Address: Avenida Dr.
Mário Soares, Nos. 307-
323, Edifício "Banco da
China", 22º andar, Macau
Tel: (853) 2852 3666
Fax: (853) 2852 3777
E-mail: info@gif.gov.mo
Website: www.gif.gov.mo

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