

Annex C: List of Documents and Records to be kept

Estate agents (EAs) must retain originals or keep copies (which may be in electronic format) of the following documents for at least 5 years after the business relationship is ended, or after the date of transaction. CEA's inspection of EAs' compliance with the PMLPFTF Regulations will include sighting the documents and any other documents relating to CDD measures and UCPDD measures, including any ECDD and enhanced UCPDD measures which may have been conducted.

(a) Records to be retained in relation to prevention of ML/PF/TF:

- (i) Record of all estate agency work for which either CDD or both CDD and UCPDD was performed.
- (ii) EA's Checklist on AML/CPF/CFT.
- (iii) Analysis of EA's transactions with higher risk to ML/PF/TF (e.g. Suggested Template for Risk Assessment).
- (iv) EA's communication(s) to its RESs on the internal policies, procedures and controls on managing and mitigating identified ML/PF/TF risks.
- (v) EA's internal compliance management arrangements detailing the dates of compliance checks, number of transactions sampled for each compliance check, and identification of the transactions that have been sampled, any audit findings (including non-compliance) and rectification measures taken.
- (vi) Customer's Particulars Form.
- (vii) RES's Risk Determination and Screening Checklist on Customer Due Diligence.
- (viii) Checklist on Ongoing Due Diligence.
- (ix) Unrepresented Counterparty's Particulars Form.
- (x) RES's Risk Determination and Screening Checklist on Unrepresented Counterparty Due Diligence.
- (xi) Relevant documents where the client or UCP acts on behalf of another person (e.g. Letter of Authorisation, Power of Attorney).
- (xii) Relevant documents in relation to entity's nature of business, ownership and control structure information.
- (xiii) Each supporting document relied on in support of any information above (e.g. copies of identification documents).

(b) Training related records:

- (i) Records showing RESs who have undergone training on the IPPCs on managing and mitigating identified ML/PF/TF risks, dates of training and type of training received.
- (ii) Records showing the training schedule for RESs who have not been trained.
- (iii) Any correspondence or communication sent to RESs setting out the internal policies, procedures and controls on managing and mitigating identified ML/PF/TF risks.

(c) Records pertaining to cases under investigation or which have been the subject of a Suspicious Transaction Report, for such longer period as may be necessary in accordance with any request or order from the STRO or other relevant competent authorities.