

**Anti Money Laundering and Counter Terrorism Financing
Instructions Pertaining to Goldsmithing and Sale of Jewelry,
Precious Metals and Gems' Shops for the year 2010 Issued in
accordance with the provisions of Items (4) of paragraph (d) of
Article (14) of the Anti Money Laundering and Counter Terrorist
Financing Law No. (46) for the Year 2007**

Article (1):

These Instructions shall be called (Anti Money Laundering and Counter Terrorism Financing Instructions related to Goldsmithing and Sale of Jewelry, Precious Metals and Gems for the year 2010) and shall become into force by the date of its publication in the official gazette.

Article (2):

- a. The words and expressions stated in these Instructions shall have the meanings assigned thereto in the Anti Money Laundering and Counter Terrorist Financing Law in force and licensing of goldsmithing and sale of jewelry shops Instructions in force.
- b. The following words and expressions wherever stated in these Instructions shall have the meanings assigned thereto hereunder unless the context provides otherwise:

Unit	Anti Money Laundering and Counter Terrorist Financing Unit established according to the provisions of the Anti Money Laundering and Counter Terrorist Financing Law in force.
Shop	The licensing person or authority for the purposes of goldsmithery and sale jewelry, precious metals and gems.
Customer	The person dealing with the shop whether he is a seller or buyer and whether he is a natural or legal person
Politically Exposed Persons	The persons who occupy or occupied a high public office in a foreign country such as a president of state, a prime minister, or a high ranking government official, prominent politician, judge, military person, prominent personality in a political party or an executive officer in the state-owned-companies and members of their families up to first degree as a minimum or their partners.

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Beneficiary owner	The natural person who is the actual stakeholder to whose interest in the business relation is made or on his behalf or has a full or effective control over a legal person or the right to conduct a legal act on his behalf.
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Article (3):

The provisions of these Instructions shall be valid on each of the following:

- a. The trinkets goldsmithing, sale of jewelry, precious metals and gems' shops which are licensed and operating in the Kingdom.
- b. Branches and subsidiary companies operating outside the Kingdom for the shops referred to in paragraph (a) of this article except the provisions of item (1) of paragraph (b) of article (9) of these Instructions.

Article (4):

- a. The shop shall give due diligence for identifying the customer's identity, his legal status, activity, purpose of the business relation and nature thereof, beneficiary owner of such relation, if any, verification of same in detail according to the under- mentioned items including continued review of the transactions made in the framework of a continued relation with his customers and register and maintain the particulars related thereto according to the provisions of these Instructions in the following cases:
 1. The amount of a transaction or multi transactions which appear to be related exceeds ten thousand Dinars or the equivalent thereof in foreign currency.
 2. If the shop suspects the accuracy and efficiency of the data previously obtained regarding verifying the customer's identity.
 3. If the shop suspects that the transaction suspected to be related to money laundering or terrorism financing irrespective of the amount thereof.
- b. The shop should review the official documents to identify the customer's identity and beneficiary owner as well as verify same and obtain a copy thereof which should be signed by his in charge employee stating that it is a true copy.
- c. The shop is prohibited from dealing with persons of anonymous identities or who have false or fictitious names or with shell banks and companies.
- d. The following should be observed in the identification proceedings of the customer and beneficiary owner identity, if any, if he is a natural person:

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1. Obtain the identification particulars comprising his full name, date and place of his birth, national number, nationality, nature of his work, address of his permanent residence, telephone number, purpose and nature of the business relationship, all information pertaining to the identity document for Jordanian persons, passport number for non-Jordanian persons and any other information or documents deemed necessary by the shop for completing the identification process.
 2. Obtain original official documents or a duly certified copy thereof which substantiate the authenticity of deputization in case the dealing of any person or party with the shop on behalf of the customer and retain a copy thereof in addition to identifying the customer's identity and whoever acts on behalf of him according to the identification proceedings of the customer's identity stipulated in these Instructions.
- e. The following shall be observed in the identification proceedings of the customer's identity if he is a legal person:
1. Obtain the identification particulars comprising the name of the legal person, his legal form, address of the main office, telephone number, type of activity, date and number of registration, tax number, national number of the installation, names of the authorized signatories for the legal person, their nationalities, telephone numbers, purpose and nature of the work relationship as well as any other information or documents deemed necessary by the shop for the completion of the identification process.
 2. Obtain the official documents or duly certified copies thereof which substantiate the incorporation of the legal person and the registration thereof with the competent authorities such as the certificates issued by the Ministry of Industry and Trade, Companies Control Department and the certificates issued by the Commercial and Industrial Chambers in addition to the necessity of obtaining an official certificate issued by the competent authorities in case the company is registered abroad.
 3. Obtain copies of the authorizations issued by the legal person to the natural persons representing him and the nature of their relationship with it, identify the identity of the authorized natural person and beneficiary owner, if any, according to the identification proceedings of the customer identity provided for in these Instructions.
 4. Obtain information on the provisions which regulate the work of the legal person including the ownership structure and controlling management.

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- f. In the procedures of identifying the identity of the beneficiary owner, review of the particulars and information that are obtained from official documents and particulars should be observed whereby the shop will become satisfied that it is aware of the beneficiary owner's identity.
- g. Update the document particulars and information which are obtained pursuant to the due diligence procedures particularly the high risk customer categories and work relations.
- h. In the event that the shop is unable to carry out the due diligence procedures with respect to the customer according to the provisions of the Anti Money Laundering and Counter Terrorist Financing law in force and these Instructions, it should not complete the selling or buying proceedings and notify the Unit immediately in the event of existence of any transaction suspected to be related to money laundering or terrorism financing.

Article (5):

- a. The shop undertakes the necessary procedures to verify the authenticity of the documents, particulars and information he obtained from the customer through neutral and credible sources.
- b. The shop may postpone the verification procedures stipulated in these Instructions until after the conclusion of the selling or buying transaction provided that:
 - 1. The shop completes these measures as soon as possible.
 - 2. The shop takes the necessary measures to avoid the risks of moneylaunderingand terrorism financing during the postponement period.
 - 3. Setting a suitable internal policy for the number, type and amounts of the transactions which can be executed prior to the completion of such procedures.
- c. If the shop is unable to carry out the requirements of verification of the customer's identity and activity, it should consider notifying the unit thereof according to the provisions of the Anti Money Laundering and Counter Terrorist Financing law in force and these Instructions.

Article (6):

The shop should be required to give special diligence in identifying the customer's identity and his activity in the following transactions:

- a. The transactions carried out with persons who are at present in countries where suitable systems are not available to combat money laundering and terrorism financing.

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- b. The major or unusually complex transactions or those which do not have economic or clear legal purpose and originating from countries that do not apply or sufficiently apply the recommendations of the Financial Action Task Force (FATF).
- c. The transactions carried out with politically exposed persons and the special diligence procedures for them cover the following:
 - 1. Setting a particular system for risks management from which it can be inferred whether the customer, his deputy is from amongst this category including a policy for the acceptance of customers from this category which takes into consideration the classification of customers according to the level of their risks. The shop shall review such classification periodically or in the event of changes that requires such.
 - 2. Take the suitable procedures to ascertain the sources of wealth of these persons.
 - 3. Obtain approval of the shop's proprietor or any person who acts on behalf of him upon the establishment of a relation with these persons.
 - 4. Accurate and continued follow up of the shop's dealings with these persons.
- d. Any transaction which the shop determines it to form high risks for money laundering and terrorism financing transactions.
- e. The direct or indirect selling or buying transactions which are not conducted face to face or conducted through electronic means or tools.
- f. The selling and buying transactions which are conducted through none resident customers.

Article (7):

- a. The shop should maintain the records and documents to record the local and international selling and buying transactions so as to include sufficient particulars to identify these transactions including the particulars identification records of the identity and beneficiary owners for a minimum of five years from the date of completing the transaction or termination of business relation with the customer, as the case may be, and update these particulars periodically.
- b. The shop should make all records related to customers and transactions available upon requesting them by the Unit and the competent authorities at the fixed time.

Article (8):

The shop should name one of its qualified employees to be its reporting officer who undertakes the duty of notifying the unit of any deal which is suspected to be related to money laundering or terrorism financing as well

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as provide the unit with the full name and particulars of this person, provided that the name of an alternative person is identified in case of his absence and inform the unit upon changing any one of them.

Article (9):

- a. The shop proprietor and employees undertake to notify the reporting officer of any transaction suspected to be related to money laundering or terrorism financing.
- b. The reporting officer undertakes the following:
 1. Notify the unit immediately of the transactions suspected to be related to money laundering or terrorism financing based on the provisions of the Anti Money Laundering and Counter Terrorist Financing Law in force and according to the form or mean approved by the unit, and he shall cooperate with the unit, provide it with the particulars, documents and information available with him and facilitate the unit's review thereof if requested for the purposes of the unit's performance of its functions, which shall be during the period specified in the request.
 2. Prepare files pertaining to the transactions suspected to be related to money laundering or terrorism financing in which copies of the notifications, particulars and documents related thereto are kept, provided that such files are retained for a minimum period of five years or until the passing of an absolute judicial judgement with respect to this transaction, which ever is longer.

Article (10):

The shop should carry out the following:

- a. Audit and examine the unusual and/or voluminous transactions, duly authenticate same and record in writing the outcomes reached as well as retain them for a minimum period of five years and make same accessible to the Unit and the competent authorities upon request.
- b. Incessant verification of the transactions carried out throughout the existence of the relation with the customer and ensure consistency of the transactions carried out with the information known to the shop about the customer, nature of his work and the risks he represents.
- c. Ascertain the subjection of the parties to be dealt with to the instructions and controls that pertain to anti money laundering and counter terrorism financing and whether any action was previously taken against them due to their breach of any of the provisions of these instructions and controls.
- d. Enable the reporting manager to exercise his authorities independently in a manner which would maintain the confidentiality

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of the incoming information to him and the procedures he carries out, and to have, towards same, access to the records and particulars he requires for carrying out his functions.

- e. Orientate his staff with the necessary information on:
1. Anti Money Laundering and Counter Terrorist Financing Law in force and the regulations, instructions and decisions issued pursuant to any one thereof.
 2. The patterns suspected to be falling within the money laundering and terrorism financing transactions stated in the attached guidelines.
 3. Notification proceedings on the transactions suspected to be related to money laundering and terrorism financing.
 4. Internal policies, bases, procedures and controls followed by the shop to combat money laundering and terrorism financing transactions.

Article (11):

The certified accountant appointed by the shop should, in addition to his functions, ascertain the shop's compliance with the Anti Money Laundering and Counter Terrorist Financing Law in force and the provisions of these Instructions and ascertain the extent of sufficiency of the shop policies and procedures related therewith, and to embody his conclusions in the annual report.

Article (12):

- a. The shop should set a suitable internal by-law comprising the internal policies, bases, measures and controls which should be available for combating money laundering and terrorism financing transactions, provided it includes the following:
1. Clear policy for combating money laundering and terrorism financing transactions as well as continuously updating them comprising written detailed procedures for combating money laundering and terrorism financing transactions in which the duties and responsibilities are precisely determined in a manner consistent with the provisions of the Anti Money Laundering and Counter Terrorist Financing law in force, provisions of these Instructions and decisions issued pursuant thereto.
 2. Suitable mechanism for verifying compliance with the provisions of Anti Money Laundering and Counter Terrorist Financing law in force, these Instructions and decisions issued pursuant to any of them.
 3. The procedures which shall ensure the examination of the internal control and supervision to ensure its effectiveness in

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combating money laundering and terrorism financing as well as submit the necessary proposals to remedy any shortage therein or what ever updating and developing needed to improve the efficiency and effectiveness thereof.

4. The required bases for classifying the customers according to the degree of risks in the light of the documents, information and particulars made available to the shop.
- b. The shop should take the necessary procedures to involve its concerned employees in training programs in the field of combating money laundering and terrorism financing transactions.
- c. The shop shall revert to the guidelines attached with these Instructions which is considered an integral part thereof in order to identify the suspected patterns which fall within money laundering or terrorism financing and to use it as a tool for educating his workers.

Article (13):

- a. It is prohibited to disclose by any means, directly or indirectly about notifying the unit, with any of the notification procedures taken with respect to the transactions suspected to be related to money laundering, terrorism financing or on any of the information related therewith .
- b. It is prohibited for any one who directly or indirectly have access or knows by virtue of his work of any information submitted or exchanged pursuant to the provisions of the Anti Money Laundering and Counter Terrorist Financing law in force, regulations, instructions and decisions issued pursuant to any one thereof including these Instructions to disclose any such information which he accessed of or came to his knowledge directly or indirectly nor disclose such information in any form whatsoever except for the purposes of implementing these Instructions.

Article (14):

Subject to the provisions of the Instructions issued based on the provisions of the Anti Money Laundering and Counter Terrorist Financing law in force, the shop should execute the obligations stated in the relevant and enforceable international decisions which are notified thereto by the Ministry or the competent authorities in this respect.

Article (15):

The provisions of any text contradictory to any of the provisions of these Instructions shall not be operable.

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Article (16):

Without prejudice to any severer penalty provided for, whoever violates the provisions of these Instructions shall be penalized with the penalties stipulated in the Anti Money Laundering and Counter Terrorist Financing law in force.

Article (17):

The Anti Money Laundering pertaining to Goldsmithing and Sale of Jewelry, Precious Metals and Gems for the year 2010 published on page (1649) in the official gazette volume (5020) issued on March 16th, 2010 are hereby repealed.

Sa'ad Hayel Srou
Deputy Prime Minister
Minister of Interior