Form A: Customer Due Diligence Form (Existing Client)

Please note that this **Form A** should be completed only if the client has had contact with the law practice or legal practitioner within the past five (5) years.

Clients who have not been in contact during this period should complete **Form B (Natural Person)** or **Form C (Entity or Legal Arrangement)**, as appropriate.

MATTER / FILE NO.:		**DATE:**	
NAME OF CLIENT:		**FILED BY (Name of legal practitioner):**	
SUBJECT MATTER:			

SECTION A: EXISTING CLIENT (Rule 14)

1. Is the client an existing client[1] who has been in contact with the law practice within the last five (5) years? ☐ Yes ☐ No

If no is selected, please complete **Form B (for clients who are natural persons)** or **Form C (for clients who are entities or legal arrangements)** instead.

2. Has formal identification of the Client been provided to the law practice previously? ☐ Yes ☐ No

3. State when customer due diligence ("**CDD**") measures (including ongoing CDD measures) were last performed in relation to the client[2]:

   Date:

4. I am satisfied that the data, documents or information obtained from any previous CDD measures performed in relation to the client are adequate.[3] ☐ Yes ☐ No

   Reason:

   ____
   ____

5. Are any ML/TF/PF high risk factors and/or MinLaw's material red flags present in this matter? (See Annexes B4, B5 and F of PD 3.2.1)[4] ☐ Yes ☐ No

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[1] Pursuant to Rule 14(1) a legal practitioner or law practice must perform CDD measures taking into account:
(a) any previous customer due diligence measures performed in relation to the client;
(b) the time when any CDD measures were last performed in relation to the client; and
(c) the adequacy of the data, documents or information obtained from any previous CDD measures performed in relation to the client.

[2] Rule 14(1)(b)

[3] Rule 14(1)(c)

[4] Refer to Annexes B4, B5 and F of PD 3.2.1 for details.
Some examples of High Risk factors for ML/ FT in respect of the business relationship with the client may include, but are not limited to, the following:
(a) instructions to a legal practitioner or law practice at a distance from the client or transaction without legitimate or economic reason.
(b) use of client account without underlying legal services provided.
(c) payments are made by the client in actual cash (in the form of notes and coins).
(d) disproportionate amount of private funding for the purchase of real estate/property which is inconsistent with the socio-economic profile of the client.
(e) large cash payments made for purchase of interest in land whose value is far less, or the method of funding is unusual such as funding from a third party, or there is an absence of any logical explanation from the parties why the property is owned by multiple owners or by nominee companies.
(f) unusually high levels of assets or unusually large transactions in relation to what might reasonably be expected of clients with a similar profile.
Some examples of high risk factors for PF may include, but are not limited to the following:
(a) client activity does not match business profile, or end-user information does not match end-user's business profile.
(b) transaction involves possible shell companies (e.g. companies do not have a high level of capitalisation or displays other shell company indicators).

6. Based on my assessment of the materiality and risks of ML/TF/PF taking into account S/N 2 to 5 above, I am satisfied that the risk of ML/TF/ PF is:

   ☐ Low

   ☐ Moderate

   If moderate risk is selected, please refer to senior management to determine the frequency of ongoing monitoring.

   Frequency (eg, X months): ____________________________________

   ☐ High

   Provide reasons below:

   ____

7. I propose that the file be opened, and instructions accepted. ☐ Yes ☐ No

SECTION B: APPROVALS

☐ I certify that the information above is correct and accurate to the best of my knowledge.

Signed by Legal Practitioner:	Approved by Partner / Director / Sole Proprietor:
____________________________	____________________________
Name and Signature	Name and Signature
____________________________	____________________________
Date	Date
____________________________	____________________________