

Frequently Asked Questions in relation to the Verification and Attestation of the Account Opening Documentation

1. Is a Participating Organisation (“PO”) obliged under Rule 5.15 to allow verification and attestation by the persons listed in paragraph 9.1(3) of Directive 5-001

The PO is not obliged, but has the discretion, to allow verification and attestation of account opening documentation by any of the persons in paragraph 9.1(3) of Directive 5-001. This discretion should be exercised bearing in mind that the PO is responsible at all times to ensure that such witnessing is properly carried out.

2. Are the persons listed in paragraph 9.1(3) of Directive 5-001 obliged to carry out the verification and attestation on behalf of the PO?

The persons listed in paragraph 9.1(3) of Directive 5-001 are not obliged, but have the discretion as to whether to carry out the verification and attestation of account opening documentation on behalf of a PO. The persons listed in paragraph 9.1(3) of Directive 5-001 also have the discretion as to who they want to witness for and may decline to act a witness for certain individuals if they see fit.

3. What steps are required of the PO prior to allowing the persons mentioned in paragraph 9.1(3) of Directive 5-001 to verify and attest account opening documentation?

Pursuant to paragraph 4.1(1)(a) of Directive 5-001, POs must have adequate and effective written policies and procedures on the opening of accounts for their clients and adequate internal control to ensure that all information obtained is properly verified. POs must take all such steps necessary to ensure the genuineness or the authenticity of the application by first assessing whether, in its opinion, the account opening documents will be duly and properly verified by the persons mentioned in paragraph 9.1(3) of Directive 5-001. A PO must be satisfied that it is reasonable for the PO to rely on the verification and attestation of the persons mentioned in paragraph 9.1(3) of Directive 5-001. If the PO is comfortable that these procedures and safeguards are satisfactory, the PO may allow the verification and attestation to be done by such persons. If not, the PO must verify and attest the account opening documents through other persons in paragraph 9.1(3) of Directive 5-001 who they are comfortable with, or require the individual to be present before the PO.

[End of FAQs]