

Money-laundering and proof of identity

Version 2010.1

H02 Plc and its Directors are legally obliged under the Money Laundering Regulations 2007 and the Proceeds of Crime Act 2002 to ensure that they take certain steps to satisfy the requirements of that legislation. We have set out below a summary of those requirements:

As a rule, any information you give us to enable us to act on your behalf is confidential, and we will not divulge it to anyone else without your permission, unless we need to do so in order to discharge our duties and legal obligations. However, under the 2002 Act we may disclose confidential information if we suspect that a connection exists between you or anyone else involved in the case and anything which may be "criminal property", as defined in the Act, then it may be our duty to report it to the police, whether you agree to this or not. We may have to stop work, without telling anyone why, until the police decide what to do about the report. In some cases it may be a criminal offence for us to tell you or anyone else even if we are asked whether we have made a report or are thinking of doing so. These duties override the normal principles of keeping your affairs confidential and disclosing all relevant information to you, as well as our obligation to act promptly on your instructions.

"Criminal property" is very widely defined in the Act. It includes not only obvious things like goods or money obtained by theft or fraud but also income or assets on which tax has been evaded. It also includes anything that "represents" criminal property, so that, for example, if a stolen item had been sold, the money obtained for it would be criminal property and so would anything bought with that money. In the unlikely event that problems did appear, then in some circumstances we are allowed to discuss them with you before taking any other action, but you need to be aware from the outset that it may not always be possible for us to do so.

Proof of identity

The law requires us to satisfy ourselves that our clients are who they say they are, as soon as reasonably practicable after they first make contact with us. This means that we generally cannot start work until the name and address of our client have been proved. The usual way to prove identity is for you to come to the office and see us, bringing identifying documents for us to examine and copy. If we are to act for two or more people jointly we need proof of the identities of all of them. If we are asked to act for a company we need proof of the name, address and number of the company and also proof of the identity of at least one person active in the management of the company as well as anyone with a beneficial interest of 25% or more in the company.

Identity documents

The acceptable identity documents are TWO documents from the following list. We need originals, not copies. At least one of the documents must show your address as well as your name, and one document should include a photograph of you.

- 1 Current full passport
- 2 Current Photocard driving licence
- 3 Utility bill less than 3 months old
- 4 Council tax bill less than 3 months old
- 5 Bank or Building Society statement less than 3 months old
- 6 Mortgage statement for an accounting year ended within the last 12 months