

中华人民共和国反洗钱法

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中华人民共和国主席令第五十六号

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Anti-money Laundering Law of the People's Republic of China

Decree No. 56 of the President of the People's Republic of China

Passed by the 24th Session of the Standing Committee of the Tenth National People's Congress on 31 October 2006 and promulgated thereon

第一章 总 则

CHAPTER I — GENERAL PRINCIPLES

第一条 为了预防洗钱活动，维护金融秩序，遏制洗钱犯罪及相关犯罪，制定本法。

Article 1. This Law is formulated for the purposes of preventing money laundering activities, preserving financial order and containing money laundering crimes and other related crimes.

第二条 本法所称反洗钱，是指为了预防通过各种方式掩饰、隐瞒毒品犯罪、黑社会性质的组织犯罪、恐怖活动犯罪、走私犯罪、贪污贿赂犯罪、破坏金融管理秩序犯

Article 2. Anti-money laundering referred to in this Law shall mean the adoption of relevant measures stipulated in this Law to prevent money laundering activities by various means to hide or conceal the source and nature of gains and other profits from drug offences, organised crime, terrorist activities, smuggling, corruption and bribery, disruption of financial order, financial fraud, etc.

罪、金融诈骗犯罪等犯罪所得及其收益的来源和性质的洗钱活动，依照本法规定采取相关措施的行为。

第三条 在中华人民共和国境内设立的金融机构和按照规定应当履行反洗钱义务的特定非金融机构，应当依法采取预防、监控措施，建立健全客户身份识别制度、客户身份资料和交易记录保存制度、大额交易和可疑交易报告制度，履行反洗钱义务。

Article 3. Financial institutions established in the People's Republic of China and specific non-financial-institutions which are required to perform anti-money laundering obligations according to the provisions shall adopt preventive and control measures pursuant to the law, and fulfil anti-money laundering obligations by establishing proper and comprehensive systems for determining customer identity, retaining customer identity information and transaction records, and a system of reporting large amount transactions and suspicious transactions.

第四条 国务院反洗钱行政主管部门负责全国的反洗钱监督管理工作。国务院有关部门、机构在各自的职责范围内履行反洗钱监督管理职责。

Article 4. The State Council anti-money laundering administrative authority is responsible for anti-money laundering supervision and administration efforts nationwide. The relevant departments and agencies of the State Council shall carry out anti-money laundering supervision and administration within their respective scope of duties.

国务院反洗钱行政主管部门、国务院有关部门、机构和司法机关在反洗钱工作中应当相互配合。

The State Council anti-money laundering administrative authority and the relevant departments and agencies of the State Council and judicial authorities shall coordinate with one another in anti-money laundering efforts.

第五条 对依法履行反洗钱职责或者义务获得的客户身份资料和交易信息，应当予以保密；非法律规定，不得向任何单位和个人提

Article 5. Customer identity information and transaction records obtained in the course of anti-money laundering duties or obligations performed pursuant to the law must be kept confidential and not be disclosed to any organization or individual unless required by the provisions of the law.

供。

反洗钱行政主管部门和其他依法负有反洗钱监督管理职责的部门、机构履行反洗钱职责获得的客户身份资料和交易信息，只能用于反洗钱行政调查。

司法机关依照本法获得的客户身份资料和交易信息，只能用于反洗钱刑事诉讼。

第六条 履行反洗钱义务的机构及其工作人员依法提交大额交易和可疑交易报告，受法律保护。

第七条 任何单位和个人发现洗钱活动，有权向反洗钱行政主管部门或者公安机关举报。接受举报的机关应当对举报人和举报内容保密。

第二章 反洗钱监督管理

第八条 国务院反洗钱行政主管部门组织、协调全国的反洗钱工作，负责反洗钱的资金监测，制定

Customer identity information and transaction records obtained in the course of anti-money laundering duties, by anti-money laundering administrative authorities and other departments and organisations tasked with supervision and administration of anti-money laundering pursuant to law, must only be used for anti-money laundering administrative investigation efforts.

Customer identity information and transaction records obtained by judicial authorities pursuant to the law must only be used for criminal proceedings relating to anti-money laundering.

Article 6. Agencies and their personnel that submit reports on large amount transactions and suspicious transactions pursuant to the law in their performance of anti-money laundering obligations shall be protected by the law.

Article 7. Any organisation or individual shall have the right to report any discovery of money laundering to the anti-money laundering administrative authorities or the public security department. The agency that accepts the report shall maintain in confidence the informant's identity and the contents of the report.

CHAPTER II — ANTI-MONEY LAUNDERING SUPERVISION AND ADMINISTRATION

Article 8. The State Council anti-money laundering administrative authority shall, organise and coordinate nationwide anti-money laundering efforts, be responsible for monitoring funds pertaining to anti-money laundering, formulate anti-money laundering rules for financial institutions on its own or jointly with the relevant State

或者会同国务院有关金融监督管理机构制定金融机构反洗钱规章，监督、检查金融机构履行反洗钱义务的情况，在职责范围内调查可疑交易活动，履行法律和国务院规定的有关反洗钱的其他职责。

国务院反洗钱行政主管部门的派出机构在国务院反洗钱行政主管部门的授权范围内，对金融机构履行反洗钱义务的情况进行监督、检查。

第九条 国务院有关金融监督管理机构参与制定所监督管理的金融机构反洗钱规章，对所监督管理的金融机构提出按照规定建立健全反洗钱内部控制制度的要求，履行法律和国务院规定的有关反洗钱的其他职责。

第十条 国务院反洗钱行政主管部门设立反洗钱信息中心，负责大额交易和可疑交易报告的接收、分析，并按照规定向国务院反洗钱行政主管部门报告分析结果，履行

Council financial supervision and administrative departments, supervise and inspect the performance of anti-money laundering obligation by financial institutions, investigate suspicious transactions within its scope of duties, and perform other duties relating to anti-money laundering as the laws and the State Council stipulate.

The branches of State Council anti-money laundering administrative authority shall, based on the scope of authorisation by the State Council anti-money laundering administrative authority, conduct supervision and inspection of anti-money laundering obligations performed by financial institutions.

Article 9. The relevant State Council financial supervision and administrative departments shall participate in the formulation of anti-money laundering rules for financial institutions under its supervision and administration, propose the requirements for a proper and comprehensive internal system of anti-money laundering controls to be established by the financial institutions under its supervision and administration, and perform other duties relating to anti-money laundering as the laws and the State Council stipulate.

Article 10. The State Council anti-money laundering administrative authority shall establish an anti-money laundering information centre responsible for receiving and analysing reports on large amount transactions and suspicious transactions, reporting the analysis results to the State Council anti-money laundering administrative authority pursuant to the provisions, and perform other duties as the State Council anti-money laundering administrative authority stipulates.

国务院反洗钱行政主管部门规定的其他职责。

第十一条 国务院反洗钱行政主管部门为履行反洗钱资金监测职责，可以从国务院有关部门、机构获取所必需的信息，国务院有关部门、机构应当提供。

国务院反洗钱行政主管部门应当向国务院有关部门、机构定期通报反洗钱工作情况。

第十二条 海关发现个人出入境携带的现金、无记名有价证券超过规定金额的，应当及时向反洗钱行政主管部门通报。

前款应当通报的金额标准由国务院反洗钱行政主管部门会同海关总署规定。

第十三条 反洗钱行政主管部门和其他依法负有反洗钱监督管理职责的部门、机构发现涉嫌洗钱犯罪的交易活动，应当及时向侦查机关报告。

Article 11. The State Council anti-money laundering administrative authority may, for the purpose of monitoring the funds for anti-money laundering, obtain the requisite information from the relevant State Council departments and agencies, and the relevant State Council departments and agencies must provide such information.

The State Council anti-money laundering administrative authority shall report on the anti-money laundering efforts to the relevant State Council departments and agencies regularly.

Article 12. The Customs shall, upon discovery of an amount of cash or bearer securities exceeding the stipulated amount carried by an individual during departure or arrival, report to the anti-money laundering administrative authorities promptly.

The standard for amounts which warrant reporting shall be stipulated jointly by the State Council anti-money laundering administrative authority and the General Administration of Customs.

Article 13. Where the anti-money laundering administrative authorities and other departments and agencies tasked with supervision and administration of anti-money laundering discover any suspected money laundering transactions and activities, the discovery must be reported to the investigation agency promptly.

第十四条 国务院有关金融监督管理机构审批新设金融机构或者金融机构增设分支机构时，应当审查新机构反洗钱内部控制制度的方案；对于不符合本法规定的设立申请，不予批准。

Article 14. Where the relevant State Council financial supervision and administrative department conducts examination and approval of an application to establish a new financial institution or an additional branch of a financial institution, the relevant State Council financial supervision and administrative department shall examine the new establishment's proposed internal system of anti-money laundering controls; applications that fail to comply with the provisions of this Law shall not be approved.

第三章 金融机构反洗钱义务

CHAPTER III — ANTI-MONEY LAUNDERING OBLIGATIONS OF FINANCIAL INSTITUTIONS

第十五条 金融机构应当依照本法规定建立健全反洗钱内部控制制度，金融机构的负责人应当对反洗钱内部控制制度的有效实施负责。

金融机构应当设立反洗钱专门机构或者指定内设机构负责反洗钱工作。

Article 15. Financial institutions shall establish a proper and comprehensive internal system of anti-money laundering controls pursuant to the provisions of this Law; the person-in-charge of the financial institution shall be responsible for the effectiveness of the internal system of anti-money laundering controls implemented.

Financial institutions shall establish a specialist anti-money laundering department or appoint an internal department to be responsible for anti-money laundering efforts.

第十六条 金融机构应当按照规定建立客户身份识别制度。

Article 16. Financial institutions shall establish a system of determining customer identity pursuant to the provisions.

金融机构在与客户建立业务关系或者为客户提供规定金额以上的现金汇款、现钞兑换、票据兑付等一次性金融服务时，应当要求客户出示真实有效的身份证件或者其他

When a financial institution establishes a business relationship with a customer or provides one-off financial services such as cash remittance, currency exchange, bill discounting, etc, the financial institution shall conduct verification and registration by requiring the customer to provide true and valid identification documents or any other form of identification document.

Where the transaction is carried out by an agent of the customer, the financial institution shall verify and register the identification

身份证明文件，进行核对并登记。

documents or any other form of identification document of the agent and the customer.

客户由他人代理办理业务的，金融机构应当同时对代理人和被代理人的身份证件或者其他身份证明文件进行核对并登记。

When a financial institution establishes a business relationship with a customer through a life insurance policy, trust instrument or any other business relationship and the customer is not a beneficiary under the agreement, the financial institution shall verify and register the identification documents or any other form of identification document of the beneficiary and the customer.

与客户建立人身保险、信托等业务关系，合同的受益人不是客户本人的，金融机构还应当对受益人的身份证件或者其他身份证明文件进行核对并登记。

Financial institutions shall not provide services or carry out transactions for customers whose identity is unknown, and shall not open anonymous or pseudonym accounts for customers.

Where a financial institution doubts the veracity, validity or integrity of a customer's identity from identity information previously obtained, the financial institution shall determine the customer's identity again.

金融机构不得为身份不明的客户提供服务或者与其进行交易，不得为客户开立匿名账户或者假名账户。

Any organisation or individual that establishes a business relationship with a financial institution or requests for one-off financial services from a financial institution shall provide true and valid identification documents or any other form of identification document.

金融机构对先前获得的客户身份资料的真实性、有效性或者完整性有疑问的，应当重新识别客户身份。

任何单位和个人在与金融机构建立业务关系或者要求金融机构为其提供一次性金融服务时，都应当提供真实有效的身份证件或者其他

身份证明文件。

第十七条 金融机构通过第三方识别客户身份的，应当确保第三方已经采取符合本法要求的客户身份识别措施；第三方未采取符合本法要求的客户身份识别措施的，由该金融机构承担未履行客户身份识别义务的责任。

Article 17. Where a financial institution determines the identity of a customer through a third party, it shall ensure that the third party has adopted measures for determining customer identity which comply with the requirements of this Law; where the third party has not adopted measures for determining customer identity which comply with the requirements of this Law, the financial institution shall bear the liability of not fulfilling the obligation of determining customer identity.

第十八条 金融机构进行客户身份识别，认为必要时，可以向公安、工商行政管理等部门核实客户的有关身份信息。

Article 18. When a financial institution is determining the identity of a customer, it may as it deem necessary, verify the relevant customer's identification information with the public security department, industry and commerce administrative departments and other departments.

第十九条 金融机构应当按照规定建立客户身份资料和交易记录保存制度。

Article 19. Financial institutions shall establish a system of retaining customer identity information and transaction records pursuant to the provisions.

在业务关系存续期间，客户身份资料发生变更的，应当及时更新客户身份资料。

Where a customer's identity information changes when the business relationship is still subsisting and continuing, the customer's identity information must be updated promptly.

客户身份资料在业务关系结束后、客户交易信息在交易结束后，应当至少保存五年。

Customer identity information shall be retained for at least five years upon termination of business relationship.

金融机构破产和解散时，应当

When a financial institution undergoes bankruptcy and dissolution, all customer identity information and transaction records shall be handed over to an agency designated by the relevant State Council department.

将客户身份资料和客户交易信息移交国务院有关部门指定的机构。

第二十条 金融机构应当按照规定执行大额交易和可疑交易报告制度。

金融机构办理的单笔交易或者在规定期限内的累计交易超过规定金额或者发现可疑交易的，应当及时向反洗钱信息中心报告。

第二十一条 金融机构建立客户身份识别制度、客户身份资料和交易记录保存制度的具体办法，由国务院反洗钱行政主管部门会同国务院有关金融监督管理机构制定。金融机构大额交易和可疑交易报告的具体办法，由国务院反洗钱行政主管部门制定。

第二十二条 金融机构应当按照反洗钱预防、监控制度的要求，开展反洗钱培训和宣传工作。

第四章 反洗钱调查

第二十三条 国务院反洗钱行

Article 20. Financial institutions shall execute the system of reporting large amount transactions and suspicious transactions pursuant to the provisions.

Where the amount in a single transaction or the cumulative amount of transactions within a stipulated period carried out by a financial institution exceeds the stipulated amount, the financial institution shall report to the anti-money laundering information centre promptly.

Article 21. The State Council anti-money laundering administrative authority and the relevant State Council financial supervision and administrative departments shall jointly formulate the specific measures on the system of determining customer identity, system of retaining customer identification information and transaction records that financial institutions establish. The State Council anti-money laundering administrative authority shall formulate the specific measures on reporting large amount transactions and suspicious transactions by financial institutions.

Article 22. Financial institutions shall develop anti-money laundering training and publicity campaigns according to the requirements of prevention and control systems in anti-money laundering.

CHAPTER IV — ANTI-MONEY LAUNDERING INVESTIGATION

Article 23. Where the State Council anti-money laundering

政主管部门或者其省一级派出机构发现可疑交易活动，需要调查核实的，可以向金融机构进行调查，金融机构应当予以配合，如实提供有关文件和资料。

调查可疑交易活动时，调查人员不得少于二人，并出示合法证件和国务院反洗钱行政主管部门或者其省一级派出机构出具的调查通知书。调查人员少于二人或者未出示合法证件和调查通知书的，金融机构有权拒绝调查。

第二十四条 调查可疑交易活动，可以询问金融机构有关人员，要求其说明情况。

询问应当制作询问笔录。询问笔录应当交被询问人核对。记载有遗漏或者差错的，被询问人可以要求补充或者更正。被询问人确认笔录无误后，应当签名或者盖章；调查人员也应当在笔录上签名。

第二十五条 调查中需要进一步核查的，经国务院反洗钱行政主

administrative authority or its provincial first-level branch discovers suspicious transactions which require investigation and verification, it may investigate the financial institution, and the financial institution shall cooperate and provide the relevant documents and materials truthfully.

There shall be at least two investigators for any investigation into suspicious transactions, and the investigators shall present their legitimate identity pass and the notice of investigation issued by the State Council anti-money laundering administrative authority or its provincial first-level branch. The financial institution shall have a right to refuse investigation where there are less than two investigators or the investigators fail to present their legitimate identity pass and the notice of investigation.

Article 24. The relevant personnel of a financial institution may be questioned and be required to provide explanation in a suspicious transaction investigation.

A written record of the questioning shall be kept. The written record of the questioning shall be verified by the person(s) questioned. Where any omission or error exists in the record, the person(s) questioned may request for supplementation or correction. The person(s) questioned shall sign or seal the written record upon confirmation that no errors exist in the written record; the investigators shall also sign on the written record.

Article 25. Where an investigation requires further verification and approval is granted by the person-in-charge of the State Council anti-money laundering administrative authority or its provincial first-

管部门或者其省一级派出机构的负责人批准，可以查阅、复制被调查对象的账户信息、交易记录和其他有关资料；对可能被转移、隐藏、篡改或者毁损的文件、资料，可以予以封存。

调查人员封存文件、资料，应当会同在场的金融机构工作人员查点清楚，当场开列清单一式二份，由调查人员和在场的金融机构工作人员签名或者盖章，一份交金融机构，一份附卷备查。

第二十六条 经调查仍不能排除洗钱嫌疑的，应当立即向有管辖权的侦查机关报案。客户要求将调查所涉及的账户资金转往境外的，经国务院反洗钱行政主管部门负责人批准，可以采取临时冻结措施。

侦查机关接到报案后，对已依照前款规定临时冻结的资金，应当及时决定是否继续冻结。侦查机关认为需要继续冻结的，依照刑事诉讼法的规定采取冻结措施；认为不

level branch, the investigators may inspect and make photocopies of the account information, transaction records and other relevant materials belonging to the party under investigation; documents and materials that can be removed, hidden, altered or destroyed may be sealed.

Where documents and materials are to be sealed, the investigators and staff member(s) of the financial institution present, shall jointly make a list of the documents and materials in duplicate; the investigators and the staff member(s) of the financial institution present shall sign or seal on the lists; a copy shall be kept by the financial institution and the other copy shall be kept in the case file.

Article 26. Where an investigation fails to eliminate suspicion in a suspected act of money laundering, a report must be lodged with the investigation agency with jurisdiction immediately. Where the customer requests for an overseas transfer of funds from the account under investigation, temporary freeze measures may be adopted upon approval by the person-in-charge of the State Council anti-money laundering administrative authority.

Upon receipt of a report, the investigation agency shall promptly decide whether to continue freezing the funds that are temporarily frozen pursuant to the provisions of the preceding paragraph. Where the investigation agency deems necessary to continue with the freeze, freeze measures shall be adopted pursuant to the provisions of the Criminal Litigation Law; where the investigation agency deems unnecessary to continue with the freeze, it shall notify the State Council anti-money laundering administrative authority immediately; the State Council anti-money laundering administrative authority shall notify the financial institution of the

需要继续冻结的，应当立即通知国务院反洗钱行政主管部门，国务院反洗钱行政主管部门应当立即通知金融机构解除冻结。

临时冻结不得超过四十八小时。金融机构在按照国务院反洗钱行政主管部门的要求采取临时冻结措施后四十八小时内，未接到侦查机关继续冻结通知的，应当立即解除冻结。

lifting of freeze immediately.

A temporary freeze shall not exceed 48 hours. Where the financial institution has not received notification from the investigation agency of a continued freeze within 48 hours from the adoption of temporary freeze measures pursuant to the request of the State Council anti-money laundering administrative authority, the freeze shall be lifted immediately.

第五章 反洗钱国际合作

CHAPTER V — INTERNATIONAL COOPERATION ON ANTI-MONEY LAUNDERING

第二十七条 中华人民共和国根据缔结或者参加的国际条约，或者按照平等互惠原则，开展反洗钱国际合作。

Article 27. The People's Republic of China shall develop international cooperation in anti-money laundering pursuant to international treaties the People's Republic of China has concluded or is a signatory, or pursuant to the principles of equality and mutual benefit.

第二十八条 国务院反洗钱行政主管部门根据国务院授权，代表中国政府与外国政府和有关国际组织开展反洗钱合作，依法与境外反洗钱机构交换与反洗钱有关的信息和资料。

Article 28. The State Council anti-money laundering administrative authority shall, as authorised by the State Council, represent the Chinese government to develop cooperation with foreign governments and relevant international organisations in anti-money laundering, and exchange information and materials relating to anti-money laundering with overseas anti-money laundering agencies pursuant to the law.

第二十九条 涉及追究洗钱犯

Article 29. The judicial authorities shall provide judicial assistance pursuant to the law where pursuit of criminal action against money

罪的司法协助，由司法机关依照有关法律的规定办理。

laundering crimes is involved.

第六章 法律责任

CHAPTER VI — LEGAL LIABILITY

第三十条 反洗钱行政主管部门和其他依法负有反洗钱监督管理职责的部门、机构从事反洗钱工作的人员有下列行为之一的，依法给予行政处分：

Article 30. Any officer of the anti-money laundering administrative authorities and other departments and agencies that are tasked to conduct supervision and administration of anti-money laundering efforts pursuant to the law who commits any of the following acts shall be subject to administrative penalties:

（一）违反规定进行检查、调查或者采取临时冻结措施的；

(1) inspection or investigation, or adoption of temporary freeze measures in violation of the provisions;

（二）泄露因反洗钱知悉的国家秘密、商业秘密或者个人隐私的；

(2) disclosure of State secrets, commercial secrets or private personal information obtained in the course of anti-money laundering efforts;

（三）违反规定对有关机构和人员实施行政处罚的；

(3) imposition of administrative penalties on relevant agencies or officers in violation of the provisions; or

（四）其他不依法履行职责的行为。

(4) any duty performed in violation of the law.

第三十一条 金融机构有下列行为之一的，由国务院反洗钱行政主管部门或者其授权的设区的市一级以上派出机构责令限期改正；情

Article 31. Where a financial institution commits any of the following acts, it shall be ordered to make correction within a stipulated period by the State Council anti-money laundering administrative authority or an authorised first-level branch of a level above a municipality divided into districts; where the case is serious, a recommendation may be made for the relevant financial

节严重的，建议有关金融监督管理机构依法责令金融机构对直接负责的董事、高级管理人员和其他直接责任人员给予纪律处分：

（一）未按照规定建立反洗钱内部控制制度的；

（二）未按照规定设立反洗钱专门机构或者指定内设机构负责反洗钱工作的；

（三）未按照规定对职工进行反洗钱培训的。

supervision and administrative authorities to order the financial institution to impose disciplinary action against its directors, senior management personnel and any other directly accountable personnel:

(1) failure to establish an internal system of anti-money laundering controls according to the provisions;

(2) failure to establish a specialist anti-money laundering department or appoint an internal department to be responsible for anti-money laundering efforts according to the provisions; or

(3) failure to provide anti-money laundering training for staff members.

第三十二条 金融机构有下列行为之一的，由国务院反洗钱行政主管部门或者其授权的设区的市一级以上派出机构责令限期改正；情节严重的，处二十万元以上五十万元以下罚款，并对直接负责的董事、高级管理人员和其他直接责任人员，处一万元以上五万元以下罚款：

（一）未按照规定履行客户身份识别义务的；

Article 32. Where a financial institution commits any of the following acts, it shall be ordered to make correction within a stipulated period by the State Council anti-money laundering administrative authority or an authorised first-level branch of a level above a municipality divided into districts; where the case is serious, a fine ranging from RMB200,000 to RMB500,000 shall be imposed and the directors, senior management personnel and any other personnel who are directly accountable shall be subject to a fine ranging from RMB10,000 to RMB50,000:

(1) failure to perform the obligation of determining customer identity according to the provisions;

(2) failure to retain customer identity information and transaction records according to the provisions;

(3) failure to report large amount transactions or suspicious

(二) 未按照规定保存客户身份资料和交易记录的;

(三) 未按照规定报送大额交易报告或者可疑交易报告的;

(四) 与身份不明的客户进行交易或者为客户开立匿名账户、假名账户的;

(五) 违反保密规定, 泄露有关信息的;

(六) 拒绝、阻碍反洗钱检查、调查的;

(七) 拒绝提供调查材料或者故意提供虚假材料的。

金融机构有前款行为, 致使洗钱后果发生的, 处五十万元以上五百万元以下罚款, 并对直接负责的董事、高级管理人员和其他直接责任人员处五万元以上五十万元以下罚款; 情节特别严重的, 反洗钱行政主管部门可以建议有关金融监督管理机构责令停业整顿或者吊销其

transactions according to the provisions;

(4) carry out transactions with customers whose identity is unknown or open anonymous accounts or pseudonym accounts for customers;

(5) disclose information in violation of confidentiality provisions;

(6) refuse or obstruct anti-money laundering inspection or investigation; or

(7) refuse to provide investigation materials or intentionally provide false materials.

Where any of the acts mentioned in the preceding paragraph committed by a financial institution results in money laundering, the financial institution shall be subject to a fine ranging from RMB500,000 to RMB5 million, and the directors, senior management personnel and any other directly accountable personnel shall be subject to a fine ranging from RMB50,000 to RMB500,000; where the case is very serious, the anti-money laundering administrative authorities may recommend that the relevant financial supervision and administrative authorities order the financial institution to suspend its operations for rectification or revoke the business permit of the financial institution.

The anti-money laundering administrative authorities may recommend that the relevant financial supervision and administrative authorities order the financial institution to take disciplinary action against its directors, senior management personnel and any other directly accountable personnel for any act stipulated in the two preceding paragraphs, or recommend the cancellation of the appointment qualifications of such persons and prohibit such persons from working in the finance industry pursuant to the law.

经营许可证。

对有前两款规定情形的金融机构直接负责的董事、高级管理人员和其他直接责任人员，反洗钱行政主管部门可以建议有关金融监督管理机构依法责令金融机构给予纪律处分，或者建议依法取消其任职资格、禁止其从事有关金融行业工作。

第三十三条 违反本法规定，构成犯罪的，依法追究刑事责任。

第七章 附 则

第三十四条 本法所称金融机构，是指依法设立的从事金融业务的政策性银行、商业银行、信用合作社、邮政储汇机构、信托投资公司、证券公司、期货经纪公司、保险公司以及国务院反洗钱行政主管部门确定并公布的从事金融业务的其他机构。

第三十五条 应当履行反洗钱义务的特定非金融机构的范围、其

Article 33. Where a violation of the provisions of this Law constitutes a criminal offence, criminal liability shall be imposed according to the law.

CHAPTER VII — SUPPLEMENTARY PROVISIONS

Article 34. Financial institutions referred to in this Law shall mean duly established policy banks, commercial banks, credit cooperatives, postal saving organisations, trust investment companies, securities companies and futures brokerages, insurance companies that engage in financial businesses, and any other financial business organisations determined and announced by the State Council anti-money laundering administrative authority.

Article 35. The scope of specific non-financial institutions that are required to perform anti-money laundering obligations, the specific measures on anti-money laundering obligations to be performed by specific non-financial institutions, and the supervision and

履行反洗钱义务和对其监督管理的具体办法，由国务院反洗钱行政主管部门会同国务院有关部门制定。

administration of such specific non-financial institutions shall be formulated jointly by the State Council anti-money laundering administrative authority and the relevant State Council departments.

第三十六条 对涉嫌恐怖活动资金的监控适用本法；其他法律另有规定的，适用其规定。

Article 36. This Law shall apply to the monitor of funds in suspect of being used for financing terrorist activities; where other laws provide to the contrary, such provisions shall prevail.

第三十七条 本法自2007年1月1日起施行。

Article 37. This Law shall be effective 1 January 2007.