

New Clients – Checks We Are Required to Make

In relation to all matters on which we may be asked to act for you as a client, we are required by law to make certain checks on you and to record and hold information about you. The purpose of this leaflet is to explain what those checks are, how they are conducted, and how long we will keep that information. Please note all information is held securely and will not be shared with any other parties unless it is specifically requested by the statutory authorities.

Proving Your Identity

When we meet with you in person, we have to verify the identity of the person we are dealing with. This requires us to see photographic identity and proof of your address. We have a separate leaflet “Proof of ID Leaflet” which is available to download from our Client Care Documents. Please read this and bring the appropriate documents with you to your initial meeting. If we are being instructed remotely either by e-mail or zoom video conference, we are required to carry out enhanced checks which will include a biometric security check which you have to complete using your smart ‘phone. If these checks have to be carried out there is a cost attached to them which is charged to you as the client. The cost of these checks is currently £10.00 plus VAT per person per check.

Anti Money Laundering Checks

If we are conducting work for you such as tax planning, creation of trusts, making gifts or dealing with the administration of an estate then we are required to carry out detailed source of wealth checks and will ask you to provide details of your financial resources including the provision of copy statements, valuations, title deeds, etc. We are required to evidence that we have carried out these checks and to hold copies of the relevant documents on our files confidentially. We will provide you with details of what is required at our initial meeting or in advance of that and we have a separate Source of Wealth Reporting Form we must complete and hold on file.

Politically Exposed Persons (PEP Checks)

We are required to carry out a check if you or a family member or known close associate of yours is a politically exposed person (PEP). This is defined as a person entrusted with prominent public function and includes Ministers, Deputy Ministers, Members of Parliament, board members of central banks, Government Ambassadors or senior officers over the rank of Major in the armed forces or senior managers of state owned enterprises – if you are within any of these categories we have to carry out a separate enhanced due diligence check on you – could you please disclose at the initial meeting if you are likely to fall within these categories.

Proliferation Risk Assessment

Proliferation is part of the Anti-Money Laundering Regulations and relates to the use of money to finance arms or provide money to a sanctioned country for example Russia. An initial check will be carried out at that meeting and recorded on a separate risk assessment form. If you are a director of any nominee companies', additional checks will need to be made on which countries those companies trade with.

Entity Checks

If you are a director of a limited company, we have to carry out detailed checks on the companies in which you are registered as a director including conducting Companies House searches. It would greatly assist if you can provide at that initial meeting details of any companies in which you are a director including the full company name and registered company number. Basic company searches can be conducted at no fee, but if a more complex company search is required a fee may be incurred in that.

Please note

We may not be able to act for you if you are not willing to provide freely the information requested or if we are not satisfied as to your identity. The checks made by us will not affect your credit rating. It will greatly help and speed up the process if you are able to bring this information with you to the initial meeting or, if it can be provided, in advance of that meeting so the appropriate checks can be made. In terms of evidence of identity if you do not have any of the relevant documents listed on our Client ID leaflet, please contact us to discuss this as there may be other forms of evidence that can be accepted.

Please note these are legal requirements placed upon us and we must comply with these checks or face considerable penalties. These checks are being made to prevent money laundering or terrorist financing and we are required by the SRA (Solicitors Regulation Authority) to conduct these in all cases.

We would thank you for your co-operation.

East Devon Law LLP.