



NOVA SCOTIA BARRISTERS' SOCIETY

Client Identification & Verification Overview

Effective January 1, 2020

	Individual Clients or Representative Clients (individuals)	Organizational Clients Representative Clients (organizations)
<p>Identification</p> <p>Required when providing legal services, except:</p> <ul style="list-style-type: none"> - For employer - Agent for another lawyer - Referral from lawyer who has already done id - Duty counsel (unless activity re verification) 	<p>Obtain and Record</p> <ul style="list-style-type: none"> • Full Name • Home address and Telephone # • Occupation(s) • Work Address and Telephone # (if applicable) 	<p>Obtain and Record</p> <ul style="list-style-type: none"> • Full Name • Business Address • Business Telephone # • Incorporation # or Business ID # (if applicable) • Type of Business • Name, position, and contact information of person authorized to give instructions.
<p>Verification</p> <p>Required when lawyer “engages in or receives instruction in respect of the receiving, paying, or transferring of funds”</p> <p>Exceptions in Reg. 4.13.7</p> <ul style="list-style-type: none"> - Client is or funds are paid by/to Financial institution, public body, or reporting issuer - Received from trust account of another lawyer - Received from peace officer, etc - Paid or received to pay fine, penalty, bail - Paid or received for professional fees, disbursements, or expenses - to Electronic transfer of funds 	<p>1. Obtain, record, and date information about the source of the funds</p> <p>2. Obtain and Keep copy</p> <ul style="list-style-type: none"> • government-issued photo identification; or • credit file information; or • information from two different, reliable and independent sources that contain: <ul style="list-style-type: none"> • the individual's name and address; • the individual's name and date of birth; or • the individual's name and confirmation they have a deposit account, credit card or other loan with a financial institution. <p>Clients under 12 – <u>must</u> verify the identity of one parent or guardian</p> <p>Clients 12 to 15 – <u>may</u> refer to dual process identification for one parent or guardian at same address of client</p>	<p>1. Obtain, record, and date information about the source of the funds</p> <p>2. Obtain and Keep copy</p> <ul style="list-style-type: none"> • Written confirmation from government registry; or • Copy of constating documents for unregistered organizations <p>3. Verify individual giving instruction using one of 3 methods for Individual</p> <p>4. Record and date names of all Directors</p> <p>5. Make reasonable efforts to collect and confirm identity of the beneficial owners (see 4.13.14)</p> <p>6. If unable to confirm identity of beneficial owners:</p> <ul style="list-style-type: none"> • collect and confirm identity of senior managing officer; • assess risk based on information available (see 4.13.17)
<p>Timing of Verification</p>	<p>Upon engaging in or giving instruction receiving, paying, or transferring of funds (also applies for individual providing instruction for organizational client)</p>	<p>Within 30 days of engaging in or giving instruction receiving, paying, or transferring of funds</p>
<p>In Person or by Agent</p>	<p>Verification must be done in person If agent is used, need to have an agent agreement</p>	
<p>Ongoing monitoring</p>	<p>Periodically assess client's activities, source of funds, and transactions are consistent with purpose of retainer in order to assess if there is a risk that the client is engaged in fraud or other illegal conduct</p>	