

Anti-Money Laundering Directive 5 & Customer Due Diligence

What is AMLD5?

AMLD5 extends the current anti-money laundering legal framework to cover business activity taking place within the art market. The directive now concerns art market participants (AMPs) involved in selling work directly to clients through single or linked transactions with the sale of goods in excess of €10,000 (c.£8.5k), to conduct due diligence, monitoring, and enhanced record keeping.

Under the new legislation the gallery has registered with HMRC as an AMP. The new guidelines require us to take a risk based approach to comply with the law. This means that we have a legal duty to carry out customer due diligence, keep copies of the documents for 5 years and have them accessible to HMRC in case of spot checks and further investigations.

We appreciate and understand that this is new and that it may be unsettling to be asked for this information in the context of making an art purchase.

For ease of mind you can read more about the legislation at:

HMRC: <https://www.gov.uk/government/publications/art-market-participants-guidance-on-anti-money-laundering-supervision>

The British Art Market Federation has published guidance approved by HMRC for the UK art market:

<https://tbamf.org.uk/portfolio/anti-money-laundering-guidelines-2020/>

We remain committed to maintaining our client's privacy under the current GDPR legislation. The information given is only used for CDD and is kept separately from other customer information. For additional security we request that information where possible is completed and supplied in person so we can avoid keeping digital records. We are able to securely store paper records but we cannot be 100% about digital storage in this day and age. If you do wish to send digital records they must be sent to the HMRC Nominated Officer Sarah Wiseman: sarahjane@wisegal.com

We use an external provider to verify the CDD information www.complianceassist.co.uk

We are unable to complete your purchase until we have received and verified the information on the due diligence form.

We sincerely thank you for your understanding and assistance in helping us to comply with the new legislation.

Sarah Wiseman

Gallery Director

Wiseman Fine Art Ltd.