



## **PUBLIC NOTICE**

### **Requirement to Register as a Non-Regulated Service Provider**

22 September 2022

**Anti-Money Laundering and Terrorist Financing Regulations, R.R.A. P98-1  
("AML/CFT Regulations")**

**Externally and Non-Regulated Service Providers Regulations, R.R.A. P98-6  
("ENRSP Regulations")**

**Proceeds of Crime Act, R.S.A. c. P98 ("POCA")**

The Anguilla Financial Services Commission (the "Commission") is the AML/CFT Supervisor for Financial Institutions, Externally and Non-Regulated Service Providers and Non-Profit Organisations. This public notice applies to all businesses and professionals carrying on business in, or from within, Anguilla who are classified as Non-Regulated Service Providers ("NRSPs").

Under Section 158(1) of the POCA, "a person shall not carry on any type of relevant business in or from within Anguilla unless that person has been registered for that type of relevant business by the appropriate supervisory authority in accordance with the ENRSP Regulations".

Under Schedule 2 of the AML/CFT Regulations, a business or person is regarded as a non-regulated service provider if it:

- (a) Provides **accountancy or audit services**;
- (b) Acts as a **real estate agent**, when the person is involved in transactions concerning the buying and selling of real estate;
- (c) Acts as a **'high value dealer'** (which means a person who, by way of business, trades in goods, including precious metals and precious stones, and receives, in respect of any transaction is executed in a single operation or in several linked operations.);
- (d) Conducts as a business one or more of the following activities for, or on behalf of, a customer –
  - (i) **Lending**, including consumer credit, mortgage credit, factoring, with or without recourse, and financing of commercial transactions, including forfeiting;
  - (ii) **Financial leasing**;

- (iii) **Issuing and managing means of payment**, including credit and debit cards, cheques, travellers' cheques, money orders and bankers' draft and electronic money;
- (iv) **Financial guarantees or commitments**;
- (v) Participation in **securities issues** and the provision of financial services related to such issues;
- (vi) Providing **advice** on capital structure, industrial strategy and related questions and advice and services relating to **mergers and the purchase of undertakings**;
- (vii) **Safekeeping and administration of cash**;
- (viii) **Investing administering or managing funds or money**;
- (ix) **Money broking**.
- (e) Trades for his own account or for the account of customers in –
  - (i) **Money market instruments**, including cheques, bills, certificates of deposit and derivatives;
  - (ii) **Foreign exchange**;
  - (iii) **Exchange, interest rate and index instruments**;
  - (iv) **Financial futures and options**;
  - (v) **Commodities futures**; or
  - (vi) **Shares and other transferable securities**
- (f) **A licensed lottery**.

Entities are required to register as an NRSP must complete and submit their NRSP application and supporting documents to the Commission on or before **21 October 2022**.

**-END-**