



TURKS AND CAICOS ISLANDS FINANCIAL SERVICES COMMISSION

Regulating with Honesty, Integrity and Transparency

1 February 2023

REGULATORY ADVISORY 2 OF 2023

APPOINTMENT OF MONEY LAUNDERING COMPLIANCE OFFICER (MLCO) AND MONEY LAUNDERING REPORTING OFFICER (MLRO)

All financial businesses, including businesses and professions that are registered by the Commission under the Anti-Money Laundering and Prevention of Terrorist Financing Regulations (AMLPTF Regulations) as Designated Non-Financial Businesses and Professions (DNFBP), are required to obtain the Commission's approval for the appointment of a Money Laundering Compliance Officer (MLCO) and/or a Money Laundering Reporting Officer (MLRO) pursuant to regulations 21(5) and 22(3) of the AMLPTF Regulations.

All financial businesses are required to provide the Commission with written notice within seven days of an individual, for whatever reason, ceasing to be its MLCO or MLRO and/or the appointment of an MLCO and/or an MLRO pursuant to regulations 21(6) and 22(4) of the AMLPTF Regulations. Failure to obtain the required approval for a new MLCO or MLRO is a contravention of the AMLPTF Regulations, which will result in regulatory enforcement action.

Please be advised that effective **1 March 2023**, the Commission will consistently take enforcement action against financial businesses for failure to comply with the above approval process. Enforcement action will be taken pursuant to section 33 & 45 of the Financial Services Ordinance (FSCO) and/or 165(a)(i) of the Proceeds of Crime Ordinance and/or disciplinary action will be taken pursuant to Schedule 3 of the AMLPTF Regulations. Where disciplinary action is taken, the administrative penalty to be applied to a financial business is \$2,500 and \$100 for every day the disciplinary violation continues or occurs. Financial businesses are further advised that they are liable, on summary conviction, to a fine of \$25,000 for contravening the above regulations.

Financial businesses are strongly encouraged to comply with the requirements of the approval process mentioned above. This advisory will apply to all compliance failures after 28 February 2023.

Please be advised and guided accordingly.

Yours sincerely
**Turks and Caicos Islands
Financial Services Commission**

Niguel Streete
Managing Director