MINISTRY OF FINANCE

S.I. No. 103 of 2003

FINANCIAL TRANSACTIONS REPORTING
ACT, Ch. 368

FINANCIAL TRANSACTIONS REPORTING
(AMENDMENT) REGULATIONS, 2003

The Minister, in exercise of the powers conferred by section 50 of the
Financial Transactions Reporting Act makes the following regulations -

1. (1) These regulations which amend the Financial Transactions
and Reporting Regulations may be cited as the Financial Transactions Reporting
commence-

(2) These regulations shall come into force on the 1st day of January, 2004.

Amendment

2. Regulation 2 of the principal regulations is amended by the deletion of
of regulation the figures "$10,000.00" and the substitution of the figures "$15,000.00".
2 of the principal
regulations.

3. Regulation 3 of the principal Regulations is repealed and replaced by
Repeal and the following -
replacement 3 of the principal
regulations.

"Procedure for verification.

3.(1) For the purposes of section 11(1) of the Act, where a financial institution is required to verify the identity of any individual the following information is required-

(a) full and correct name of the individual;
(b) address;

(c) date and place of birth; and

(d) purpose of the account and the nature of the business relationship.

(2) In addition to the requirements mentioned in sub-paragraph (1) the following information may be required -

(a) source of funds;

(b) signature;

(c) telephone and fax number (if any);

(d) occupation and name of employer (if self employed, the nature of the self employment);

(e) copy of the relevant pages of passport, drivers licence, voters card, national identity card or such other identification
Amendment of Regulation 4 of the principal regulations is amended by the deletion of the words "Where a financial institution is required to verify the identity of an corporate entity whether incorporated in The Bahamas or elsewhere, the following information is required" and the substitution therefor of the following -

"For the purposes of section 11(1) of the Act where a financial institution is required to verify the identity of any corporate entity whether incorporated in The Bahamas or elsewhere, the following information may be required -"

Amendment of Regulation 5 of the principal regulations is amended by the deletion of the words "Where a financial institution is required to verify the identity of partnerships or other unincorporated businesses, the following information is
regulations. required - " and the substitution of the following -

" For the purposes of section 11 (1) where a financial institution is
required to verify the identity of partnerships or other
unincorporated businesses, the following information may be
required - "

Amendment of
regulation 5(A) of the principal regulations.

6. Regulation 5(A) of the principal regulations is amended by the
insertion immediately after paragraph (h) of the following -

" (i) any Bahamian dollar facility of or below
the amount prescribed under regulation 2,"

Amendment of
regulation 7 of the principal regulations.

7. The principal regulations are amended by the insertion immediately
after regulation 7 of the following regulation -

" Verification of beneficial
owners.

7A. Any obligation to verify the
identity of a facility holder under Part II of the
Act shall include an obligation to verify the
identities of the beneficial owners of such
facility in accordance with these Regulations:

Provided however, that in the case of the
verification of identity of a corporate entity, the
obligation to verify the identity of beneficial
owners will only be required for those
beneficial owners having a controlling interest
in the corporate entity.".

Amendment of
regulation 9 of the principal regulations.

8. Regulation 9 of the principal regulations is repealed and
replaced by the following -

" Continued 9.1 Once verification of identity of a facility
verification holder has been completed no further verification
of accounts. of identity is necessary unless there is a material
change in the way the facility is operated.

(2) Financial institutions shall monitor facility holders for consistency with the facility holders stated account purposes during the business relationship.".

Made this 31st day of December, 2003.

Signed
PERRY G. CHRISTIE
Minister of Finance