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Outlier Solutions Inc. (Outlier) has prepared this marked-up copy of the Proceeds of Crime (Money Laundering) and Terrorist Financing Registration Regulations, reflecting the changes published in the Canada Gazette on July 10th, 2019 (These changes have been accepted within this document and highlighted in grey). The regulations amending the regulations amending certain regulations published in the Canada Gazette June 10<sup>th</sup>, 2020<sup>1</sup> have been updated using tracked changes in this document.

This document is not an official version of the Proceeds of Crime (Money Laundering) and Terrorist Financing Registration Regulations. Official versions can be found on the Government of Canada's Justice Laws Website<sup>2</sup>.

Please feel free to distribute this document free of charge to additional stakeholders. If you have any questions or concerns, or if you would like a copy of this document in Microsoft Word format, please contact us at [info@outliercanada.com](mailto:info@outliercanada.com).

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<sup>1</sup> <http://gazette.gc.ca/rp-pr/p2/2020/2020-06-10/html/sor-dors112-eng.html>

<sup>2</sup> <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2001-317/index.html>

# Proceeds of Crime (Money Laundering) and Terrorist Financing Registration Regulations

SOR/2007-121

[PROCEEDS OF CRIME \(MONEY LAUNDERING\) AND TERRORIST FINANCING ACT](#)

Registration 2007-06-07

Proceeds of Crime (Money Laundering) and Terrorist Financing Registration Regulations

P.C. 2007-918 2007-06-07

Her Excellency the Governor General in Council, on the recommendation of the Minister of Finance, pursuant to subsection 73(1)<sup>3</sup> of the [Proceeds of Crime \(Money Laundering\) and Terrorist Financing Act](#)<sup>4</sup>, hereby makes the annexed [Proceeds of Crime \(Money Laundering\) and Terrorist Financing Registration Regulations](#).

## Interpretation

1 The following definitions apply in these Regulations.

**Act** means the [Proceeds of Crime \(Money Laundering\) and Terrorist Financing Act](#). (*Loi*)

**financial entity** has the same meaning as in subsection 1(2) of the Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations. (*entité financière*)

**foreign money services business** means a person or entity referred to in paragraph 5(h.1) of the Act. (*entreprise de services monétaires étrangère*)

**money services business** means a person or entity referred to in paragraph 5(h) of the Act. (*entreprise de services monétaires*)

SOR/2016-153, s. 99(F)

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2 For the purpose of subsection 54.1(3) of the Act, **identifying information** means the information set out in Parts A ~~and of Schedule 1 and in items 1 to 5 of Part C of that~~ Schedule 1 and the dates ~~on which~~when a person's or entity's registration is revoked or expires and ~~on which~~when a registered person or entity ceases an activity.

<sup>3</sup> S.C. 2006, c. 12, s. 39

<sup>4</sup> S.C. 2000, c. 17; S.C. 2001, c. 41, s. 48

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## Prescribed Entities Not Eligible for Registration

**3 (1)** A corporation is not eligible for registration with the Centre if its chief executive officer, its president or one of its directors or a person or entity that owns or controls, directly or indirectly, 20% or more of the shares of the corporation is referred to in any of paragraphs 11.11(1)(a) to (d), (e.1) and (f) of the Act.

**(2)** An entity that is not a corporation is not eligible for registration with the Centre if its chief executive officer, its president or one of its directors or a person or entity that owns or controls, directly or indirectly, 20% or more of the entity is referred to in any of paragraphs 11.11(1)(a) to (d), (e.1) and (f) of the Act.

## Applications, Notifications, Clarifications and Supplementary Information

**4** An applicant or a registered person or entity must submit the following information to the Centre, in accordance with guidelines that are prepared by the Centre, electronically if they have the technical capability to do so or by telephone if they do not:

**(a)** the information contained in an application for registration referred to in section 11.12 of the Act;

**(b)** a notification, referred to in section 11.13 of the Act, of a change to the information contained in an application or of newly obtained information;

**(d)** a clarification requested by the Centre under section 11.14 or 11.17 of the Act;

**(e)** the information contained in an application for the renewal of registration for referred to in section 11.19 of the Act; and

**(f)** a notification of the cessation of an activity referred to in section 11.2 of the Act.

**5** An application referred to in paragraph 4(a) or (e), a notification referred to in paragraph 4(b) and a clarification referred to in paragraph 4(d) must contain the information set out in Schedule 1.

**6** A notification referred to in paragraph 4(f) must contain the information set out in Schedule 2.

**6.01** For greater certainty, although items in Schedules 1 and 2 are described in the singular, a person or entity must report all known information that falls within an item.

# Renewal of Registration

**6.1 (1)** For the purpose of section 11.19 of the Act, when a person or entity that is referred to in paragraph 5(h) of the Act and that is engaged in the business of providing the service referred to in subparagraph 5(h)(iv) of the Act, or a person or entity that is referred to in paragraph 5(h.1) of the Act, renews their registration for the first time, they must do so not later than

(a) in the case of a person, the last day of the month of the person's first birthday that occurs after the second anniversary of their initial registration;

(b) in the case of a corporation, the last day of the month of the first anniversary of its incorporation that occurs after the second anniversary of its initial registration; and

(c) in the case of an entity other than a corporation, the day after the second anniversary of its initial registration.

## SCHEDULE 1

(Sections 2, 5 and 6.01)

### Information To Be Included in Application for Registration or Renewal of Registration, Notification of Changes to Information in Existing Application, Notification of Newly Obtained Information and Clarification of Information in Existing Application

#### PART A

#### Identifying Information with Respect to Applicant

- 1 Applicant's name and operating name
- 2 Status of applicant (whether sole proprietorship, partnership, corporation or other)
- 3 In the case of an entity, its registration or incorporation number, jurisdiction and country of issue of that number and date on which number was issued
- 5 Address of place of business

- 6 Applicant's Telephone number
- 7 Applicant's URL
- 8 Every service referred to in paragraph 5(h) or (h.1) of the Act, or every activity referred to in paragraph 5(l) of the Act, in respect of which applicant is applying to be registered or to have registration renewed
- 9 Existing registration number issued to applicant by the Centre (in the case of an application for renewal of registration, notification of changes to information in existing application or of newly obtained information or clarification of information in existing application)

## PART B

# Information with Respect to Applicant

- 1 Type of information submitted (information contained in application for registration or renewal of registration, notification of changes to information in existing application or of newly obtained information or clarification of information in existing application)
- 2 Date of submission of application, notification or clarification
- 3 **\*repealed\***
- 4 Mailing address of place of business (if different from address in item 5 of Part A)
- 5 Applicant's e-mail address
- 6 If applicant is a person, their name, date of birth and country and political subdivision or territory of birth and of residence
- 7 If applicant is a corporation
  - (a) name, date of birth and country and political subdivision or territory of birth and of residence of its chief executive officer, its president, each of its directors and every person who owns or controls, directly or indirectly, 20% or more of its shares
  - (b) name, incorporation number and jurisdiction and country of incorporation of every corporation that owns or controls, directly or indirectly, 20% or more of its shares

(c) name, registration number and jurisdiction and country of registration of every entity other than a corporation that owns or controls, directly or indirectly, 20% or more of its shares

**8** If applicant is an entity other than a corporation

(a) name, date of birth and country and political subdivision or territory of birth and of residence of its chief executive officer, its president and each of its directors and every person who owns or controls, directly or indirectly, 20% or more of entity

(b) name, incorporation number and jurisdiction and country of incorporation of every corporation that owns or controls, directly or indirectly, 20% or more of entity

(c) name, registration number and jurisdiction and country of registration of every entity other than a corporation that owns or controls, directly or indirectly, 20% or more of entity

**8.1** If applicant is a foreign money services business,

(a) telephone number and email address of person who resides in Canada and who is authorized to accept, on applicant's behalf, notices that are served or caused to be served by the Centre under the Act

(b) if document that sets out applicant's record of criminal convictions — or, if applicant is an entity, record of criminal convictions of applicant's chief executive officer, president and directors and persons who own or control, directly or indirectly, 20% or more of entity or shares of entity — or that states that applicant or those persons do not have record is made in language other than English or French,

(i) country, political subdivision or territory and city from which document originated

(ii) language in which document made

(iii) name of provincial organization in Canada that issued translator's certification and name of translator

**9** Name, address, account number and branch number or transit number of every financial entity, and every entity outside Canada that provides

financial services, with which the applicant maintains account for purposes of providing services referred to in paragraph 5(h) or (h.1) of the Act

- 10 Name and address of every money services business and foreign money services business used by applicant to conduct transactions and registration number issued to that money services business or foreign money services business by the Centre
- 11 Name, address, telephone number and email address of person referred to in paragraph 156(1)(a) of the [\*Proceeds of Crime \(Money Laundering\) and Terrorist Financing Regulations\*](#) who is responsible for implementation of compliance program
- 12 Language in which records of applicant are kept under the Act
- 13 Indication as to whether service referred to in item 8 of Part A is provided, or activity referred to in that item is carried out, in a dwelling-house
- 14 Number of persons employed by applicant for purposes of services or activities referred to in item 8 of Part A (at time of application for registration or renewal of registration)
- 15 Approximate annual value in Canadian dollars of all foreign exchange transactions and all other services or activities referred to in item 8 of Part A (at time of application for registration or renewal of registration)
- 16 Name, address, telephone number, email address and title of person submitting application on applicant's behalf
- 18 Indication of whether applicant has previously submitted application for registration

#### PART C

### Information with Respect to Applicant's Agents or Mandataries and Branches

- 1 Name and operating name of every agent or mandatary
- 2 Address and telephone number of every agent or mandatary and branch
- 3 Every service or activity referred to in item 8 of Part A that is provided or carried out by agent or mandatary or branch
- 4 Relationship to applicant (whether agent or mandatary or branch)

# **SCHEDULE 2**

(Sections 6 and 6.01)

## **Cessation of Activity by Registered Person or Entity**

- 1** Name and operating name of registered person or entity
- 2** Existing registration number of registered person or entity
- 3** Date of submission of notification of cessation of activity
- 4** Proposed effective date of cessation of activity
- 5** Name, address, telephone number, email address and title of person submitting notification of cessation of activity on behalf of registered person or entity

SOR/2008-21, s. 23

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