



# Sanctions and Anti-Money Laundering Act 2018

## 2018 CHAPTER 13

### PART 2

#### ANTI-MONEY LAUNDERING

#### 49 Money laundering and terrorist financing etc

- (1) An appropriate Minister may by regulations make provision for one or more of the following purposes—
  - (a) enabling or facilitating the detection or investigation of money laundering, or preventing money laundering;
  - (b) enabling or facilitating the detection or investigation of terrorist financing, or preventing terrorist financing;
  - (c) the implementation of Standards published by the Financial Action Task Force from time to time relating to combating threats to the integrity of the international financial system.
- (2) Schedule 2 makes further provision about regulations under this section.
- (3) In this Part—

“money laundering” has the meaning given by section 340(11) of the Proceeds of Crime Act 2002;

“terrorist financing” means an act which constitutes an offence under—

  - (a) section 15 (fund-raising), 16 (use and possession), 17 (funding arrangements), 18 (money laundering) or 63 (terrorist finance: jurisdiction) of the Terrorism Act 2000,
  - (b) paragraph 7(2) or (3) of Schedule 3 (freezing orders: offences) to the Anti-terrorism, Crime and Security Act 2001,
  - (c) regulation 10 (contravention and circumvention of prohibitions) of the ISIL (Da’esh) and Al-Qaida (Asset-Freezing) Regulations 2011 ([S.I. 2011/2742](#)), or

- (d) section 11 (freezing of funds and economic resources), 12 (making funds or financial services available to designated person), 13 (making funds or financial services available for benefit of designated person), 14 (making economic resources available to designated person), 15 (making economic resources available for benefit of designated person) or 18 (circumventing prohibitions etc) of the Terrorist Asset-Freezing etc Act 2010.

## **50 Reports on progress towards register of beneficial owners of overseas entities**

- (1) The Secretary of State must, after the end of each reporting period, publish a report explaining the progress that has been made during that period towards putting in place a register of beneficial owners of overseas entities.
- (2) For the purposes of this section, the following are reporting periods—
  - (a) the period of 12 months beginning with the day on which this Act is passed;
  - (b) the period of 12 months beginning with the day after the end of the period mentioned in paragraph (a);
  - (c) the period of 12 months beginning with the day after the end of the period mentioned in paragraph (b).
- (3) The first and second reports under this section must include—
  - (a) a statement setting out the steps that are to be taken in the next reporting period towards putting the register in place, and
  - (b) an assessment of when the register will be put in place.
- (4) The third report under this section must include a statement setting out what further steps, if any, are to be taken towards putting the register in place.
- (5) Where a report is published under this section the Secretary of State must lay a copy of it before Parliament.
- (6) For the purposes of this section “a register of beneficial owners of overseas entities” means a public register—
  - (a) which contains information about overseas entities and persons with significant control over them, and
  - (b) which in the opinion of the Secretary of State will assist in the prevention of money laundering.

## **51 Public registers of beneficial ownership of companies registered in British Overseas Territories**

- (1) For the purposes of the detection, investigation or prevention of money laundering, the Secretary of State must provide all reasonable assistance to the governments of the British Overseas Territories to enable each of those governments to establish a publicly accessible register of the beneficial ownership of companies registered in each government’s jurisdiction.
- (2) The Secretary of State must, no later than 31 December 2020, prepare a draft Order in Council requiring the government of any British Overseas Territory that has not introduced a publicly accessible register of the beneficial ownership of companies within its jurisdiction to do so.

- (3) The draft Order in Council under subsection (2) must set out the form that the register must take.
- (4) If an Order in Council contains requirements of a kind mentioned in subsection (2)—
  - (a) it must be laid before Parliament after being made, and
  - (b) if not approved by a resolution of each House of Parliament before the end of 28 days beginning with the day on which it is made, it ceases to have effect at the end of that period (but without that affecting the power to make a new Order under this section).
- (5) In calculating a period of 28 days for the purposes of subsection (4), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (6) For the purposes of this section, “British Overseas Territories” means a territory listed in Schedule 6 of the British Nationality Act 1981.
- (7) For the purposes of this section, “a publicly accessible register of the beneficial ownership of companies” means a register which, in the opinion of the Secretary of State, provides information broadly equivalent to that available in accordance with the provisions of Part 21A of the Companies Act 2006.