

Changes to legislation: There are currently no known outstanding effects for the Sanctions and Anti-Money Laundering Act 2018, Cross Heading: Extra-territorial application. (See end of Document for details)

SCHEDULES

SCHEDULE 2

MONEY LAUNDERING AND TERRORIST FINANCING ETC

Extra-territorial application

- 22 (1) Regulations under section 49 may impose requirements in relation to conduct outside the United Kingdom by a United Kingdom person.
- (2) In sub-paragraph (1) “United Kingdom person” means—
- (a) a United Kingdom national,
 - (b) a body incorporated or constituted under the law of any part of the United Kingdom, ^{F1}...
 - (c) a body within paragraph (3) or (4) of regulation 9 of the Money Laundering Regulations 2017 (bodies to be regarded for the purposes of those Regulations as carrying on business in the United Kingdom), as that regulation has effect immediately before it is saved by section 2 of the European Union (Withdrawal) Act 2018 [^{F2}, or
 - [^{F2}(d) a person—
 - (i) who does not fall within any of paragraphs (a) to (c), and
 - (ii) who is a trustee with links to the United Kingdom (see paragraph 22A).
- (3) For this purpose a United Kingdom national is an individual who is—
- (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen,
 - (b) a person who under the British Nationality Act 1981 is a British subject, or
 - (c) a British protected person within the meaning of that Act.
- (4) In this paragraph “conduct” includes acts and omissions.]

Textual Amendments

- F1** Word in Sch. 2 para. 22(2)(b) omitted (1.7.2021) by virtue of [Financial Services Act 2021 \(c. 22\)](#), **ss. 34(2)(a)**, 49(4); S.I. 2021/739, **reg. 3(r)**
- F2** Sch. 2 para. 22(2)(d) and word inserted (1.7.2021) by [Financial Services Act 2021 \(c. 22\)](#), **ss. 34(2)(b)**, 49(4); S.I. 2021/739, **reg. 3(r)**

Commencement Information

- I1** Sch. 2 para. 22 in force at 31.12.2020 by [S.I. 2020/1535](#), **reg. 3(d)**

[^{F3}22A(1) Sub-paragraphs (2) and (3) have effect for the purposes of paragraph 22(2)(d).

- (2) A person who is a trustee of a trust has links to the United Kingdom if—
- (a) any property subject to the trust is situated in the United Kingdom,

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- (b) a trustee of the trust enters into a business, professional or commercial relationship with a relevant person, or
 - (c) the income of the trust includes income which, directly or indirectly, is from a source in the United Kingdom.
- (3) A person who is a trustee of a trust also has links to the United Kingdom if—
- (a) at least one other person is a trustee of the trust,
 - (b) the other trustee (or at least one of the other trustees if the trust has more than two trustees) is resident in the United Kingdom, and
 - (c) a person makes, at a time when the person is resident in the United Kingdom, a gift of property which becomes subject to the trust.
- (4) In this paragraph “property” has the meaning given by section 436 of the Insolvency Act 1986.]

Textual Amendments

F3 Sch. 2 para. 22A inserted (1.7.2021) by [Financial Services Act 2021 \(c. 22\)](#), ss. [34\(3\)](#), [49\(4\)](#); S.I. [2021/739](#), reg. [3\(r\)](#)

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