

# 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>1</sup> of the [Proceeds of Crime \(Money Laundering\) and Terrorist Financing Act](#)<sup>2</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 Part A ~~of and items 1 to 5 of Part C of~~ Schedule 1 ~~and in items 1 to 5 of Part C of that Schedule;~~ and the dates on which a person's or entity's registration

<sup>1</sup> S.C. 2006, c. 12, s. 39

<sup>2</sup> S.C. 2000, c. 17; S.C. 2001, c. 41, s. 48

is of revocation or expiration of the registration of a person or entity, if any, and on the date of cessation of activity by which a registered person or entity ceases an activity, if any.

SOR/2008-21, s. 20, SOR/2008-195, s. 7

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## Prescribed Entities Not Eligible for Registration

**3 (1)** ~~An entity that is a corporation is not eligible for registration with the Centre if the its chief executive officer, the its president or any one of its directors of that entity or any person or entity that owns or controls, directly or indirectly, 20% per cent or more of the shares of the at corporation entity is a person or entity 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 ~~the its chief executive officer, the its president or any one of its directors of that entity or any person or entity that owns or controls, directly or indirectly, 20% per cent or more of the at entity is a person or entity 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** ~~The following information and documents must be submitted to the Centre by a~~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, as the case may be, in electronically form if they have the technical capability to do so and in paper form or by telephone if they do not:~~ 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, ~~for the purpose of referred to in~~ section 11.13 of the Act, of a change to the information ~~provided contained~~ in an application ~~or of newly obtained information referred to in paragraph (a) or (e);~~ of newly obtained information;

**(c)** ~~a notification, for the purpose of section 11.13 of the Act, 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 ~~tefor the renewal of~~ registration for ~~the purpose of referred to in~~ section 11.19 of the Act; and

**Commented [RM1]:** Paragraph C appears to have been removed, but there is no replacement.

This is the second that covers this in the Gazette:

**85 (1)** The portion of section 4 of the Regulations before paragraph (d) is replaced by the following:

**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;

**FRENCH VERSION ONLY** (2) Paragraph 4(d) of the French version of the Regulations is replaced by the following:

- ~~(d)~~ les précisions requises par le Centre aux termes des articles 11.14 ou 11.17 de la Loi;

**(3)** Paragraphs **4(e)** and **(f)** of the Regulations is replaced by the following:

- ~~(e)~~ the information contained in an application for the renewal of registration 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.

(f) a notification of the cessation of an activity ~~for the purpose of~~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) ~~or (e)~~ and a clarification referred to in paragraph 4(d) must contain the ~~applicable~~ information set out in Schedule 1.

6 A notification referred to in paragraph 4(f) must contain the ~~applicable~~ 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 registered person or corporation 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 shall~~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; ~~and~~

(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 ~~the corporation's~~ 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.

~~(2) For the purposes of section 11.19 of the Act, a registered person or entity that renews their registration for the second or any subsequent time shall do so not later than the day after the second anniversary of the date of the most recent renewal of their registration.~~

SOR/2008-21, s. 21

## Coming into Force

~~7 These Regulations come into force on June 23, 2008.~~

## SCHEDULE 1

(Sections 2, ~~and 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 ~~Person or Entity that Is the Applicant~~

- 1 ~~Trade Applicant's names, and operating names and legal names of applicant (if applicable)~~
- 2 Status of applicant (whether sole proprietorship, partnership, corporation or other)
- 3 ~~In the case of an entity, its registration or For an applicant that is a corporation, the incorporation number, date of incorporation and jurisdiction and country of issue of that number and date on which number was issued of incorporation~~
- 4 ~~Business licence number and place of issue~~
- 5 Address of place of business
- 6 ~~Applicant's~~ Telephone number
- 7 ~~Facsimile number (if applicable)~~ Applicant's URL
- 8 ~~Business website address (if applicable)~~
- 9 ~~Activity or activities~~ 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 ~~the~~ applicant is applying to be registered or to have ~~their~~ registration renewed
- 910 Existing registration number issued to applicant by the Centre (in the case of an application for renewal of registration, a notification of a changes to information in an existing application, a notification or of newly obtained information or a clarification of information in an existing application)

**Commented [RM2]:** Item 4 seems to have been removed with nothing to replace it.

This is the section from the Canada Gazette:

**92 Items 3 and 4 of Part A of Schedule 1 to the Regulations are replaced by the following:**

- ~~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

**93 Items 6 to 11 of Part A of Schedule 1 to the Regulations are replaced by the following:**

- ~~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)

~~11~~ — Date of existing registration (if applicable)

PART B

**Business Information with Respect to ~~an~~ Person or Entity that Is the Applicant**

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

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

**(b)** ~~the~~ name, incorporation number and jurisdiction and country ~~place~~ of incorporation of every corporation that owns or controls, directly or indirectly, ~~20% per cent~~ or more of ~~the~~ entity; ~~and~~

**(c)** ~~the~~ name, registration number and jurisdiction and country of registration of every entity other than a corporation that owns or controls, directly or indirectly, ~~20% per cent~~ or more of ~~the~~ 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 ~~an~~ account for the purposes of providing services referred to in paragraph 5(h) or (h.1) of the Act ~~remitting or transmitting funds~~

- 10 Name and address of every ~~Canadian~~ money services business and foreign money services business used by ~~the~~ applicant to conduct transactions and ~~the~~ registration number issued to that money services business or foreign money services business by the Centre
- 11 Name, address, telephone number and e-mail address of person, referred to in paragraph ~~15674~~(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 ~~the~~ applicant are kept under the Act
- 13 Indication as to whether ~~any activities of the applicant~~ service referred to in item ~~89~~ of Part A is provided, or activity referred to in that item isare carried out, in a dwelling-house
- 14 Number of persons employed by ~~the~~ applicant for ~~the~~ purposes of ~~the~~ services or activities referred to in item ~~89~~ of Part A (at time of application for registration or renewal of registration, ~~as applicable~~)
- 15 Approximate annual value in Canadian dollars of all foreign exchange dealing transactions and all other services or activities referred to in item ~~89~~ of Part A (at time of application for registration or renewal of registration, ~~as applicable~~)
- 16 Name, ~~position, business~~ address, ~~business~~ telephone number, and business e-mail address and title of ~~the~~ person submitting ~~the~~ application on ~~the~~ applicant's behalf
- 17 ~~Indication as to whether the applicant is a person or entity referred to in any of paragraphs 5(a) to (g) or (i) to (l) of the Act (if applicable)~~
- 18 Indication ~~of as to~~ whether ~~the~~ applicant has previously submitted ~~an~~ application for registration

## PART C

### Information ~~to Be Provided by~~ with Respect to Applicant's ~~on Its Agents, or Mandataries~~ or and Branches

- 1 ~~Trade n~~Names, and operating names and legal names of every agent or mandatory

**Commented [RM3]:** Item 4 seems to have been removed with nothing to replace it.

This is the section from the Canada Gazette:

98 Items 5 to 17 of Part B of Schedule 1 to the Regulations are replaced by the following:

- ~~5~~ Applicant's email 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
  - o ~~(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
  - o ~~(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
  - o ~~(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
  - o ~~(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 entity
  - o ~~(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
  - o ~~(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,
  - o ~~(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
  - o ~~(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... [1]

- 2 ~~Business a~~Address, ~~and business~~ telephone number ~~and, if applicable,~~ ~~business e-mail address and website~~ of every agent, ~~or~~ mandatory ~~or and~~ branch
- 3 ~~Every service or A~~activity ~~or activities~~ referred to in item ~~89~~ of Part A that ~~are is provided or~~ carried out by agent, ~~or~~ mandatory or branch
- 4 ~~Where agent or mandatory is not a person or entity to which Part 1 of the Act applies,~~ address of all locations where the activity or activities referred to in item 9 of Part A are carried out
- 5 Relationship to applicant (whether agent, ~~or~~ mandatory, ~~or~~ branch ~~or other~~)

#### **PART D**

### **Statement of Eligibility for Registration**

- 1 For an applicant that is a person, a statement that they are not a person who is not eligible for registration with the Centre under subsection 11.11(1) of the Act.
- 2 For an applicant that is a corporation, a statement that the chief executive officer, the president and every director of the corporation, and every person or entity that owns or controls, directly or indirectly, 20 per cent or more of the shares of the corporation, is not a person or entity referred to in subsection 3(1) of these Regulations that is not eligible for registration.
- 3 For an applicant that is an entity other than a corporation, a statement that the chief executive officer, the president and every director of the entity, and every person or entity that owns or controls, directly or indirectly, 20 per cent or more of that entity, is not a person or entity referred to in subsection 3(2) of these Regulations that is not eligible for registration.

SOR/2008-21, s. 22, SOR/2016-153, s. 99(F)

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## **SCHEDULE 2**

(Sections [6](#) and [6.01](#))

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



- 1 ~~Trade n~~Names, and operating names ~~and legal names~~ 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, ~~position,~~ address, telephone number, ~~and~~ e-mail address ~~and title~~ of individual person submitting ~~the~~ notification of cessation of activity on behalf of registered person or entity

SOR/2008-21, s. 23

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Date modified: 2019-06-26

Item 4 seems to have been removed with nothing to replace it.

This is the section from the Canada Gazette:

98 Items 5 to 17 of Part B of Schedule 1 to the Regulations are replaced by the following:

- 5 Applicant's email 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
  - o (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
  - o (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
  - o 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
  - o (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 entity
  - o (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
  - o (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,
  - o (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
  - o (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 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 71(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
-