
STATUTORY INSTRUMENTS

2007 No. 2157

The Money Laundering Regulations 2007

PART 1

GENERAL

Interpretation

2.—(1) In these Regulations—

“the 2000 Act” means the Financial Services and Markets Act 2000;

“Annex I financial institution” has the meaning given by regulation 22(1);

“auditor”, except in regulation 17(2)(c) and (d), has the meaning given by regulation 3(4) and (5);

“authorised person” means a person who is authorised for the purposes of the 2000 Act⁽¹⁾;

“the Authority” means the Financial Services Authority;

“the banking consolidation directive” means Directive [2006/48/EC](#) of the European Parliament and of the Council of 14th June 2006 relating to the taking up and pursuit of the business of credit institutions⁽²⁾;

“beneficial owner” has the meaning given by regulation 6;

“business relationship” means a business, professional or commercial relationship between a relevant person and a customer, which is expected by the relevant person, at the time when contact is established, to have an element of duration;

“cash” means notes, coins or travellers’ cheques in any currency;

“casino” has the meaning given by regulation 3(13);

“the Commissioners” means the Commissioners for Her Majesty’s Revenue and Customs;

“consumer credit financial institution” has the meaning given by regulation 22(1);

“credit institution” has the meaning given by regulation 3(2);

“customer due diligence measures” has the meaning given by regulation 5;

“DETI” means the Department of Enterprise, Trade and Investment in Northern Ireland;

“the electronic money directive” means Directive [2000/46/EC](#) of the European Parliament and of the Council of 18th September 2000 on the taking up, pursuit and prudential supervision of the business of electronic money institutions⁽³⁾;

“estate agent” has the meaning given by regulation 3(11);

“external accountant” has the meaning given by regulation 3(7);

“financial institution” has the meaning given by regulation 3(3);

⁽¹⁾ See section 31(2) of the 2000 Act.

⁽²⁾ OJ No L 177, 30.6.2006, p. 1.

⁽³⁾ OJ No L 275, 27.10.2000, p. 39.

“firm” means any entity, whether or not a legal person, that is not an individual and includes a body corporate and a partnership or other unincorporated association;

“high value dealer” has the meaning given by regulation 3(12);

“the implementing measures directive” means Commission Directive [2006/70/EC](#) of 1st August 2006 laying down implementing measures for the money laundering directive(4);

“independent legal professional” has the meaning given by regulation 3(9);

“insolvency practitioner”, except in regulation 17(2)(c) and (d), has the meaning given by regulation 3(6);

“the life assurance consolidation directive” means Directive [2002/83/EC](#) of the European Parliament and of the Council of 5th November 2002 concerning life assurance(5);

“local weights and measures authority” has the meaning given by section 69 of the Weights and Measures Act 1985(6) (local weights and measures authorities);

“the markets in financial instruments directive” means Directive [2004/39/EC](#) of the European Parliament and of the Council of 12th April 2004(7) on markets in financial instruments;

“money laundering” means an act which falls within section 340(11) of the Proceeds of Crime Act 2002(8);

“the money laundering directive” means Directive [2005/60/EC](#) of the European Parliament and of the Council of 26th October 2005(9) on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing;

“money service business” means an undertaking which by way of business operates a currency exchange office, transmits money (or any representations of monetary value) by any means or cashes cheques which are made payable to customers;

“nominated officer” means a person who is nominated to receive disclosures under Part 7 of the Proceeds of Crime Act 2002(10) (money laundering) or Part 3 of the Terrorism Act 2000(11) (terrorist property);

“non-EEA state” means a state that is not an EEA state;

“notice” means a notice in writing;

“occasional transaction” means a transaction (carried out other than as part of a business relationship) amounting to 15,000 euro or more, whether the transaction is carried out in a single operation or several operations which appear to be linked;

“the OFT” means the Office of Fair Trading;

“ongoing monitoring” has the meaning given by regulation 8(2);

“regulated market”—

- (a) within the EEA, has the meaning given by point 14 of Article 4(1) of the markets in financial instruments directive; and
- (b) outside the EEA, means a regulated financial market which subjects companies whose securities are admitted to trading to disclosure obligations which are contained in international standards and are equivalent to the specified disclosure obligations;

(4) OJ No L 214, 4.8.2006, p. 29.

(5) OJ No L 345, 19.12.2002, p.1.

(6) [1985 c. 72](#). Section 69(3) was amended by the Local Government etc. (Scotland) Act [1994 \(c. 39\)](#), Schedule 13, paragraph 44.

(7) OJ No L 145, 30.4.2004, p. 1, amended by Directive [2006/31/EC](#) (OJ No L 114, 27.4.06, p. 60).

(8) [2002 c. 29](#).

(9) OJ No L 309, 25.11.2005, p. 15.

(10) [2002 c. 29](#). Part 7 was amended by the Serious Organised Crime and Police Act [2005 \(c.15\)](#) sections 102 to 106, Schedule 4, paragraphs 168, 173 and 174 and Schedule 17, Part 2, and [S.I. 2006/308](#).

(11) [2000 c. 11](#). Part 3 was amended by the Anti-Terrorism, Crime and Security Act [2001 \(c.24\)](#) Schedule 2, Part 3, paragraph 5 and the Serious Organised Crime and Police Act 2005, Schedule 4, paragraphs 125 to 129.

“relevant person” means a person to whom, in accordance with regulations 3 and 4, these Regulations apply;

“the specified disclosure obligations” means disclosure requirements consistent with—

- (a) Article 6(1) to (4) of Directive [2003/6/EC](#) of the European Parliament and of the Council of 28th January 2003(**12**) on insider dealing and market manipulation;
- (b) Articles 3, 5, 7, 8, 10, 14 and 16 of Directive [2003/71/EC](#) of the European Parliament and of the Council of 4th November 2003(**13**) on the prospectuses to be published when securities are offered to the public or admitted to trading;
- (c) Articles 4 to 6, 14, 16 to 19 and 30 of Directive [2004/109/EC](#) of the European Parliament and of the Council of 15th December 2004(**14**) relating to the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market; or
- (d) Community legislation made under the provisions mentioned in sub-paragraphs (a) to (c);

“supervisory authority” in relation to any relevant person means the supervisory authority specified for such a person by regulation 23;

“tax adviser” (except in regulation 11(3)) has the meaning given by regulation 3(8);

“terrorist financing” means 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 to the Anti-Terrorism, Crime and Security Act 2001(**15**) (freezing orders);
- (c) article 7, 8 or 10 of the Terrorism (United Nations Measures) Order 2006(**16**); or
- (d) article 7, 8 or 10 of the Al-Qaida and Taliban (United Nations Measures) Order 2006(**17**);

“trust or company service provider” has the meaning given by regulation 3(10).

(2) In these Regulations, references to amounts in euro include references to equivalent amounts in another currency.

(3) Unless otherwise defined, expressions used in these Regulations and the money laundering directive have the same meaning as in the money laundering directive and expressions used in these Regulations and in the implementing measures directive have the same meaning as in the implementing measures directive.

(12) OJ No L 96, 12.4.2003, P. 20.

(13) OJ No L 345, 31.12.2003, P. 69.

(14) OJ No L 390, 31.12.2004, P. 43.

(15) [2001 c. 24](#).

(16) [S.I. 2006/2657](#).

(17) [S.I. 2006/2952](#).