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STATUTORY INSTRUMENTS

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**2011 No. 2833**

**FINANCIAL SERVICES**

**The Money Laundering (Amendment No.2) Regulations 2011**

*Made* - - - - 23rd November 2011

*Laid before Parliament* 24th November 2011

*Coming into force* - - 31st March 2012

The Treasury are a government department designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the prevention of money laundering and terrorist financing;

The Treasury, in exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972, make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Money Laundering (Amendment No.2) Regulations 2011 and come into force on 31st March 2012.

**Change of supervisory authority for Northern Ireland credit unions**

2. The Money Laundering Regulations 2007<sup>(3)</sup> are amended as follows.

(a) In regulation 23(1)—

(i) after sub-paragraph (a)(v) insert—

“(vi) credit unions in Northern Ireland;”;

(ii) omit sub-paragraph (f)(i).

(b) In the definition of “designated authority” in regulation 36—

(i) in paragraph (b), insert “and” after “the Commissioners;”;

(ii) omit paragraph (d), together with “and” immediately preceding it.

(c) In the definition of “officer” in regulation 36—

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(1) S.I. 2007/2133.

(2) 1972 c. 68; section 2(2) was amended by section 27(2) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).

(3) S.I. 2007/2157. was amended by the Terrorist Asset-Freezing etc. Act 2010 (c.38), sections 45(1), 52(1), Schedule 1, Part 1, paragraph 6(a), and Schedule 2, Part 1 and by S.I. 2007/3299, S.I. 2009/56, S.I. 2009/209, S.I. 2009/1835, S.I. 2009/1912, S.I. 2010/22, S.I. 2010/86, S.I. 2011/99 and S.I. 2011/1781.

- (i) in paragraph (c), insert “or” after “the OFT;” and
- (ii) omit paragraph (e), together with “or” immediately preceding it.

### **Review**

- 3.—(1) The Treasury must from time to time—
- (a) carry out a review of regulation 2,
  - (b) set out the conclusions of the review in a report, and
  - (c) publish the report.
- (2) The report must in particular—
- (a) set out the objectives intended to be achieved by the amendments made by regulation 2,
  - (b) assess the extent to which those objectives are achieved, and
  - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (3) The first report under this regulation must be published before the end of the period of five years beginning with 31st March 2012 in conjunction with the Treasury’s report setting out the conclusions of its review under article 3 of the Financial Services and Markets Act 2000 (Exemption) (Amendment No 2) Order 2011(4).
- (4) Reports under this regulation are afterwards to be published at intervals not exceeding five years.

23rd November 2011

*Michael Fabricant*  
*Angela Watkinson*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which come into force on 31st March 2012, amend the Money Laundering Regulations 2007 ([S.I. 2007/2157](#)) which implement in part Directive [2005/60/EC](#) of the European Parliament and of the Council (OJ No L 309, 25.11.2005, p. 15) on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing.

Regulation 2 changes the supervisory authority for credit unions in Northern Ireland from the Department of Enterprise, Trade and Investment in Northern Ireland to the Financial Services Authority.

Regulation 3 requires the Treasury to review the operation and effect of these Regulations and publish a report within five years after they come into force and within every five years after that. Following a review it will fall to the Treasury to consider whether the Regulations should remain as they are, or be revoked or amended. A further instrument would be needed to revoke or amend the Regulations.

No separate impact assessment has been prepared for this instrument. An impact assessment of the effect that bringing Northern Ireland credit unions under supervisory authority of the Authority will have on the costs of business and the voluntary sector is available from the Mutuels Team, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ and is published with the Explanatory Memorandum alongside [S.I. 2011/2716](#) on [legislation.gov.uk](http://legislation.gov.uk).