FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO ACT

CHAPTER 72:01

Act
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Note on Revision

The pages of this Act bearing the notation L.R.O. are hereby authorised to be included in the Laws as from 5th January 2015 pursuant to an Order made under section 9 of the Law Revision Act (Chap. 3:03).

Note on Act No. 7 of 2019

The amendments made to this Act by Act No. 7 of 2019 took effect on 14th June 2019 by LN 115/2019.

Note on Act No. 10 of 2020

The amendments made to this Act by Act No. 10 of 2020 took effect on 11th May 2020 by LN 92/2020.

Note on Act No. 25 of 2020

The amendments made to this Act by Act No. 25 of 2020 took effect on 22nd December 2020 by LN 409/2020 and 17th November 2025 by LN 418/2025. Act No. 25 of 2020 however, was subsequently amended by section 10*(c)* of Act No. 17 of 2025 which took effect on 17th November 2025 by LN 419/2025.

Note on Act No. 1 of 2022

The amendments made to this Act by Act No. 1 of 2022 took effect on 5th July 2024 by LN 121/2024.

Note on Act No. 15 of 2024

The amendments made to this Act by Act No. 15 of 2024 took effect on 14th October 2024.

Note on Act No. 17 of 2024

The amendments made to this Act by Act No. 17 of 2024 took effect on 15th August 2025 by LN 283/2025.

Note on Act No. 7 of 2025

The amendments made to this Act by Act No. 7 of 2025 took effect on 17th November 2025 by LN 420/2025.

CHAPTER 72:01

FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO ACT

ARRANGEMENT OF SECTIONS

ARRANGEMENT OF SECTIONS—*Continued*

CHAPTER 72:01

FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO ACT

An Act to establish the Financial Intelligence Unit of Trinidad and Tobago, for the implementation of the Recommendations of the Financial Action Task Force on money laundering and the financing of terrorism and for related matters. 11 of 2009. [8 of 2011].

[9TH FEBRUARY 2010] Commencement. 21/2010.

WHEREAS it is enacted *inter alia*, by subsection (1) of section 13 of the Constitution, that an Act to which that section applies, may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and if any such Act does so declare, it shall have effect accordingly: Preamble.

And whereas it is provided by subsection (2) of section 13 of the Constitution, that an Act to which this section applies, is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that the provisions of this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution:

PART I

PRELIMINARY

1. This Act may be cited as the Financial Intelligence Unit of Trinidad and Tobago Act. Short title.

2. (1) In this Act— Interpretation. [8 of 2011 14 of 2012 15 of 2014 2 of 2018 25 of 2020 17 of 2024 7 of 2025 12 of 2025 4 of 2026]. Ch. 1:01.

"Constitution" means the Constitution of the Republic of Trinidad and Tobago;

"Deputy Director" means the Deputy Director of the FIUTT;

"Director" means the Director of the FIUTT;

"Egmont Group" means that group of Financial Intelligence Units which subscribe to the Egmont Group Statement of Purpose and its Principles for Information Exchange Between Financial Intelligence Units for Money Laundering and Terrorism Financing Cases;

"Financial Action Task Force" means the task force established by the Group of Seven to develop and provide national and international policies to combat money laundering and terrorist financing;

"financial institution" has the meaning assigned to it in the Act;

"financing of terrorism" means the offence created under section 22A(1) of the Anti-Terrorism Act;

Ch. 12:07.

"Foreign Financial Intelligence Unit" means a competent authority which, in a country outside Trinidad and Tobago, exercises functions similar to those of the Financial Intelligence Unit under this Act;

"FIUTT" means the Financial Intelligence Unit of Trinidad and Tobago established under section 3;

"law enforcement authority" means—

(a) the Commissioner of Police appointed in accordance with the Constitution;

(b) the Comptroller of Customs and Excise appointed in accordance with the Public Service Commission Regulations;

(c) the Chief Immigration Officer appointed in accordance with the Public Service Commission Regulations;

(d) the Chairman of the Board of Inland Revenue appointed by the President in accordance with the Income Tax Act; and

Ch. 75:01.

(e) any other office or agency of the State in which is vested coercive powers of a constable under the Police Service Act;

Ch. 15:01.

"listed business" means a business listed in the First Schedule to the Act;

"Minister" means the member of the Cabinet to whom responsibility for Finance is assigned;

"Non-Profit Organisation" or "NPO" has the meaning assigned to it by section 3(1)*(a)* of the Non-Profit Organisation Act;

"non-regulated financial institution" means—

(a) a credit union registered under the Co-operative Societies Act; Ch. 81:03.

(b) a person who carries on money or value transfer services; or

(c) a Building Society registered under the Building Societies Act; Ch. 33:04.

"Oversight Authority" has the meaning assigned to it by the Non-Profit Organisations Act; Ch. 81:17.

"Permanent Secretary" means the Permanent Secretary in the Ministry with responsibility for finance;

"proliferation financing" means the provision of funds or financial services used in whole or in part for the manufacture, acquisition, possession, development, export, transshipment, brokering, transport, transfer, stockpiling or use of nuclear, chemical or biological weapons and their means of delivery and related materials, including both technologies and dual use goods used for non-legitimate purposes;

"public authority" means—

(a) a Ministry or a department or division of a Ministry;

(b) the Tobago House of Assembly, the Executive Council of the Tobago House of Assembly or a division of the Tobago House of Assembly;

(c) a Municipal Corporation established under the Municipal Corporations Act; Ch. 25:04.

(d) a Regional Health Authority established under the Regional Health Authorities Act; Ch. 29:05.

(e) a statutory body, responsibility for which is assigned to a Minister of Government;

(f) a company incorporated under the laws of the Republic of Trinidad and Tobago which is owned or controlled by the State;

(g) a Service Commission established under the Constitution or other written law; or

(h) a body corporate or unincorporated entity—

(i) in relation to any function which it exercises on behalf of the State;

(ii) which is established by virtue of the President's prerogative, by a Minister of Government in his capacity as such or by another public authority; or

(iii) which is supported, directly or indirectly, by Government funds and over which Government is in a position to exercise control;

Ch. 11:27. "the Act" means the Proceeds of Crime Act; and

12 of 2025. "virtual asset" shall have the meaning assigned to it by the Virtual Asset and Virtual Asset Service Providers Act, 2025.

(2) In determining what is a suspicious transaction or suspicious activity, a financial institution or listed business shall follow the guidelines issued by the Central Bank of Trinidad and Tobago, or other Supervisory Authority, from time to time.

PART II

ESTABLISHMENT AND STAFF OF THE FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO

Establishment and staff of FIUTT. [8 of 2011 25 of 2020].

3. There is hereby established a department of the Ministry of Finance, to be known as the Financial Intelligence Unit of Trinidad and Tobago (hereinafter referred to as "the FIUTT"), for the purpose of performing the functions and exercising the powers vested in it under section 8.

Staff of the FIUTT. [8 of 2011 25 of 2020].

3A. (1) The staff of the FIUTT shall include the Director and Deputy Director and such other officers required for the performance of its functions.

(2) The Director and Deputy Director and other officers on the establishment of the FIUTT, shall be appointed by the Public Service Commission.

(3) The Permanent Secretary may appoint—

(a) other members of staff, after consultation with the Director; and

(b) consultants and experts, on the advice of the Director,

on a contractual basis and shall be guided by any guidelines for contractual employment issued by the Chief Personnel Officer, from time to time.

(4) The Public Service Commission may, with the approval of such other Service Commissions as may be necessary, assign, transfer or transfer on secondment suitably qualified public officers to the office of Director, Deputy Director or any other public office on the establishment of the FIUTT.

4. The Director shall be the head of the FIUTT and shall be responsible for the overall supervision of the department and the implementation of policies with respect to money laundering and financing of terrorism policies in accordance with this Act and any other law. Implementation of policies. [14 of 2012 25 of 2020].

5. (1) An officer performing functions assigned to the FIUTT under this Act, shall be provided with identification documents signed by the Minister. Identification documents. [25 of 2020].

(2) Where a person is no longer employed with the FIUTT, he shall return forthwith any identification documents given to him, in accordance with subsection (1).

(3) A person who contravenes subsection (2) commits an offence.

6. Before any officer commences duty under this Act, he shall take the Oath of Office and of Secrecy attached to the Schedule. Oath of Office. Schedule. [8 of 2011].

7. The salaries and other conditions of service of the Director and Deputy Director shall be subject to review by the Salaries Review Commission, in accordance with section 141 of the Constitution. Salaries and other conditions. Ch. 1:01.

PART III

***FUNCTIONS AND POWERS OF THE FIUTT**

8. (1) The FIUTT shall be responsible for the collection of financial intelligence and information and the analysis, dissemination, and exchange of such financial intelligence and Functions of FIUTT. [3 of 2011 14 of 2012 2 of 2018 20 of 2018 7 of 2019 25 of 2020 1 of 2022].

* *See* additional responsibilities imposed on the FIUTT by section 22AA of the Anti-Terrorism Act, Chap. 12:07.

information among law enforcement authorities, financial institutions and listed business in Trinidad and Tobago and internationally and shall exercise the functions given to it under the Proceeds of Crime Act, the Anti-Terrorism Act, the Non-Profit Organisations Act and the Trinidad and Tobago Special Economic Zones Act.

Ch. 11:27.
Ch. 12:07.
Ch. 81:17.
Ch. 81:07.

(2) The FIUTT shall also receive suspicious transaction and suspicious activity reports from financial institutions and listed business in accordance with this Act.

(3) In furtherance of the functions assigned to it under subsections (1) and (2), the FIUTT—

(a) may request financial information from a financial institution or listed business in order to facilitate the exercise of its powers under this Act;

(b) shall analyse and evaluate reports and information upon receipt thereof, to determine whether there is sufficient basis to transmit reports for investigation by any local or foreign law enforcement authority;

(c) shall collect information as required for—

(i) the annual and periodic reports in accordance with section 18; and

(ii) tactical analysis, in order to generate activity patterns, trends and typologies, investigative leads and identify possible future behaviour;

(d) may set reporting standards to be followed by financial institutions or listed business in furtherance of section 55A of the Act and section 22C of the Anti-Terrorism Act;

Ch. 11:27.
Ch. 12:07.

(e) may engage in the exchange of financial intelligence and information with members of the Egmont Group or with Foreign Financial Intelligence Units;

(f) may, on its own motion, or upon request disseminate financial intelligence and

information to local and foreign authorities and affiliates within the intelligence community;

(g) may facilitate the sharing of information among local financial institutions and listed business and prosecutorial authorities;

(h) shall provide information, advice and assistance to persons and law enforcement authorities, in furtherance of an investigation;

(i) shall provide assistance to financial institutions and listed business in connection with their obligations under this Act;

(j) shall retain all pertinent information it receives for a minimum of six years; and

(k) may enter into such written agreements with a local authority or Foreign Financial Intelligence Unit as the Director considers necessary for the performance of its functions.

(4) For the purpose of—

(a) subsection (3)*(e)*, the exchange of financial intelligence and information shall be undertaken on the basis of reciprocity with members of the Egmont Group or with Foreign Financial Intelligence Units; and

(b) subsection (3)*(f)* and *(k)*, "local authority" includes investigative and prosecutorial authorities in respect of criminal matters and supervisory authorities and regulators, in respect of administrative sanctions and civil penalties.

Monitoring the effectiveness of the system. [14 of 2012 25 of 2020].

9. The FIUTT shall also implement a system for monitoring the effectiveness of its policies with respect to money laundering and financing of terrorism by maintaining comprehensive statistics on—

(a) suspicious transaction or suspicious activity reports received and transmitted to law enforcement;

(b) money laundering and financing of terrorism investigations and convictions;

(c) property frozen, seized and confiscated; and

(d) international requests for mutual legal assistance or other co-operation.

Suspicious transaction or suspicious activity report. [14 of 2012 25 of 2020 7 of 2025]. Ch. 11:27. Ch. 12:07.

10. Where the FIUTT receives a suspicious transaction or suspicious activity report or information from a financial institution or listed business it shall provide feedback in writing on the report or information to the financial institution or listed business.

Powers of FIUTT. [8 of 2011 25 of 2020].

11. Where, after the analysis of a suspicious transaction or suspicious activity report from a financial institution or listed business in accordance with section 8(3)*(b)*, the Director is of the view that further information may disclose that a specified offence has been or may be committed or the proceeds of crime are or may be located within Trinidad and Tobago or elsewhere, he may—

(a) request further information from a financial institution or listed business within a specified time, which information shall be provided accordingly; or

(b) take action in accordance with section 12.

Order for disclosure. [8 of 2011 14 of 2012 2 of 2018 10 of 2020 25 of 2020].

12. (1) Where a financial institution or listed business fails or refuses to provide any information or refuses to produce any documents required by the FIUTT under sections 8(3) and 11, the FIUTT may apply to the High Court, for an Order to require the financial institution or listed business to disclose the information requested by the FIUTT.

(2) Before an application to the Court is made under subsection (1), the FIUTT shall give notice in writing to the financial institution or listed business of its intention to do so.

(3) An application made by the FIUTT under subsection (1) shall be heard *in camera*.

(4) A financial institution or listed business which refuses to comply with an Order of the Court, under subsection (1), commits an offence and is liable on—

(a) summary conviction to a fine of five hundred thousand dollars; and

(b) conviction on indictment to a fine of one million dollars.

13. ***(Repealed by Act No. 14 of 2012).***

Instructions to financial institutions. [8 of 2011 14 of 2012 25 of 2020 7 of 2025].

14. (1) The FIUTT may instruct a financial institution or listed business, in writing, to suspend the processing of a suspicious transaction or suspicious activity for a period not exceeding five working days—

(a) in the course of enquiring into a suspicious transaction or suspicious activity relating to the proceeds of suspected criminal conduct, to a money laundering offence or to the financing of terrorism; or

(b) where a request is made by a law enforcement authority or a Foreign Financial Intelligence Unit, during the course of its inquiry into a suspicious transaction or suspicious activity.

(1A) Notwithstanding subsection (1), the Director may, in limited or exigent circumstances, give oral instructions under subsection (1) to financial institutions and listed businesses to suspend the processing of a suspicious transaction or suspicious activity.

(1B) Where the Director give an oral instruction under subsection (1A), he shall as soon as reasonably practicable, but in any event within twenty-four hours, forward a written instruction to the financial institution or listed business.

(1C) A financial institution or listed business which fails or refuses to comply with an instruction of the FIUTT under subsection (1) or (1A), commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for three years.

(2) Notwithstanding subsection (1C), where such instructions are given, a financial institution, listed business or any other aggrieved person may apply to a judge to discharge the instructions of the FIUTT and shall serve notice on the FIUTT, to join in the proceedings, save however, that the instructions shall remain in force until the judge determines otherwise.

(3) No civil or criminal proceedings shall lie against a person who, in good faith, complies with an instruction of the FIUTT under subsections (1) or (1A).

Investigation. [8 of 2011 14 of 2012 25 of 2020 17 of 2024].

15. (1) After the FIUTT has concluded its analysis or evaluation of a suspicious transaction or activity report, and where the Director is of the view that the circumstances warrant investigation, a report shall be submitted to the relevant law enforcement authority for investigation to determine whether a money laundering offence or the financing of terrorism has been committed, or whether the proceeds of crime are located in Trinidad and Tobago or elsewhere.

(2) Any department or agency of government to which a report is submitted under subsection (1), shall take appropriate action.

(3) Where a report submitted under subsection (1) is in respect of a police officer, the FIUTT shall also transmit a copy of the report to the Police Complaints Authority for investigation.

(4) For the purposes of subsection (3), "police officer" has the meaning assigned to it under the Police Complaints Authority Act.

Ch. 12:10.

(5) Where a report submitted under subsection (1), is in respect of an offence under the Trafficking in Persons Act, the FIUTT shall also transmit a copy of the report to the Counter-Trafficking Unit of the Ministry with responsiblity for national security for investigation.

Request for information. [14 of 2012 25 of 2020 15 of 2024].

16. (1) The FIUTT may, in the performance of its functions, co-operate and liaise with any person who, in the opinion of the Director is able to assist in the provision of information relevant to an analysis of a suspicious transaction or suspicious activity.

(2) Notwithstanding subsection (1), the FIUTT may, in the performance of its functions, request information from—

(a) the Central Bank;

(b) a public authority; or

(c) an authority specified by or under a treaty for co-operation on any matter provided for in this Act and to which Trinidad and Tobago is a party.

(3) Any information requested under subsection (2) shall be provided within a reasonable time.

(4) Where a person fails to provide the requested information or fails to provide it in a reasonable time, under subsection (2) or (3), the Director may apply to a Judge for an order to direct that person to comply with the request made under subsection (2).

(5) Information received under this section shall not be disclosed without the prior consent of the person from whom the information was obtained.

(6) Where the application for an order, under subsection (4), is in respect of tax information in the possession of the Board of Inland Revenue relative to tax information received under a Tax Information Exchange Agreement for the exchange of information in relation to taxes the Judge shall, in making the order, take into consideration whether the provision of the documents or information is permitted under the terms of the Tax Information Exchange Agreement.

Publication in the *Gazette* and in newspapers. [8 of 2011 14 of 2012 2 of 2018 25 of 2020 7 of 2025].

17. (1) The FIUTT shall publish—

(a) as frequently as is necessary, by Notices in the *Gazette* and in at least two newspapers in daily circulation in Trinidad and Tobago—

(i) a list of the countries identified by the Financial Action Task Force, as jurisdictions that have strategic anti-money laundering and counter financing of terrorism deficiencies; and

(ii) a consolidated list of financial institutions or listed businesses against whom or which an order is in effect, declaring any such institution or business to be a listed entity under the Anti-Terrorism Act;

Ch. 12:07.

(b) periodically, information on trends and typologies of money laundering, and the financing of terrorism locally and internationally, as well as appropriate statistics and any other information that would enhance public awareness and understanding of the nature of money laundering and financing of terrorism.

(2) In respect of countries listed in the Notice published under subsection (1) and (3), the FIUTT may by Order set out the measures that may be utilised by a financial institution or listed business, against such countries.

(3) The FIUTT may, where it deems necessary, publish by Notice in the *Gazette* and in at least two newspapers in daily circulation in Trinidad and Tobago, a list of the countries identified by an FSRB as having strategic anti-money laundering and terrorist financing deficiencies.

(4) For the purposes of this section, "FSRB" means a FATF-style regional body established to effectively develop, promote and implement the Recommendations and Policies of the Financial Action Task Force in order to combat money laundering, terrorist financing and proliferation financing.

Annual Reports. [14 of 2012 25 of 2020 7 of 2025].

18. (1) The Director shall submit within three months of the end of the financial year an annual report to the Minister on the performance of the FIUTT, including statistics on suspicious transactions and suspicious activities reports, the results of any analyses of these reports, and trends and typologies of money laundering activities or offences and the financing of terrorism.

(2) The Minister shall, within thirty days of receipt of a report from the Director under subsection (1), lay the report in Parliament.

PART IIIA

THE SUPERVISORY AUTHORITY

Interpretation and application. [8 of 2011 25 of 2020 7 of 2025].

18A. For the purposes of this Part—

"monitor" means to observe for the purpose of compliance with the written laws listed under section 18F(1);

"supervised entity" means a listed business or a non-regulated financial institution; and

"Supervisory Authority" means the FIUTT in relation to listed businesses as defined in the Act and non-regulated financial institutions.

Registration. [8 of 2011 14 of 2012 25 of 2020 7 of 2025].

18B. (1) All non-regulated financial institutions and listed businesses shall register with the FIUTT, in accordance with the procedures approved by the FIUTT.

(2) Registration with the FIUTT shall be valid for a period of five years, unless the non-regulated financial institution or listed business is de-registered prior to the end of the period in accordance with this Act.

(3) All non-regulated financial institutions and listed businesses shall apply to renew their registration with the FIUTT, no later than three months prior to its expiration date, in accordance with the procedure approved by the FIUTT.

7 of 2025.

(4) At the commencement of the Miscellaneous Provisions (FATF Compliance) Act, 2025, the registrants currently registered with the FIUTT shall continue to operate under that registration for a period to be determined and scheduled by FIUTT and published on its website, after which the registrant shall be required to be registered under this section.

De-registration. [25 of 2020].

18BA. (1) An entity supervised by the FIUTT may apply for de-registration with the FIUTT once it no longer functions as an entity required to be supervised by the FIUTT.

(2) The FIUTT may, on the application of an entity supervised by it or on its own motion, de-register an entity supervised by it if the FIUTT is satisfied that the supervised

entity is no longer performing the activities which requires it to be registered.

(3) The FIUTT may also de-register an entity supervised by it, where it becomes aware that the supervised entity, its owners, beneficial owners, directors, senior employees or other person whether employed or contracted to perform a managerial function, is—

(a) no longer fit and proper in accordance with section 18BB(2) and (3); or

(b) a person within the categories listed at section 18BB(1)*(a)* to *(e)*.

(4) Where the FIUTT becomes aware that an entity supervised by it, its owners, beneficial owners, directors, senior employees or other person, whether employed or contracted to perform a managerial function, is a person within the categories listed at 18BB(1)*(a)* to *(e)*, the FIUTT shall give to the supervised entity written notice of its intention to de-register the entity and the date on which such proposed de-registration is to take effect.

(5) The FIUTT shall not de-register a supervised entity under subsections (1) to (3) without giving the supervised entity an opportunity to make representations in writing to the FIUTT.

(6) Where an entity supervised by the FIUTT is de-registered in accordance with subsections (1) to (3), the FIUTT shall inform the supervised entity, in writing, of the final decision to de-register the supervised entity.

Refusal of registration. [7 of 2025].

18BB. (1) The FIUTT may refuse an application for registration if the applicant, its owners, beneficial owners, directors or senior employees, is a person who—

(a) is a listed entity as defined under section 2(1) of the Anti-Terrorism Act; Ch. 12:07.

(b) is a designated entity as defined under section 2(1) of the Anti-Terrorism Act;

(c) is defined as a listed entity in any Order made by the President of Trinidad and Tobago pursuant to section 4 of the Economic Sanctions Act; Ch. 81:05.

(d) is defined as a listed entity in any other written law by which the recommendations of the Financial Action Task Force are implemented;

(e) is the subject of an order or notice of a judicial authority which prohibits him from performing the functions of a listed business or non-regulated financial institution or equivalent function; or

(f) is not a fit and proper person in accordance with subsection (2) or (3).

(2) For the purposes of subsection (1)*(f)*, whether a natural person is a fit and proper person shall be determined by the FIUTT, and in making such determination, the FIUTT may make such inquiries as necessary and may consider, as applicable—

(a) the probity and integrity of the person;

(b) the experience, competence and soundness of judgment of the person;

(c) whether the person has had any judgment, including a consent judgment, made against him or any penalty or fine imposed upon him by any court or other competent judicial authority in any country in any matter involving fraud, deception, dishonesty or breach of trust;

(d) whether, where applicable, the person has a valid licence to conduct the business activity; or

(e) whether the person has been convicted of an offence under the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act or the Proceeds of Crime Act. Ch. 12:07. Ch. 72:01. Ch. 11:27.

(3) The factors which the FIUTT may consider in determining whether a company is a fit and proper person for the purpose of subsection (1)*(f)*, shall include the following, as applicable:

(a) whether the directors of the company are fit and proper under subsection (2);

(b) whether the company has been found guilty of insider trading or fraud involving trading in securities by a local or foreign authority;

(c) whether, where applicable, the company has a valid licence to conduct the business activity;

(*d*) whether the company has been convicted of an offence under the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act or the Proceeds of Crime Act; or

(*e*) whether any regulatory action has been taken against the company.

(4) The FIUTT shall not refuse to register an applicant without giving the applicant an opportunity to make representations in writing to the FIUTT and where the FIUTT refuses to register the applicant, it shall notify the applicant in writing of the reasons for so doing.

FIUTT to publish names of registered financial institutions and listed businesses. [15 of 2014 25 of 2020].

18C. The FIUTT shall maintain a list of all non-regulated financial institutions and listed businesses registered pursuant to section 18B and make the same available to the public by posting it to the FIUTT's website unless—

(*a*) the FIUTT determines that such disclosure would not be in the public interest; or

(*b*) the Court directs otherwise.

Supervisory Authority to establish and maintain register. [8 of 2011 14 of 2012 15 of 2014 25 of 2020].

18D. The FIUTT shall establish and maintain a register of all non-regulated financial institutions and listed businesses for which it is the Supervisory Authority.

FIUTT to provide supervisory information. [7 of 2025].

18DA. (1) The FIUTT may provide any such supervisory information to other licensing, regulatory, supervisory or other relevant bodies as may be agreed between the FIUTT and those agencies, and shall inform the applicable regulator or licensing body of a non-regulated financial institution or listed business upon taking the following action:

(*a*) refusing to register the non-regulated financial institution or listed business;

(*b*) de-registering the non-regulated financial institution or listed business; or

(*c*) imposing an administrative fine against the non-regulated financial institution or listed business.

(2) Any licensing, regulatory, supervisory or other relevant body to which supervisory information is submitted under subsection (1), may take appropriate action and provide feedback to the FIUTT.

18E. Where in the course of carrying out any of its functions as a Supervisory Authority, the FIUTT acquires knowledge or has reasonable grounds to suspect that a person is engaging or has engaged in money laundering or the financing of terrorism it shall request an investigation by the relevant law enforcement authority as soon as is reasonably practicable, but in any event before the expiration of seven working days.

Suspicious activity and suspicious transactions. [8 of 2011 15 of 2014 25 of 2020].

18F. (1) The FIUTT shall effectively monitor non-regulated financial institutions and listed businesses for which it is the Supervisory Authority and shall take the necessary measures to secure compliance with this Act and the following written laws:

Functions of the FIUTT under this Part. [8 of 2011 15 of 2014 25 of 2020 7 of 2025].

(a) the Proceeds of Crime Act; Ch. 11:27.

(b) the Anti-Terrorism Act; Ch. 12:07.

(c) the Financial Obligations Regulations; Sub. Leg. 7/2010.

(d) the Financial Intelligence Unit of Trinidad and Tobago Regulations; Sub. Leg. 12/2011.

(e) Regulations made under the Anti-Terrorism Act;

(f) Orders made under the Economic Sanctions Act as they relate to proliferation financing; and

(g) any other written law by which the recommendations of the Financial Action Task Force are implemented, as well as guidelines issued in pursuance of this Act and the laws identified in paragraphs *(a)* to *(f)*.

(2) The FIUTT may, from time to time, issue guidelines as to compliance with the written laws listed under subsection (1) which shall be published in the *Gazette* and on its website.

(3) The FIUTT may require a non-regulated financial institution or listed business for which it is the supervisory

authority to submit financial statements, management accounts or other evidence of its financial standing for the purpose of—

(a) assessing the money laundering, financing of terrorism and proliferation financing risk of the non-regulated financial institution or listed business; and

(b) calculating the applicable administrative fine which may be imposed in accordance with section 27 of this Act.

(4) Where required under subsection (3), the financial institution or listed business shall submit such financial statements, management accounts or other evidence of its financial standing in accordance with the instructions issued by the FIUTT.

(5) The FIUTT, in performing its function under subsection (1), may co-operate with, provide supervisory information to and receive information from licensing, regulatory, supervisory and other authorities in Trinidad and Tobago, or elsewhere, as may be agreed between the FIUTT and those authorities.

Powers of the FIUTT. [8 of 2011 14 of 2012 15 of 2014 2 of 2018 25 of 2020 17 of 2024].

18G. (1) In order to secure compliance with the written laws listed under section 18F, the FIUTT may take any of the following actions:

(a) enter into the business premises of a non-regulated financial institution or listed business during working hours and with the consent of the owner or occupier of such premises in order to—

(i) inspect or take documents or make copies or extracts of information from such documents;

(ii) inspect premises; and

(iii) observe the manner in which certain functions are undertaken; and

(b) require any person on the premises to provide an explanation on any such information.

(2) Where a non-regulated financial institution or listed business refuses to give consent under subsection (1), a police

officer above the rank of Sergeant may apply for a warrant to enter the premises referred to in subsection (1)*(a)* and to—

(a) seize or take copies of any documents which may be evidence of non-compliance with the laws listed under section 18F(1);

(b) inspect the premises; and

(c) observe the manner in which certain functions are undertaken.

(2A) ***(Repealed by Act No. 17 of 2024).***

(2B) A warrant under subsection (2) may include the requirement to provide a police officer with any information or any explanation on any information in accordance with subsection (1)*(b)*.

(2C) Without prejudice to any other written law, a person who—

(a) wilfully obstructs a police officer in the exercise of his powers or the performance of his duties under this section;

(b) wilfully fails to comply with any requirement properly made to him by any such police officer; or

(c) without reasonable excuse, fails to give such police officer any other assistance which he may reasonably require to be given for the purpose of exercising his powers or performing his duties under this section,

commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for twelve months.

(2D) A person who, when required to give information to a police officer in the exercise of his powers or the performance of his duties under this section, knowingly gives false or misleading information to any such police officer is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for twelve months.

(2E) Nothing in this section shall be construed as requiring any person to give any information which may incriminate him.

(3) For the purpose of this section, "document" includes any data, correspondence, memorandum, book, machine-readable record or other documentary material, regardless of the form or manner in which it is stored.

(4) A warrant under subsection (2) shall authorise the police officer to be accompanied by an officer of the FIUTT.

Provision of books, records or documents etc., to Supervisory Authority. [17 of 2024].

18GA. (1) Notwithstanding section 18G, the FIUTT may require a non-regulated financial institution or listed business for which it is the Supervisory Authority to provide to it such books, records, documents and other information, or copies of books, records, documents or other information, that are relevant to assess compliance with the written laws listed under section 18F.

(2) Where a non-regulated financial institution or listed business fails to produce such books, records, documents and other information, or copies of books, records, documents or other information required under subsection (1), the FIUTT may issue a directive to such non-regulated financial institution or listed business in accordance with section 18H.

(3) Subsection (1) does not apply to information that has come into the possession of an Attorney-at-law or other independent legal professional in privileged circumstances.

Administrative sanctions for compliance. [8 of 2011 14 of 2012 15 of 2014 10 of 2020 25 of 2020 4 of 2026]. Ch. 11:27. Sub. Leg. 7/2010. Ch. 12:07. Sub. Leg. 12/2011.

18H. (1) Notwithstanding any other action or remedy available under this Act, if in the opinion of the FIUTT, a non-regulated financial institution or listed business has violated or is about to violate the provisions of the Act, the Financial Obligations Regulations, the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act, the Financial Intelligence Unit of Trinidad and Tobago Regulations, the Economic Sanctions Act or Orders made thereunder, the Counter-Proliferation Financing Act and any other guidelines issued by the FIUTT, it may issue a directive to such non-regulated financial institution or listed business to—

(a) cease or refrain from committing the act or violation, or pursuing the course of conduct; or

(b) perform such duties as in the opinion of the FIUTT are necessary to remedy the situation or minimise the prejudice.

(1A) Notwithstanding any other remedy available to the FIUTT, if in the opinion of the FIUTT, an NPO for which it is the Oversight Authority has violated or is about to violate a guideline issued by the FIUTT, the FIUTT may issue a directive to such NPO to take the action under subsection (1)*(a)* or *(b)*.

(2) Before a directive is issued under this section, the non-regulated financial institution, listed business or NPO to whom the directive is to be issued, shall be served with a notice specifying—

(a) the facts of the matter;

(b) the directives that are intended to be issued; and

(c) the time and place at which the non-regulated financial institution or listed business served with the notice may make representations to the FIUTT.

(3) Where the non-regulated financial institution, listed business or NPO served with the notice referred to in subsection (2) fails to attend at the time and place stipulated by the said notice, the FIUTT may proceed to issue a directive in his absence.

(4) Where after considering any representations made in response to the notice referred to in subsection (2)—

(a) the FIUTT determines that the matters specified in the notice are established, the FIUTT may proceed to issue a directive to the person served with the notice; or

(b) the FIUTT determines that the non-regulated financial institution, listed business or NPO should be afforded the opportunity to take remedial action, the FIUTT shall proceed to issue the directive for remedial action to be taken within a specified time.

(5) A directive issued under subsection (4)*(b)*, shall remain in force for a period of twenty-one days, during which the non-regulated financial institution, listed business or NPO may make representations to the FIUTT which shall hear or examine those representations as soon as possible, after they are received.

(6) Where at the expiration of the period stipulated under subsection (5), no representations are made, or representations are made and rejected thereafter, the FIUTT shall give notice to the

non-regulated financial institution, listed business or NPO of its intention to take action under subsection (8).

(7) Where a non-regulated financial institution or listed business is aggrieved by the decision of the FIUTT under subsection (4), that financial institution, listed business or NPO may apply to a Judge to discharge the directive and shall serve notice on the FIUTT, to join the proceedings, save however, that the directives shall remain in force until the Judge determines otherwise.

(8) Where a non-regulated financial institution or listed business to whom a directive is issued fails to comply with the said directive, the FIUTT may, in addition to any other action that may be taken under this Act, apply to the High Court for an Order requiring the non-regulated financial institution, listed business or NPO to comply with the directive, to cease the contravention or do anything that is required to be done.

(9) A person who refuses to comply with an Order of the Court commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for three years.

Administrative penalties. [25 of 2020 17 of 2024].

18I. Notwithstanding section 18H, if a compliance review is conducted under section 18G or 18GA or any reviews or inspections reveals that a non-regulated financial institution or listed business has contravened any of the provisions of the written laws listed under section 18F, the FIUTT may impose such administrative fines as is provided for under any written law under which the FIUTT has a supervisory function.

FIUTT as oversight authority for non-profit organisations. [17 of 2024 4 of 2026].

18J. (1) The FIUTT shall take the necessary measures to effectively promote focused, proportionate and risk-based oversight of non-profit organisations for which it is the Oversight Authority.

(2) For the purposes of subsection (1), the FIUTT shall, from time to time, issue guidelines, as appropriate, about the vulnerabilities of non-profit organisations to terrorist financing abuse and terrorist financing risks and the measures that non-profit organisations can take to protect themselves against such abuse and risks.

(2A) The FIUTT may monitor and request documents and other information from an NPO for which it is the Oversight Authority in order to promote compliance with guidelines issued under subsection (2).

(2B) Where a NPO fails to provide the FIUTT with the documents and information requested under subsection (2A), the FIUTT may issue a directive to the NPO in accordance with section 18H.

(3) If, in the opinion of the FIUTT, a non-profit organisation for which it is the Oversight Authority, fails to comply with the guidelines issued in accordance with subsection (2), the FIUTT may, issue a directive to such non-profit organisation in accordance with the process prescribed in section 18H.

(4) The FIUTT, in performing its functions under this section, may—

(a) co-operate with;

(b) provide information to; and

(c) receive information from,

licensing, regulatory, supervisory and other authorities in Trinidad and Tobago, or elsewhere, as may be agreed between the FIUTT and those authorities.

Knowingly making a misrepresentation in any application, notification, or other document. [17 of 2024].

18K. (1) A non-regulated financial institution, listed business or Non-Profit Organisation who knowingly makes a misrepresentation in any application, notification, or other document required to be submitted, delivered or notified to, or requested by, the FIUTT under this Part, commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for two years.

(2) Where a non-regulated financial institution, listed business or Non-Profit Organisation is convicted of an offence under subsection (1), each director or officer of the non-regulated financial institution, listed business or Non-Profit Organisation, who knowingly authorised, permitted or acquiesced in the offence is also liable on summary conviction for such offence to a fine of two hundred and fifty thousand dollars and to imprisonment for two years.

PART IV

OFFENCES AND PENALTIES

FIUTT officer. [8 of 2011 14 of 2012 20 of 2018 25 of 2020]. Ch. 12:07. Ch. 11:27.

19. For the purposes of this Part, the Director, Deputy Director and any other person authorised to perform functions under the Anti-Terrorism Act, the Act, or under this Act, is a FIUTT officer.

Failure to return ID.

20. A person found guilty of an offence under section 5(3) is liable on summary conviction, to a fine of twenty thousand dollars and to imprisonment for six months.

Failure to provide information.

21. (1) A financial institution or listed business convicted of an offence under section 12, is liable—

(a) on summary conviction, to a fine of five hundred thousand dollars and a further fine of twenty-five thousand dollars for each day that the offence continues; and

(b) on conviction on indictment, to a fine of one million dollars and a further fine of fifty thousand dollars, for each day that the offence continues.

(2) Where a person is—

(a) a member of the Board of Directors;

(b) the Chief Executive Officer or other officer; or

(c) the owner or partner,

of a financial institution or listed business, and that person knowingly authorised or acquiesced in the failure to provide the additional information required, the person commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for three years.

(3) Where the offence is committed jointly by members of the Board or officers of a financial institution or listed business, they may be tried jointly or severally.

Confidentiality of information. [25 of 2020].

22. (1) An FIUTT officer who knowingly or recklessly discloses information that has come into his possession as a result of his employment in the FIUTT to a person otherwise than in the proper exercise of his duties, whether or not he continues to be employed at the FIUTT, commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for three years.

(2) Subsection (1) does not apply to information in the possession of an FIUTT officer as a result of the execution of his functions under section 55F of the Act. Ch. 11:27.

Disclosure of information to Minister.

22A. (1) The Director shall not disclose or cause to be disclosed to the Minister or to any other person, except in accordance with this Act, the personal or financial details pertaining to an individual or business contained in—

(a) a suspicious transaction or a suspicious activity report;

(b) a report on any analysis forwarded to prescribed law enforcement authorities; and

(c) information obtained from a financial institution or listed business concerning any account held by a customer or business,

and arising out of or in connection with the annual report or out of or in connection with any other circumstances.

(2) Where the Director contravenes subsection (1), he commits an offence and shall be liable on summary conviction to a fine of three hundred thousand dollars and imprisonment for three years and on conviction on indictment to a fine of one million dollars and imprisonment for five years.

Disclosure of information. [14 of 2012 25 of 2020].

23. (1) Subject to subsection (2), any person other than an FIUTT officer, who, in the course of his business obtains or receives information from the FIUTT, commits an offence if he knowingly discloses—

(a) the information to any person; or

(b) the fact that an analysis has been recommended by the FIUTT,

is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for three years.

(2) A person who receives information in accordance with subsection (1), may communicate that information to a legal

practitioner for the sole purpose of obtaining legal advice and the practitioner who receives information for this purpose, shall be deemed to have received it from the FIUTT and is subject to the provisions of subsection (1).

Disclosure of investigation. [25 of 2020].

24. An FIUTT officer or other person who discloses the fact that an investigation into a suspicious transaction or suspicious activity report has been recommended by the FIUTT or that an investigation has commenced, otherwise than in the proper exercise of his duties, is guilty of an offence, and is liable on summary conviction, to a fine of two hundred and fifty thousand dollars and to imprisonment for three years.

Protection from personal liability. [14 of 2012 25 of 2020].

25. (1) An FIUTT officer, other member of the staff of the FIUTT, or any other person authorised to perform any function under this Act, shall not be personally liable for any act done or omitted to be done by him in good faith in the discharge of his functions.

(2) No civil or criminal proceedings shall lie against a person who, in good faith, discloses financial intelligence or information under this Act.

PART V

MISCELLANEOUS

Act to prevail. [25 of 2020].

26. Notwithstanding any other law pertaining to the disclosure of personal information, the power of the FIUTT to collect, disseminate or exchange information under this Act, shall prevail.

Regulations. [2 of 2018 25 of 2020 17 of 2024 7 of 2025].

27. (1) The Minister may make Regulations necessary for carrying out or for giving effect to this Act.

(2) Regulations made under this section shall be subject to negative resolution of Parliament.

Ch. 3:01.

(3) Regulations made under this section may, notwithstanding section 63 of the Interpretation Act, provide that the contravention of a regulation is subject to a penalty—

(*a*) on summary conviction to a fine of five hundred thousand dollars and to a further fine of twenty-five thousand dollars for each day that the offence continues; or

(b) on conviction on indictment to a fine of one million dollars and to a further fine of fifty thousand dollars for each day that the offence continues.

(4) Notwithstanding subsection (3), a contravention of a regulation which attracts a summary penalty under subsection (3)*(a)*, may be liable to an administrative fine, as provided for under Regulations, not exceeding two hundred and fifty thousand dollars in the manner provided under subsections (5) to (17).

(5) Notwithstanding any other action available to the FIUTT under this Act or any other written law, the FIUTT, where it has reasonable cause to believe that a non-regulated financial institution or listed business which is supervised by it, has contravened or is contravening a provision of the Financial Intelligence Unit of Trinidad and Tobago Regulations, 2011, may offer the non-regulated financial institution or listed business the opportunity to discharge the liability for the contravention by issuing a Notice, in the manner set out in subsection (6), requiring the non-regulated financial institution or listed business to— Sub. Leg. [12/2011].

(a) comply with the relevant provision of the Financial Intelligence Unit of Trinidad and Tobago Regulations, 2011, to the satisfaction of the FIUTT; and

(b) pay the applicable administrative fine set out in the Regulations,

within such period as is specified in the Notice.

(6) A Notice under subsection (5), shall specify—

(a) that the FIUTT has reason to believe that the non-regulated financial institution or listed business, has contravened or is contravening a provision of the Financial Intelligence Unit of Trinidad and Tobago Regulations, 2011; Sub. Leg. [12/2011].

(b) the particulars of the contravention;

(c) that the non-regulated financial institution or listed business referred to in paragraph *(a)*, may

discharge any liability to conviction in respect of that contravention by—

(i) discontinuing or remedying the contravention to the satisfaction of the FIUTT within the time specified by the FIUTT; and

(ii) paying the prescribed administrative fine within twenty-one business days from the day after which the Notice was served;

(d) that a failure to—

(i) discontinue or remedy the contravention to the satisfaction of the FIUTT, within the time specified by the FIUTT; or

(ii) pay the fine within twenty-one business days from the day after which the Notice was served,

may result in the matter being referred to the Commissioner of Police;

(e) the amount of the administrative fine that is to be paid and the place where, or the manner in which, the administrative fine may be paid; and

(f) that the payment of the administrative fine will not be accepted after the expiration of twenty-one business days.

(6A) Where an administrative fine is imposed under subsection (5), the FIUTT shall cause to be published on its website a notification of such imposition.

(7) In any proceedings for an offence to which this section applies, no reference shall be made to the giving of any Notice under this section or to the payment or non-payment of an administrative fine thereunder, unless in the course of the proceedings or in some document which is before the Court in connection with the proceedings, reference has been made by, or on behalf of the accused to the giving of such a Notice, or, as the case may be, to such payment.

(8) The Minister may, on the advice of the FIUTT, by Order, vary the period for paying the fine as stated in respect of subsections (6)*(c)*(ii) and (6)*(f)*.

(9) The FIUTT shall, prior to the issue of a Notice under subsection (5), forward a Notification of Intention to Issue a Notice which—

(a) informs the non-regulated financial institution or listed business of its intention to issue a Notice that it has contravened or is contravening a provision of the Financial Intelligence Unit of Trinidad and Tobago Regulations, 2011; Sub. Leg. [12/2011].

(b) advises of the circumstances that gave rise to the administrative penalty and the amount of the administrative fine;

(c) offers the non-regulated financial institution or listed business an opportunity to present any relevant information that may be pertinent to the decision on whether to issue the Notice under subsection (5); and

(d) states that the non-regulated financial institution or listed business has ten business days to respond to the Notification.

(10) Where the FIUTT has issued a Notice under subsection (5), the non-regulated financial institution or listed business shall have twenty-one business days, commencing from the day after which the Notice was served, to pay the administrative fine and discontinue or remedy the contravention to the satisfaction of the FIUTT.

(11) The FIUTT may extend the time to discontinue or remedy the contravention for a further period not exceeding twenty-one business days.

(12) Payment of the administrative fine set out in the Regulations shall be made to the Comptroller of Accounts.

(13) Where an administrative fine is required to be paid, the payment may be made electronically.

(14) Notwithstanding subsection (5), a non-regulated financial institution or listed business to whom a Notice has been issued, may within fifteen business days of the receipt of the Notice, appeal to the High Court, from the decision to issue the Notice.

(15) The procedure for determining an appeal filed under subsection (14), shall be in accordance with the Civil Proceedings Rules of the Supreme Court of Judicature.

(16) Notwithstanding the fact that an appeal may have been filed under subsection (14)—

(a) the Notice shall be binding upon the appellant; and

(b) the appellant is required to comply with the Financial Intelligence Unit of Trinidad and Tobago Regulations, 2011, and any instruction of the FIUTT,

Sub. Leg. [12/2011].

unless, on an *inter partes* application made to the High Court, the High Court is satisfied that circumstances exist that warrant a stay of the particular instruction contained in the Notice and grants an injunction to the appellant for a stay of the Notice before the determination of the appeal, on such terms and conditions as the High Court may direct.

(17) For the purposes of this section, "business day" means Monday to Friday, except a public holiday.

(18) Notwithstanding any other written law to the contrary, any complaint relating to the offence contained in regulations made under section 27, which is triable by a District Court in Trinidad and Tobago, may be so tried if it is laid at any time within seven years after the commission of the offence or within eighteen months after the relevant date.

(19) In this section, "the relevant date" means the date on which, evidence sufficient in the opinion of the FIUTT to justify the institution of summary proceedings, comes to its knowledge.

(20) For the purpose of subsection (19), a certificate as to the date on which the evidence referred to in subsection (19) came into the knowledge of the FIUTT, shall be conclusive evidence of that fact.

Minister may review Act. [14 of 2012].

28. (1) Within one year of the coming into effect of this Act, the Minister shall return to Parliament for a review, by Parliament, of the operation of this Act.

(2) The review shall be debated by Parliament with a view to any amendment of this Act that may further the compliance with the Financial Action Task Force obligations of the State.

29. All acts or things purportedly done in good faith by any person pursuant to the Proceeds of Crime Act, the Anti-Terrorism Act, the FIUTT Act, the Financial Obligations Regulations, the Financial Intelligence Unit of Trinidad and Tobago Regulations, or the Financial Obligations (Financing of Terrorism) Regulations, prior to 5th May 2011, shall be deemed to have been lawfully and validly done, to the extent that it would have been lawfully and validly done if the person had been lawfully and validly appointed.

Validation. [8 of 2011 25 of 2020]. Ch. 11:27. Ch. 12:07. Ch. 72:01. Sub.Leg. 7/2010. 12/2011. 7/2011.

30. Notwithstanding any law to the contrary, no legal proceedings or other action shall be filed or maintained against any person for any act or thing done in good faith prior to 5th May 2011 in the purported exercise of powers conferred under the Proceeds of Crime Act, the Anti-Terrorism Act, the FIUTT Act, the Financial Obligations Regulations, the Financial Obligations (Financing of Terrorism) Regulations, or the Financial Intelligence Unit of Trinidad and Tobago Regulations, where the act or thing done would have been lawfully and validly done, if the person had been lawfully and validly appointed.

Immunity from legal proceedings. [8 of 2011 25 of 2020]. Ch. 11:27. Ch. 12:07. Ch. 72:01. Sub. Leg. 7/2011. Sub. Leg. 12/2011.

31. Any evidence obtained in good faith by any person during any investigation carried out in the purported exercise of the powers conferred under the Proceeds of Crime Act, the Anti-Terrorism Act, the FIUTT Act, the Financial Obligations Regulations, the Financial Intelligence Unit of Trinidad and Tobago Regulations, the Financial Obligations (Financing of Terrorism) Regulations, are deemed to have been lawful and valid, to the extent that such evidence would have been lawful and valid had it been obtained by a person lawfully and validly appointed.

Saving of evidence. [8 of 2011 25 of 2020]. 7/2011.

SCHEDULE

Section 6. [8 of 2011 14 of 2012 25 of 2020].

OATH OF OFFICE AND SECRECY

I, A.B., do solemnly and sincerely swear that I will conscientiously and to the best of my ability discharge the duties of my office and that I will treat all documents and reports filed with the FIUTT and all records and information relating thereto as secret and confidential and I shall not disclose or communicate to any unauthorised person or allow any such person to have access to any such document, reports, record or information. So help me God.

SUBSIDIARY LEGISLATION

FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

ARRANGEMENT OF REGULATIONS—*Continued*

REGULATION

PART IX

PART X

MISCELLANEOUS

FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO REGULATIONS

made under section 27

12/2011. [403/2014 2 of 2018 20 of 2018 25 of 2020 7 of 2025].

Citation.

1. These Regulations may be cited as the Financial Intelligence Unit of Trinidad and Tobago Regulations.

PART I

PRELIMINARY

Interpretation. [403/2014 20 of 2018 7 of 2025].

2. In these Regulations—

"Director" means the Director of the FIUTT;

"financial institution" has the meaning assigned to it under the Proceeds of Crime Act; Ch. 11:27.

*"FIUTT" means the Financial Intelligence Unit of Trinidad and Tobago established under the Financial Intelligence Unit of Trinidad and Tobago Act;

"foreign FIU" means a Financial Intelligence Unit established outside of Trinidad and Tobago for the purpose of meeting the recommendations on money laundering and the financing of terrorism and for related matters;

"listed business" has the meaning assigned to it under the Proceeds of Crime Act;

"non-profit organisation" means a non-profit organisation for which the FIUTT has oversight under section 18J of the Act; and

"Suspicious Transaction/Activity Report" means a report submitted under section 55A of the Proceeds of Crime Act.

PART II

COLLECTION OF FINANCIAL INTELLIGENCE AND INFORMATION

Request for information. [7 of 2025].

3. (1) The FIUTT may request financial information from a financial institution, listed business or non-profit organisation by means of—

(a) a written request signed by the Director of the FIUTT ("the Director") and delivered to the

*Act No. 25 of 2020 amends the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01 by deleting the definition of "FIU" and substituting a new definition "FIUTT".

registered office or principal place of business of the listed business, financial institution, non-profit organisation or other entity from which the Director is empowered under section 8 to request information; or

(b) any secure electronic system that the FIUTT establishes.

(2) Where the Director makes a request under subregulation (1), the financial institution, listed business or non-profit organisation shall respond to the request within seven working days of the receipt of the request for information.

(3) The Director may, in appropriate circumstances, stipulate a longer or shorter period, for response to a request under subregulation (1).

(4) Where the Director wishes to stipulate a shorter period for response to a request under subregulation (3), he shall first consult with the relevant financial institutions, listed businesses or non-profit organisation.

(5) Where a financial institution, listed business or non-profit organisation wishes an extension of the period of time set out in subregulation (4) it may request such extension of time from the Director and where the Director so agrees, the new time frame shall apply.

(6) A financial institution, listed business or non-profit organisation that fails to furnish the information requested under this regulation within the period set out in subregulation (3) commits an offence.

Oral requests. [7 of 2025].

4. (1) Notwithstanding regulation 3, the Director may, in limited or exigent circumstances, make an oral request under regulation 3 for information from a financial institution, listed business or non-profit organisation.

(2) Where the Director makes an oral request under subregulation (1), he shall as soon as reasonably practicable, but in any event within twenty-four hours, forward a written request.

(3) The circumstances under subregulation (1) shall include—

(a) an urgent request for information from a law enforcement authority either locally or internationally; or

(b) a request for information by a law enforcement authority for the purpose of supporting an application for an injunction by the Courts or similar Court process.

(4) Where a request is made under this regulation, the financial institution, listed business or non-profit organisation shall as soon as practicable but in any event within twenty-four hours of receipt of the request for financial information, provide the financial information to the FIUTT.

Requirement to respond to a request. [7 of 2025].

5. A financial institution, listed business or non-profit organisation shall respond to the Director's request for financial information under regulations 3 and 4 either—

(a) electronically, by a secure reporting system established by the FIUTT;

(b) by submitting the financial information according to the reporting instructions issued by the FIUTT; or

(c) by submitting the completed financial information in writing by facsimile.

PART III

RECEIVING SUSPICIOUS TRANSACTION/ACTIVITY REPORT (STRs/SARs)

Submission of STRs/SARs.

6. (1) Subject to subregulation (2), a financial institution or listed business may submit a Suspicious Transaction/Activity Report (hereinafter referred to as "STR/SAR") to the Director either—

(a) electronically, by a secure reporting system established by the FIUTT;

(*b*) by submitting the completed STR/SAR forms in writing by hand delivery or by registered post; or

(*c*) by submitting the completed STR/SAR forms in writing by facsimile.

(2) The Director may, by Notification published in the *Gazette* and in two newspapers in daily circulation in Trinidad and Tobago, specify which of the modes under subregulation (1) may be used by certain categories of listed businesses and financial institutions for submitting a STR/SAR.

Approved form. [403/2014].

7. Where a financial institution or listed business wishes to submit a STR/SAR to the Director, it shall do so in the form approved by the FIUTT.

PART IV

STORAGE OF FINANCIAL INTELLIGENCE AND INFORMATION

Protection of financial intelligence and information.

8. (1) Where financial intelligence and information has been collected by the FIUTT, the Director shall ensure that the financial intelligence and information in its custody or under its control is secure.

(2) Where reference is made in subregulation (1) to ensuring that financial intelligence and information is secure, such arrangements shall apply to the collection, storage, unauthorised access, use, alteration, disclosure, exchange and dissemination of the information.

Power of the Director in respect of protection of data.

9. The Director shall be responsible for the development and implementation of internal policies that are in accordance with data protection requirements of the FIUTT and any other written law.

Internal secured database.

10. The Director shall institute and maintain an internally secured electronic database for the storage of financial intelligence and information.

Power of Director to limit access to database.

11. (1) The Director shall limit the personnel of the FIUTT who may access the FIUTT's database and grant specific authorisations in that regard.

(2) The Director shall cause a log to be kept of all persons who access the FIUTT's database.

(3) A person who accesses financial intelligence and information on the database without authorisation from the Director under subregulation (1) commits an offence and shall be liable on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for three years.

Securing of financial intelligence and information.

12. The Director shall ensure that financial intelligence and information in the FIUTT's custody or under its control is secured in the following manner:

(a) copying and storing data onto more than one electronic device on an on-site or off-site facility on a daily basis; and

(b) storing data on an off-site backup facility in the event of a natural disaster, technical malfunction or man-made incident.

Physical storage.

13. The Director shall establish a security system or protocol for the physical storage of files of the FIUTT and financial intelligence and information in its custody or under its control.

PART V

INFORMATION ANALYSIS AND FEEDBACK

Requirement to analyse STR/SAR.

14. Where the FIUTT receives a STR/SAR or any financial intelligence and information either—

(a) as the result of a request from the FIUTT to a financial institution or listed business; or

(b) through the financial institution or listed business having reason to believe that some suspicious activity occurred thereby transmitting to the FIUTT a voluntary report of the activity,

the FIUTT shall analyse it.

Feedback. [403/2014].

15. Where a financial institution or listed business submits a STR/SAR or information to the FIUTT under section 10 of the FIUTT Act, the Director shall ensure that feedback is given to the financial institution or listed business within thirty days of the receipt of the report or information.

Establishment of system for analysis.

16. The Director shall implement a system for the effective analysis of—

(a) financial information received from a financial institution or listed business; and

(b) a STR/SAR received from a financial institution or listed business.

Prioritising reports.

17. The Director shall establish criteria for prioritising the processing of a STR/SAR and financial intelligence and information.

PART VI

DISSEMINATION

Interpretation of "local authorities". [7 of 2025].

18. For the purposes of this Part, "local authorities" mean—

(a) the Customs and Excise Division;

(b) the Board of Inland Revenue;

(c) ***(Deleted by Act No. 7 of 2025);***

(d) regulatory and supervisory authorities for listed businesses and financial institutions;

(e) lawfully authorised law enforcement agencies other than those agencies to whom files are transmitted for investigations; and

(f) affiliates within the intelligence community.

Dissemination of information. [403/2014 2 of 2018 7 of 2025].

19. (1) The Director may on his own motion or upon request, disseminate financial intelligence and information to—

(a) local authorities;

(b) foreign authorities;

(c) law enforcement authorities under section 15(1) of the FIUTT Act;

(d) the Police Complaints Authority under section 15(3) of the FIUTT Act; and

(e) the Counter Trafficking Unit under section 15(5) of the FIUTT Act.

(2) The Director may, upon disseminating financial intelligence and information under subregulation (1), impose the conditions upon which the intelligence and information may be used.

(3) Where the Director determines under subregulation (2) that the sharing of intelligence and information that is being requested or provided of his own motion shall be subject to terms and conditions attached, he shall require the requesting party to agree to the terms and conditions upon which the intelligence and information is being shared.

Sharing or providing information.

20. (1) The FIUTT may, in accordance with any written law, share information with financial institutions, listed businesses and prosecutorial authorities.

(2) The Director may, where a criminal investigation is being conducted, authorise the provision of—

(a) information under the control or custody of the FIUTT; and

(b) advice and assistance,

to law enforcement authorities.

(3) In providing information or advice and assistance under subregulation (2), the Director may enter into a Memorandum of Understanding with law enforcement authorities.

Exchange of information with local and foreign authorities. [7 of 2025].

21. (1) The exchange of information with members of the Egmont Group under section 8(3) shall be undertaken on a reciprocal basis.

(2) Where a local authority, law enforcement authority or a foreign FIU within the Egmont Group request financial

information from the FIUTT, the FIUTT shall only provide that financial information upon receipt of—

(a) sufficient data to support a case involving money laundering, terrorist financing or a related crime;

(b) the reason for the financial information requested;

(c) proof that the request is linked to an ongoing investigation from the head of the agency;

(d) the purpose for which the information will be used; and

(e) in the case of a foreign FIU, sufficient information from the foreign FIU to show that the request complies with the domestic law of the foreign FIU.

(3) Where information is provided to a requesting foreign FIU, the provision of such information shall be on the condition that the information provided shall be kept confidential and be used for the specific purpose for which the information was requested and shall not be used in an administrative, investigative, prosecutorial or judicial purpose without the prior consent of the FIUTT.

Request for financial information.

22. (1) The FIUTT in co-operating and liaising with agencies, authorities and persons under section 16 may, *inter alia*, share or request financial information from the agencies, authorities and persons.

(2) For the purposes of this regulation, the Director may enter into Memoranda of Understanding with local authorities.

Requirements in respect of sharing of information.

23. (1) Where the FIUTT has received information from a foreign FIU, the FIUTT shall not share that information without the written permission of the foreign FIU that provided the information.

(2) Information received by the FIUTT from a foreign FIU shall be stored in a secured database.

Responding to requests for information.

24. (1) The FIUTT shall only respond to a request for information under this Part where the request is received—

(a) electronically through a secured reporting system established by the FIUTT;

(b) electronically by secured mail;

(c) in writing and submitted by hand or registered post; or

(d) by facsimile.

(2) Notwithstanding the modes of receiving a request for information provided for under subregulation (1), the Director may specify a mode that is acceptable to the FIUTT by which certain categories of requesting parties may submit a request.

Contents of reports to be sent to law enforcement agencies.

25. Where, under sections 8(3)*(b)* and 15, the Director sends a report to law enforcement agencies for investigation to determine whether an offence has been committed, the report shall contain where applicable—

(a) the reasons for the suspicion contained in the original report from the reporting entity;

(b) the results of the evaluation and analysis of a STR/SAR, including analytical reports, charts, associated documentation and the results of the research conducted on the FIUTT's database of suspicious transaction or suspicious activity reports;

(c) details of requests for further information in accordance with section 11*(a)*;

(d) details of any request for approval to complete a transaction and the decision taken in accordance with section 13; and

(e) details of any instructions to suspend the processing of a transaction in accordance with section 14(1).

PART VII

PERIODIC REPORTS

Periodic Reports. [2 of 2018].

26. (1) The FIUTT shall provide financial institutions, listed businesses and other public or private bodies with reports in respect of the following:

(a) statistics on—
(i) the number of disclosures made by the FIUTT; and
(ii) the results of the disclosures by the FIUTT;

(b) information on matters such as the number of STRs/SARs received by the FIUTT;

(c) the number of STRs/SARs received in relation to the sectors or types of institutions and the geographic areas from which reports have been referred; and

(d) information—
(i) as to the types of institutions which STRs/SARs and the types of transactions reported; and
(ii) on current techniques, methods and trends or typologies and examples of actual money laundering and financing of terrorism cases with no direct references as to persons or institutions.

(2) Reports under subregulation (1) shall be made available by the FIUTT on a quarterly basis.

PART VIII

SUPERVISORY AUTHORITY

Interpretation of certain words in this Part and references to the FIUTT. [403/2014 7 of 2025]. Ch. 11:27.

27. For the purpose of this Part—

(a) "supervised entity" means—
(i) a financial institution at paragraphs *(c)*, *(d)* and *(h)* of the definition of "financial institution" under the Proceeds of Crime Act; and
(ii) a listed business; and

(b) references to the FIUTT shall mean the FIUTT in its role under section 55(D)(4) of the Act.

Requirement for supervised entity to register. Schedule. [403/2014 2 of 2018 7 of 2025].

28. (1) A supervised entity shall, within thirty days of commencing business activity or incorporation as a company under the laws of Trinidad and Tobago, whichever is the earlier—

(a) register with the FIUTT in the form approved by the FIUTT for the purpose of identifying themselves as a supervised entity; and

(b) complete and submit to the FIUTT an AML/CFT/CPF risk assessment form approved by the FIUTT.

(2) A supervised entity that fails to register with the FIUTT as required by subregulation (1) commits an offence and shall be liable on summary conviction to a fine of fifty thousand dollars and to a further fine of five thousand dollars for each day that the offence continues.

Submission of AML/CFT/CPF Risk Assessment Form. [7 of 2025].

28A. A supervised entity shall whenever required, complete and submit to the FIUTT an AML/CFT/CPF risk assessment form approved by the FIUTT.

Change in particulars of a supervised entity. [2 of 2018 7 of 2025].

29. (1) Where a supervised entity changes—

(a) its registered office or principal place of business; or

(b) its business name, company name or trading name; or

(c) the nature of its business,

it shall within thirty days of such change notify the FIUTT in writing.

(2) Where a supervised entity fails to notify the FIUTT under subregulation (1), of any of the requirements of subregulation (1), it commits an offence and shall be liable on summary conviction to a fine of twenty thousand dollars.

Change of Directors, Owners, Partners and Compliance Officer.
[403/2014
2 of 2018
7 of 2025].

29A. (1) Where a supervised entity changes its Directors, beneficial owners, legal owners, partners or Compliance Officer, it shall, within thirty days of such change, notify the FIUTT in writing.

(2) Where a supervised entity fails to notify the FIUTT under subregulation (1) it commits an offence and is liable on summary conviction to a fine of twenty thousand dollars.

(3) For the purpose of this regulation, "beneficial owner" has the meaning assigned to it under section 337A(2) of the Companies Act.

Ch. 81:01.

Requirements to provide guidelines and standards.

30. (1) The FIUTT shall provide guidelines and standards to supervised entities.

(2) Guidelines and standards under subregulation (1) shall seek to ensure that supervised entities—

(a) are aware of the risks of money laundering and the financing of terrorism inherent in their business activities; and

(b) manage these risks prudently and in keeping with their responsibilities to customers and other stakeholders,

and set out—

(c) any features of a transaction that may give rise to a suspicion that the transaction is or may be relevant to the enforcement of the Act or these Regulations; and

(d) the procedures for making a report of any transactions.

PART IX

31.
32.
33.
34. ***(Revoked by LN 403/2014).***

PART X

MISCELLANEOUS

FIUTT to determine supervision. [403/2014]. Ch. 11:27.

35. (1) The FIUTT shall determine the frequency and intensity of supervision conducted under Part IIIA of the Act based on the money laundering and terrorist financing risks faced by the supervised entity, the size and characteristics of the entity, the overall sector risk and the adequacy of the entity's internal controls, policies and procedures.

(2) Where the FIUTT has reasonable grounds to believe that a supervised entity or a person concerned in the management of a supervised entity has breached or is breaching the provisions of the Act, these Regulations or the Financial Obligations Regulations, it may initiate an examination of the circumstances.

Ch. 11:27. Sub. Leg. 7/2010.

Penalties.

36. Where a financial institution or listed business commits an offence under these Regulations for which no penalty is specified it shall be liable—

(a) on summary conviction to a fine of five hundred thousand dollars and to a further fine of twenty-five thousand dollars for each day that the offence continues; and

(b) on conviction on indictment to a fine of one million dollars and to a further fine of fifty thousand dollars for each day that the offence continues.

Failure to comply with regulations. [7 of 2025].

36A. Notwithstanding the penalties set out in regulation 28(2), 29(2), 29A(2) or 36, a non-regulated financial institution or listed business which does not comply with a regulation specified in the Schedule, may discharge the liability for the criminal offence under regulation 28(2), 29(2), or 29A(2) by—

(a) complying with the relevant provision of these Regulations; and

(b) paying the applicable administrative fine as set out in the Schedule.

Defence.

37. In proceedings against a financial institution or listed business for an offence under these Regulations, it is a defence for the financial institution or listed business to show that it took all reasonable steps and exercised due diligence to comply with the requirements of these Regulations.

FORM

FIU Financial Intelligence Unit

FIU Form RG1

REGISTRATION OF LISTED BUSINESS

For official use only

Please type or complete in BLOCK LETTERS • Complete entire form

Indicate the type of filing by checking A, B, or D, below (check only one). If filing a correction, check "C" or either A, B, or D.

A E Initial Registration B Li Renewal (L i Correcting a prior filinq D Re-registration

If checked item 1D, please indicate briefly, the reason(s)

Part II Registrant Information Individual or Legal Entity

i. Name of Individual ii. Name of Legal Entity

Nature of Business : Company Registration Number :

Registered address	Street No.	Street Name	City	Country

Tel. No.: (868) E-mail: Website:

Where there are branches/outlets, include addresses of the locations:

VAT Registration Number (where applicable) Estimated Annual Income *(in TTS)*

Part III Director(s) / Owner / Partners

Surname: Mr./Mrs./Ms. *First name* *Middle name*

Address (Street number, Street name,) *Town/City* *Country*

Telephone number(s) (include area code) *Nationality (include social security number if applicable)* *ID : National ID, DP#, PP # : (any 1)*

Part IV *Compliance Officer*

Surname : Mr./Mrs./Ms. *First name* *Middle name*

Address (Street number, Street name,) *Town/City* *Country*

Telephone number (include area code)
Office -

Mobile -

Nationality
Include social security # (if applicable)

Part V *Beneficial Owner(s)*

Surname : Mr./Mrs./Ms. *First name* *ID # (any 1) National ID, DP#, PP # :*

Middle name

Address (Street number, Street name,) *Town/City* *Country*

Telephone number (include area code)
Office -

Mobile -

Nationality
Include social security # (if applicable)

ID # (any 1) National ID, DP#, PP # :

Attach additional sheets if necessary.

Part VI Authorized Signature

I am authorized to file this form on behalf of the myself/the company/the business listed in Part II. I declare that the information provided is true, correct and complete. I understand that the individual/company/business listed in

Position held in the Listed Business: *Date of signature* */ / DD MM YYYY*

Regulation 28.
[2 of 2018].

SCHEDULE

(Deleted by Act No. 2 of 2018)

(Regulation 36A).

SCHEDULE

ADMINISTRATIVE FINES FOR CONTRAVENTION OF THE FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO REGULATIONS

Regulation	General Description of Contravention	Criminal Penalty	Administrative Fine
28(1)	Failure of a supervised entity, within thirty days of commencing business activity or incorporation as a company under the laws of Trinidad and Tobago, to— *(a)* register with the FIU, in the form approved by the FIUTT for the purpose of identifying themselves as a supervised entity; or *(b)* complete and submit to the FIUTT the AML/CFT/CPF risk assessment form approved by the FIUTT.	On summary conviction, a fine of $50,000 and a further fine of $5,000 for each day the offence continues.	$25,000 and a further fine of $1,000 for each day the contravention continues.

Regulation	General Description of Contravention	Criminal Penalty	Administrative Fine
28A	Failure to complete and submit to the FIUTT the AML/CFT/CPF risk assessment form approved by the FIUTT, when required by the FIUTT.	On summary conviction to a fine of five hundred thousand dollars and to a further fine of twenty-five thousand dollars for each day that the offence continues; On conviction on indictment to a fine of one million dollars and to a further fine of fifty thousand dollars for each day that the offence continues.	$15,000 and a further fine of $800 for each day the contravention continues.

SCHEDULE—*Continued*

Regulation	General Description of Contravention	Criminal Penalty	Administrative Fine
29(1)	Failure of a supervised entity to notify the FIUTT, in writing, of changes to its— *(a)* registered office or principal place of business; *(b)* business name, company name or trading name; or *(c)* nature of business, within thirty days of such change.	On summary conviction, a fine of $20,000.	$10,000 and a further fine of $500 for each day the contravention continues.
29A(1)	Failure of a supervised entity to notify the FIUTT, in writing, of changes in its Directors, beneficial owners, legal owners, Partners or Compliance Officer within thirty days of such change.	On summary conviction, a fine of $20,000.	$10,000 and a further fine of $500 for each day the contravention continues.

FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO (ENHANCED DUE DILIGENCE REQUIREMENTS) ORDER

189/2016.

made under section 17(2)

Citation.

1. This Order may be cited as the Financial Intelligence Unit of Trinidad and Tobago (Enhanced Due Diligence Requirements) Order.

Interpretation.

2. In this Order—

"high risk entity" means a company or financial institution based in a higher risk country; and

"higher risk country" means a country listed in a Notice published in accordance with section 17(1) of the Act.

Enhanced due diligence. Ch. 11:27.

3. Notwithstanding regulation 11 of the Financial Obligations Regulations, a financial institution or listed business is required, before entering a business relationship or transaction with a high risk entity, a higher risk country or a person based in a higher risk country, to conduct enhanced due diligence measures in accordance with the money laundering risks associated with entering the business relationship or transaction with a high risk entity, higher risk country or a person based in a higher risk country.