



# Guidance for Completion of the Schedule 2 Anti-Money Laundering/ Countering the Financing of Terrorism Registration Form

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# Anti-Money Laundering/Countering the Financing of Terrorism Registration

The law in Ireland on anti-money laundering/countering the financing of terrorism is governed by the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010, as amended ('the Act').

The Central Bank of Ireland (the 'Central Bank') is the competent authority in Ireland for the monitoring and supervision of financial and credit institutions' compliance with their obligations under the Act. The Central Bank is empowered to take measures that are reasonably necessary to ensure that credit and financial institutions comply with the provisions of the Act.

On 26 November 2018, Section 108A of the Act introduced for the first time a statutory requirement for certain firms to register for anti-money laundering/countering the financing of terrorism purposes with the Central Bank. For the purposes of this guidance such firms are referred to as "Schedule 2 firms".

# When does the Obligation to Register as a Schedule 2 firm Arise

If your firm offers any of the following services and **it is not otherwise authorised or licenced to carry on business by the Central Bank**, then it may need to register with the Central Bank as a 'Schedule 2 firm'

## Schedule 2 Activities

1. Lending including inter alia: consumer credit, credit agreements relating to immovable property, factoring, with or without recourse, financing of commercial transactions (including forfeiting).
2. Financial leasing.
3. Payment services as defined in Article 4(3) of Directive 2007/64/EC of the European Parliament and of the Council of 13 November 200714 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC.
4. Issuing and administering other means of payment (e.g. travellers' cheques and bankers' drafts) insofar as such activity is not covered by point 3.
5. Guarantees and commitments.
6. Trading for own account or for account of customers in any of the following:
  - a. money market instruments (cheques, bills, certificates of deposit, etc.);
  - b. foreign exchange;
  - c. financial futures and options;
  - d. exchange and interest-rate instruments; or

- e. transferable securities.
- 7. Participation in securities issues and the provision of services relating to such issues.
- 8. Advice to undertakings on capital structure, industrial strategy and related questions and advice as well as services relating to mergers and the purchase of undertakings.
- 9. Money broking.
- 10. Portfolio management and advice.
- 11. Safekeeping and administration of securities.
- 12. Safe custody services.
- 13. Issuing electronic money.

# Exemption from Obligation to Register

If your firm is carrying out Schedule 2 activities, the obligation to register does not occur if your firm falls into any of the following two exemptions:

**1. If cumulatively**

- a. Your firm only carries out Schedule 2 Activity 6 above; and
- b. Your firm's customers (if any) are members of the same group as your firm.

or

**2. If cumulatively**

- a. Your firm's annual turnover is less than €70,000;
- b. The total of any single transaction, or series of linked transactions in relation to your firm's Schedule 2 activities does not exceed €1,000;
- c. Your firm's Schedule 2 activities do not exceed 5% of your firm's total turnover;
- d. Your firm's Schedule 2 activities are directly related to and ancillary to your firm's main business activities; and
- e. Your firm only provides Schedule 2 activities to customers of your main business activities, rather than the public in general.

# How to Register as a Schedule 2 Firm

Firms that require registration with the Central Bank as a Schedule 2 firm must do so by using the

[Schedule 2 Registration for Anti-Money Laundering/Countering the Financing of Terrorism Purposes Form](#)

Completed registration forms should be e-mailed to the Central Bank at the following address:

**Schedule2@centralbank.ie**

Incomplete registration forms will be returned

Firms must inform the Central Bank regarding **Post Registration Changes** in relation to Schedule 2 firms. More details on Post Registration Changes can be found on the Central Bank Website [here](#).

# Purpose of this Guidance

The purpose of this guidance is to provide information to firms who are required to register with the Central Bank under Section 108A of the Act.

**This guidance does not constitute legal advice, nor does it seek to interpret relevant legislation. Independent legal advice should be sought if you are in any doubt as to whether registration as a Schedule 2 firm is required.**

**In advance of making an application for registration, each potential applicant must assess whether its proposed business model requires registration.**

# Completing the Registration Form

**The firm must complete all sections of the registration form.**

Where a drop down box is available, the selection should be made using the available options.

The firm **MUST NOT** ‘Copy and Paste’ data into any cells contained within the registration form. Information should only be entered in the format specified. All registration forms must be submitted in Excel format only. Registration forms submitted in other formats (for example: PDF) will be returned and the firm will be requested to resubmit via Excel.

**All registration forms must be submitted in Excel format only.**

## Data Protection

The Central Bank will process personal data provided by you in order to fulfil its statutory functions or to fulfil its business operations. Any personal data provided will be processed in accordance with the requirements of data protection legislation.

Should you have any queries concerning the processing of personal data by the Central Bank, these can be submitted to [dataprotection@centralbank.ie](mailto:dataprotection@centralbank.ie). A copy of the Central Bank's Data Protection Notice is available [here](#).

# Registration for the Central Bank's Portal ('the Portal')

All firms that come under AML/CFT supervision will be required to submit returns to the Central Bank.

In order to facilitate the submission of these returns, the firm is required to set up a firm administrator within [the Portal](#). The firm must nominate a person from the firm who will be responsible for the administration of the firm's access to the Portal.

The nominated administrator will have access to all returns assigned to the firm in the Portal. They will be responsible for setting up and managing the Portal permissions of other users within the firm.

The nominated administrator will have access to all returns assigned to the firm in the Portal.

## Completion Notes

The following table provides further guidance on completing specific fields within the registration form. The table only provides guidance on those fields where guidance is deemed necessary.

Reference	Notes
Firm	<p>If applicable, where the term “firm” is used this also refers to “branch” or “sole trader” etc.</p> <p>For branches, the information sought in the registration form relates only to the Schedule 2 activities of the Irish branch.</p>
Customer	<p>Where the term “customer” is used this also refers to “client”, “consumer”, “investor” etc.</p> <p>The firm should only include information regarding customers to whom it provides Schedule 2 activities.</p>

Section 1. Contact Details	
<b>Firm Legal Name</b>	The legal name of the firm should match the firm's name on the Companies Registration Office (CRO) website.
<b>Principal Contact Details</b>	Preferably, this should be someone who is part of the management or works directly for the firm.  Preferably, this person should be located in the State.
<b>Principal Business Address</b>	This is the main place where work is performed or business carried out, and is the location of the firm's central management and control.
<b>Trading Name of Firm</b>	The trading name a firm operates under may be different to its legal name.  Details of the trading name used by the firm should be provided, if the trading name is different to the legal name of the firm.
<b>Legal Advisor / Corporate Service Provider</b>	Legal Advisor/Corporate Service Provider details should only be provided if the firm intends to allow their advisors to correspond with the Central Bank directly on the firm's behalf.  In such circumstances, the firm must inform its advisors that it has provided their contact details to the Central Bank.
<b>Legal Status of Firm</b>	The firm must choose its legal status from the dropdown menu. If "Other", please provide details in the text box shown.

<b>CRO Number</b>	<p>This only applies to incorporated entities who have been registered with the CRO number. Only a valid CRO number should be entered into this field.</p> <p>This question does not apply if the firm is a sole trader, partnership or other type of unincorporated entity.</p>
<b>LEI Code</b>	<p>The Legal Entity Identifier (LEI) is a 20-character reference code to uniquely identify legally distinct entities that engage in financial transactions and associated reference data.</p> <p>If the firm does not have an LEI code, then it is not required to obtain one.</p>
<b>Nature of Schedule 2 Business Activity</b>	<p>If the firm is engaged in more than one Schedule 2 activity, the firm must choose its primary Schedule 2 activity from the dropdown menu. For example, “Lending”.</p> <p>Significance may be judged in terms of scale of that Schedule 2 activity in proportion to its overall Schedule 2 activity.</p> <p>For example:</p> <p>Primary Schedule 2 turnover as a percentage of overall Schedule 2 turnover.</p>
<b>Nature of Schedule 2 Activity - Subsector</b>	<p>The firm must choose the subcategory of its principal Schedule 2 activity from the dropdown menu.</p> <p>For example:</p> <p>If the firm has chosen “Lending” as its principal Schedule 2 activity, then it must</p>

	choose which sub-category of lending applies. For example, “Factoring”.
<b>More than one Schedule 2 Activity</b>	Where the firm engages in more than one Schedule 2 activity, it must choose the next most significant Schedule 2 from the dropdown menu.
<b>More than two Schedule 2 Activities</b>	Where the firm engages in more than two Schedule 2 activities, it must list the remaining Schedule 2 activities it undertakes in order of significance in the context of its overall Schedule 2 activities.
<b>Schedule 2 Rationale</b>	
The firm is required to provide a comprehensive explanation of all the Schedule 2 activities it carries out. Please note that simply restating the type of Schedule 2 activity indicated is an insufficient rationale.	

### Section 3. Business Profile

<b>Total Number of Customers</b>	If your firm has not yet commenced Schedule 2 activities, please provide projected customer numbers as at the end of year 1.
<b>Types of Customers</b>	<p>More than one type of customer can be selected.</p> <p>If “Other”, please provide details in the text box shown.</p> <p>If your firm has not yet commenced Schedule 2 activities, please provide projected customer types as at the end of year 1.</p>

<b>Industries or Sectors your Customers are Involved in</b>	<p>Please provide comprehensive details of the business, industry or sector that your customers are engaged in.</p> <p>If the firm has not yet commenced Schedule 2 activity, please provide the projected business, industry or sector of your future customer base.</p>
<b>Geographic Location of Firm's customer base and business activities</b>	<p>Select the relevant location(s) from the options provided.</p>
<b>Total Staff Directly or Indirectly Employed by the Firm</b>	<p><b>Directly Employed</b> This relates to staff that are directly employed by the firm for the conduct of Schedule 2 activities.</p> <p><b>Indirectly Employed</b> This relates to staff that are not directly employed by the firm such as staff of outsourced service providers or group companies.</p>
<b>Distribution Channels</b>	<p>Please note more than one selection can be made if applicable. The relevant distribution channels should be ranked 1-5, with 1 inferring the main distribution channel.</p> <p>Select N/A where appropriate.</p> <p>All questions in this section must be answered.</p>
<b>Financial Details</b>	<p>If the firm has not prepared financial statements which include the Schedule 2 activities proposed in the current registration form, provide estimated figures for the Schedule 2 activities as at the end of year 1 in the relevant section.</p>

<b>General</b>	<p>All financial figures should be reported in Euro thousands (€'000)</p> <p>The '€' and 'k' symbols should be omitted when keying in this data and only digits should be input.</p> <p>For example, “€325,652” should be stated as “326”.</p>
<b>Total Schedule 2 Assets</b>	<p>Only assets in relation to Schedule 2 activities as per the most recent financial statements should be included.</p> <p>Please provide an estimate if the Schedule 2 assets are not readily distinguishable from other assets of the firm.</p>
<b>Total Schedule 2 Turnover</b>	<p>“Turnover” refers to the gross annual turnover of the firm as per the most recent financial statements.</p> <p>Only turnover in relation to Schedule 2 activities should be included.</p> <p>Please provide an estimate if the Schedule 2 turnover is not readily distinguishable from other turnover of the firm.</p>
<b>Schedule 2 activities as a percentage of overall activities</b>	<p>This can be expressed as:</p> $\text{Schedule 2 Turnover} \times 100 \text{ Total Turnover}$ <p>Please select to the nearest “5%” in the drop down menu provided.</p>

All financial figures should be reported in Euro thousands (€'000), For example, “€325,652” should be stated as “326”.

#### Section 4. Group Undertakings

<b>Name of the Ultimate Parent of the Group</b>	The firm registering may be the ultimate parent of the group. If so, the registering firm name should be entered in this field.
<b>Name of Regulator</b>	This should include the full title and country of the parent's regulator.

#### Section 5. Reporting to the Central Bank

<b>Special Purpose Entity ('SPE')</b>	For the purposes of this registration form, an SPE is a legal entity with little or no physical presence and narrow, specific, and/or ring-fenced objectives, such as the segregation of risks, assets and/or liabilities, or as a cash conduit.
<b>Firm availing of Section 110 Tax Provisions</b>	Only tick 'Yes' if the firm currently avails of the tax provisions in Section 110 of the Taxes Consolidation Act 1997.
<b>Reporting to the Central Bank</b>	Only tick 'Yes' if the firm is currently reporting statistical information to the Central Bank as required under section 18 of the Central Bank Act 1971.
<b>Central Bank Institution Code</b>	This is the unique identifier assigned to firms by the Central Bank.  The Central Bank institution code is not required when a firm makes its initial registration. The institution code will be assigned to a firm after the registration process has been completed.

## Declarations

The declarations must be signed by the persons responsible for making this registration on behalf of the firm.

## Additional Completion Notes

<b>A Sole Trader</b>	The sole trader
<b>A Company with one Director</b>	The director
<b>A Company with more than one Director</b>	Two directors
<b>A Partnership</b>	Two partners
<b>A Limited Liability Partnership</b>	Two members
<b>A Limited Partnership</b>	The general partner of partners
<b>An Incorporated Association (Other than a Limited Partnership)</b>	One person authorised to sign on behalf of all other members (this must be supported by a resolution of the committee of management or equivalent. Such resolution should be made available to the Central Bank upon request)

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