



Banc Ceannais na hÉireann
Central Bank of Ireland

Eurosystem

Guidance for Completion
of the
Schedule 2 Anti-Money Laundering
Registration Form
November 2018

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1. Schedule 2 Anti-Money Laundering Registration

The law in Ireland on anti-money laundering and the countering of the financing of terrorism is governed by The Criminal Justice (Money Laundering and Terrorist Financing) Act 2010, as amended by Part 2 of the Criminal Justice Act 2013 and the Criminal Justice (Money Laundering and Terrorist Financing), (Amendment) Act 2018 ('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 Criminal Justice (Money Laundering and Terrorist Financing), (Amendment) Act 2018 introduced for the first time a statutory requirement for certain firms to register for anti-money laundering purposes with the Central Bank. For the purposes of this guidance such firms are referred to as "Schedule 2 firms"

2. 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; and
 - (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

3. Exemptions from Obligation to Register

If your firm is carrying out the Schedule 2 activities, the obligation to register does not occur if your firm falls into any of the following 2 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; and
- (b) The total of any single transaction, or serious of linked transactions in relation to your firm's Schedule 2 activities does not exceed €1,000; and
- (c) your firm's Schedule 2 activities do not exceed 5% of your firm's total turnover; and
- (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.

4. How to register as a Schedule 2 firm

Firms that need to register with the Central Bank as a Schedule 2 firm must do so by using the

- [Link to Schedule 2 Registration Form](#)

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

Schedule2@centralbank.ie

The Central Bank will not commence the processing of any registration until all required information in the registration form as been completed. Incomplete registration forms will be returned without review.

Firm must inform the Central Bank of any changes to the information provided in the registration form.

If you have any queries in relation to the registration form and/or the registration process, please address them to:

Schedule2@centralbank.ie

5. 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 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.

6. 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.

A copy of the Central Bank's Data Protection Notice is available [here](#)

7. 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.

The following table provides further guidance on completing specific fields within the registration form.

To Note: The table only provides guidance on those fields where guidance is necessary.

Completion Notes	
General	
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	
Principal Contact Details	
Full Legal Name of Firm	<p>This is the legal name of the firm. (for example as registered with the Companies Registration Office ('CRO'))</p>
Principal Contact Details	<p>This should be someone who is part of the management of, or works directly for, the firm and not a legal or professional advisor.</p> <p>Preferably, this person should be located in the State.</p>
Principal Business Address	
Principal Business Address	<p>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.</p>
Trading Name of Firm	<p>The trading name a firm operates under may be different to its legal name.</p> <p>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</p>
Legal Advisor Details	
Legal Advisor	<p>Legal Advisor details should only be provided if the firm intends to allow its legal advisors to correspond with the Central Bank directly on the firm’s behalf.</p> <p>In such circumstances, the firm must inform its legal advisors that it has provided the legal advisors contact details to the Central Bank.</p>
Section 2. Applicant Details	
Business Details	

Completion Notes	
Legal Status of Firm	The firm must choose legal status from the dropdown menu. If “Other”, please provide details in the text box shown.
CRO Number	This only applies to incorporated entities who have registered with the CRO. This does not apply if the firm is a sole trader, partnership or other type of unincorporated entity.
LEI Code	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. If the firm does not have an LEI code, then it is not required to obtain one.

Completion Notes	
Schedule 2 Business Activities	
Nature of Schedule 2 Business Activity	<p>The firm must choose its most significant Schedule 2 activity from the dropdown menu. For example “<i>Lending</i>”</p> <p>Significance may be judged in terms of scale of that Schedule 2 activity in proportion to its other activities (for example Percentage of Schedule 2 turnover as a percentage of overall business turnover)</p>
Nature of Schedule 2 Activity - Subsector	<p>The firm must choose the sub category of its principal Schedule 2 activity from the dropdown menu.</p> <p>To follow on from the previous example: If the firm has chosen “<i>Lending</i>” as its principle Schedule 2 activity, then it must choose which sub-category of lending applies. For example “<i>Factoring</i>”</p>
More than one Schedule 2 Activity	Where the firm engages in more than one Schedule 2 activity it must choose the next most significant Schedule 2 from the dropdown menu.
More than two Schedule 2 Activities	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 business activities. (for example percentage of total Schedule 2 turnover as a percentage of overall business turnover)
Schedule 2 Rationale	
Schedule 2 Rationale	The firm should provide further details of the Schedule 2 activities it undertakes (Schedule 2 Business Model)
Business Profile	
Total Number of Customers	If the firm is unsure as to the exact number of customers it has then it should include approximate numbers to the nearest hundred (for example “600 customers”)
Types of Customers	<p>More than one type of customer can be selected</p> <p>If “<i>Other</i>”, please provide details in the text box shown.</p>

Completion Notes	
Total Staff	<p>Only staff directly employed by the firm should be included.</p> <p>Staff from outsourced service providers or group companies should not be included.</p>
Distribution Channels	<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>
Financial Details for Schedule 2 Activities	
General	<p>All financial figures should be reported in Euro thousands (€'000) 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>
Total Schedule 2 Assets	<p>Only assets in relation to Schedule 2 activities as per most recent annual 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>
Total Schedule 2 Turnover	<p>"Turnover" refers to the gross annual turnover of the firm as per the last 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>
Schedule 2 activities as a percentage of overall activities	<p>This can be expressed as :</p> $\frac{\text{Schedule 2 Turnover}}{\text{Total Turnover}} \times 100$ <p>Please select to the nearest "5%" in the drop down menu provided.</p>
Section 3 Group Undertakings	

Completion Notes	
Details of Group Structure	This should include details of all direct and indirect parent and/or subsidiary holdings
Parent Central Bank Institution Code	<p>This is the unique identifier assigned to firms by the Central Bank (for example; at time of authorisation, registration or for reporting purposes)</p> <p>If the firm is unsure of its parent's Central Bank Institution Code, it should refer to the registers section the Central Bank website and search by "Name of Firm" for "Ref No."</p>
Institution Code for parents regulated outside Ireland	<p>This is the unique identifier assigned to firms by their regulator at time of authorisation</p> <p>If the firm is unsure of its parent's institution code, it should seek this information from its parent.</p>
Name of Regulator	This should include the full title and jurisdiction of the parent's regulator.
Section 4. Reporting to the Central Bank	
Special Purpose Entity ('SPE')	<p>This section should only be completed by SPEs</p> <p>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.</p>
Central Bank Institution Code	This is the unique identifier assigned to firms by the Central Bank for statistical reporting purposes.
Declarations	
The declarations must be signed by the person responsible for making this registration on behalf of the firm. The appropriate person(s) depends on the firm's type:	
A sole trader	The sole trader
A company with one Director	The director
A company with more than one director	Two directors
A partnership	Two partners
A limited liability partnership	Two members
A limited partnership	The general partner of partners
An incorporated association (other than a limited partnership)	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)
END	



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