

No. 5 of 2026

First Session Thirteenth Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend the Trustee Ordinance, Cap. 4 of 1939, the Proceeds of Crime Act, Chap. 11:27, the Police Service Act, Chap. 15:01, the Registration of Clubs Act, Chap. 21:01, the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01, the Companies Act, Chap. 81:01, the Partnership Act, Chap. 81:02, the Registration of Business Names Act, Chap. 82:85, the Licensing of Dealers (Precious Metals and Stones) Act, Chap. 84:06, the Non-Profit Organisations Act, No. 7 of 2019 and the Counter-Proliferation Financing Act, No. 8 of 2025

THE MISCELLANEOUS PROVISIONS (FATF
COMPLIANCE) BILL, 2026

Explanatory Note

(These notes form no part of the Bill but are intended only to indicate its general purport)

This Bill contains 12 clauses and seeks to amend the Trustee Ordinance, Cap. 4 of 1939, the Proceeds of Crime Act, Chap. 11:27, the Police Service Act, Chap. 15:01, the Registration of Clubs Act, Chap. 21:01, the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01, the Companies Act, Chap. 81:01, the Partnership Act, Chap. 81:02, the Registration of Business Names Act, Chap. 82:85, the Licensing of Dealers (Precious Metals and Stones) Act, Chap. 84:06, the Non-Profit Organisations Act, No. 7 of 2017, and the Counter- Proliferation Financing Act, No. 8 of 2025.

Clause 1 of the Bill would contain the short title of the Act for which this is the Bill.

Clause 2 of the Bill would amend the Trustee Ordinance, Cap. 4 of 1939 to ensure that it is clear that this section applies to express trust. Subparagraph (a) would amend section 2A(4) by inserting after the words “Registration to the” the word “express”; Subparagraph (b) would amend section 10A(2)(a)(ii), by deleting the word “trust” wherever it occurs and substituting the words “express trust” and subparagraph (c) will amend 10AA,(1) by inserting after the words “apply to” the words “express”, as the provisions will govern express trusts and not trusts generally.

Subparagraph (d) would seek to amend section 10D, to insert new subsection (3A), which would require the trustee of an express trust or administrator of any form of legal arrangement to hold basic information on other regulated agents of, and service providers to the trust or other form of legal arrangement. New subsection (3B), would require the information under subsection (3A) to be kept accurate and up-to-date within at least five days subsequent to any changes made. New subsection (3B), would require that this information should be maintained for a minimum of six years after the trustee of an express trust or administrator of any other form of legal arrangement has ended and provide this information to the Financial Intelligence Unit of Trinidad and Tobago or any competent authority upon request. Under new subsection (3C), the register is required to be kept at some place in

Trinidad and Tobago designated by the trustee of the express trust or administrator of any other form of legal arrangement. New subsection (3D), would provide that the term “competent authority” would have the same meaning as that under section 57A(B), of Proceeds of Crime Act. Subparagraph (ii) would amend subsection (5), to delete the words “thirty days of a written request being received” and substitute the words “such time as specified in a written request”.

Subparagraph (iii) will seek to amend subsection (6A), to delete the words “sub-section (5A)” and substitute the words “subsection (5)”. Subparagraph (iv) will delete subsection (9) and substitute a new subsection (9) that would include instances where the Registrar General has reasonable grounds to believe that any information is misleading, false or deceptive in any material particular contained in a report, return, notice or other document to which the Registrar General would issue a notice.

Paragraph (e) will amend section 10E, to prescribe the process by which the Registrar General may query discrepancies in beneficial ownership information received from an express trust and for discrepancies to be rectified. As such, section 10E would be amended to first delete the words “a trust” and substitute the words “an express trust”.

Subparagraph (ii) will insert after subsection (4) new subsection (5), which will allow the Registrar General to conduct analysis of information to detect inconsistencies and inaccuracies. The new subsection (5), would provide for where it appears to the Registrar General there are inconsistencies and inaccuracies, the Registrar General is required to give notice to the firm requesting within a period of thirty days to take reasonable steps to resolve the inconsistencies. Under subparagraph (b), the Registrar General may remove any information that proves to be inaccurate from the register.

Paragraph (f) will seek to insert a new section 10G, to require the trustee of an express trust or administrator of any other form of legal arrangement, when forming a business or conducting occasional transactions, to disclose his status to the financial institution or listed business.

New section 10H, would provide that where the trustee of an express trust or administrator of any other form of legal arrangement, knowingly or recklessly makes or provides a report, return, notice or other document to the Registrar General that contains

misleading, false or deceptive material or omits to state a material fact in the return, he commits an offence and is liable on summary conviction to a fine of ten thousand dollars. New section 10I provides that sections 10A to 10F would not apply to an express trust or other form of legal arrangement that is a reporting entity under section 4 of the Securities Act.

Paragraph (g) would insert after section 12 a new section 13(1), which would empower the Registrar General to issue a notice to any person who there is reasonable cause to believe have committed an offence, offering the person an opportunity to discharge any liability to conviction in respect of that offence, by payment of an administrative fine. Subsection (2) provides that, criminal proceedings are not to be taken against a person who has received a notice until twenty-one days has expired after the notice was served. Under subsection (3), a person who fails to pay the administrative fine referred to in subsection (1), or continues to commit the offence after twenty-one days following the date of receipt of the notice as referred to in subsection (1) is liable on summary conviction for the offence committed. Subsection (4) provides that the payment of an administrative fine under subsection (1) is to be made to the Registrar General. The subclause requires a certificate that the payment was or was not paid be provided and signed by the Registrar, as it shall be admissible as evidence. Under subsection (5), the notice under subsection (1) is required to specify the alleged offence and give details of the offence as necessary. Criminal proceedings shall not be laid until the expiration of twenty-one days after the notice is served, where the payment of the administrative fine is made, and the commission of the offence has ceased. The amount of the administrative fine and the fact that it is to be paid to the Registrar, whose address is to be stated. Subsection (6) provides that in any proceedings for an offence to which the section applies, no reference to subsection (2) and subsection (1) should be made unless, before the Court and reference has been made by, or on behalf of the accused.

Paragraph (h) would amend the Trustee Regulations to include a new regulation 5 that would provide that Schedule III would set out the offences in respect of which criminal liability may be discharged by an administrative fine, and the administrative fine that is applicable. The paragraph would also insert a new Schedule 3 to the Trustee Regulations, which contains the list of offences and applicable administrative fines.

Clause 3 will amend the Proceeds of Crime Act, Chap. 11:27. Paragraph (a)(i) would seek to amend section 2(1) by inserting after

the word “Act”, the words “or registered under an Order made under section 17(4) of the Financial Institutions Act”. Paragraph (a)(ii) would amend paragraph (d) to delete the word “society” and substitute the words “credit union.” Since Co-operative Societies is a broad term which captures various types of societies established for the promotion of economic welfare of its members, it is too wide a term and therefore it needed to be narrowed to simply only apply to credit unions under the Co-operative Societies Act. Subparagraph (b) would delete the words “convicted unless” in section 3(2). Subparagraph (c) will amend section 55D (4) in the definition of “Supervisory Authority” in paragraph (a) to insert after the word “Act” the words “or registered under an order made under section 17(4) of the Financial Institutions Act”.

Paragraph (d) would delete section 56(1)(e)(i) to include not only financial institutions not licensed under the Financial Institutions Act, but also those not licensed under the Exchange Control Act, the Central Bank Act, or those not registered under the Insurance Act, or the Securities Act, or those not authorised under the Virtual Asset and Virtual Assets Service Provider Act, 2025.

Paragraph (e) would amend the Financial Obligations Regulations in regulation 2(1), in the definition of “money or value transfer service business” to insert after the word “belongs,” the words “but does not include a person providing only utility bill payment services” and in subparagraph (a) of the definition of “Supervisory Authority” to insert after the word “Act”, the words “or registered under an Order made under section 17(4) of the Financial Institutions Act,”. Regulation 40(a) is also being amended to insert after the word “Act”, where it first occurs, the words “or registered under an Order made under section 17(4) of the Financial Institutions Act”.

Clause 4 will amend the Police Service Act, Chap. 15:01, in section 49B, to delete the words “sections 49 to 49F” and substitute the words “section 49A.” to correct a cross-reference error.

Clause 5 will amend the Registration of Clubs Act, Chap. 21:01 in paragraph (a), to include the definitions for the terms “FIUTT” and “AML/CFT/CPF”.

Paragraph (b) would repeal section 8(1) and replace it with a new subsection (1), that would enable the Licensing Committee to refuse to order the Secretary to enter any club into the register if the Licensing Committee is of the opinion that the return is

incomplete, the evidence as to the objects of the club etc. is unsatisfactory or where there is unsatisfactory proof of any of the grounds of complaint set out in section 14(1)(a), (f) and (i). The Licensing Committee may also refuse to order the Secretary to enter any club into the register if the applicant, his owners, directors, beneficial owners or senior employees have been convicted of an offence involving fraud, dishonesty, deception, financial crime or under the Proceeds of Crime Act, the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act or the Counter-Proliferation Financing Act or if the applicant, his owners, directors, beneficial owners or senior employees is a designated entity pursuant to the Anti-Terrorism Act or an Order under section 4 of the Economic Sanctions Act.

Paragraph (c) proposes a new section 8C. Subsection (1) would provide that the FIUTT is the AML/CFT/CPF supervisory authority for supervision of a members club granted a certificate by the Licencing Committee under section 5(4). Subsection (2) would require any club that is granted a certificate under section 5(4) or the renewal certificate to apply for registration with the FIUTT within thirty days of being granted the certificate of renewal or a Certificate by the Licensing Committee.

Clause 6 would seek to amend the Financial Intelligence Unit of Trinidad and Tobago, Chap. 72:01.

Paragraph (a) would seek to amend section 2(1), to insert the definition of “Non-Profit Organisation or “NPO”.

Paragraph (b) would amend in section 18H (1), to insert after the words “or Orders made thereunder,” the words “the Counter Proliferation Financing Act.”. Paragraph (b) would also include a new subsection (1A). In subsections (2), (3), (4), (5), (6), (7) and (8) the words “or listed business” would be now deleted and substituted with the words “, listed business or NPO.”

Paragraph (c) would amend in section 18J to insert new subsection (2A), to empower the FIUTT to monitor and request documents and other information from an NPO to promote compliance with guidelines in subsection (2). The paragraph would also insert new subsection (2B) which would provide that where a NPO fails to provide the requested documents or information, the FIUTT may issue a directive to the NPO in accordance with section 18H. Additionally, new subsection (4) is inserted to require the FIUTT to co-operate with, provide 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.

Clause 7 would amend the Companies Act, Chap. 81:01. The first amendment would be to section 9 in paragraph (i), by inserting after the word “address” the words “occupation” and in paragraph (j), by inserting after the word “incorporation” the words “together with any supporting documentation.”.

Paragraph (b)(i) would seek to amend section 33, to repeal subsection (1B) and (1C), and substitute new subsections to require in new (1B), that a company issuing or transferring shares or membership interest within thirty days from the date of the issuance or transfer, notify the Registrar of the issuance or transfer and in accordance with Part VA notify the Registrar within thirty days of change in beneficial ownership of the company. New subsection (1C), would require a company purchasing or redeeming its shares or membership interest within thirty days of such purchase or redemption, to notify the Registrar of the purchase or redemption and, in accordance with Part VA, notify the Registrar within 30 days of change in beneficial ownership of the company. The amendment in paragraph (b)(ii) would amend subsection (1G), by deleting the words “under this subsection” and substituting the words “under subsection (1F).”. Paragraph (b)(iii) would amend subsection (1H), to delete the words “subsection (1F) and (1G)” and substitute the words “under subsection (1G).”. Paragraph (b)(iv) would amend subsection (1I), by deleting the words “subsection (1F) and (1G)” and substituting the words “subsection (1F).”.

Paragraph (c) will amend section 225, to delete the words “sections 71 and 176” and substitute the words “sections 33(1B), 71 and 176”.

Paragraph (d) would amend section 328(1), by deleting the words “send to the external company or notice” and substituting the words “send by post or deliver in electronic form to external company, or publish by means approved by the Registrar, a notice.”.

Paragraph (e) would seek to amend section 332(7), to delete the words “subsection (1)” and substitute the words “subsections (1) and (6).”.

Paragraph (f) would seek to amend section 337B, to insert after subsection (3) new subsection (4), which provides that a company must ensure that information on record at the Office of the Registrar General is updated and correct. New subsection (4A) also sets out the penalties for a company that fails to comply with new subsection (4). Subparagraph (ii) would seek to amend subsection (5), by deleting the words “Companies Registry” and substituting the words “Office of the Registrar General.”.

Paragraph (g), subparagraphs (i) and (ii) would amend section 337C(4), by inserting after the words “a company” the words “or authorised officer of an external company” and after the words “officer of the company” the words “or authorised officer of an external company”.

Paragraph (h) would seek to amend section 461, to repeal subsection (1) and substitute new subsection (1), to provide that the Registrar, where he has reasonable cause to believe that a company is not carrying on business or in operation inquire by post or email a letter whether a company is not conducting business or in operation.

New subsection (2) would provide that if a response is not received within three months after sending the request, the Registrar shall publish a notice in the *Gazette* and upon expiration of three months thereafter, unless evidence is provided to the Registrar that an action has been filed against the company with the Court or that the company is carrying on business or in operation and all outstanding notices, returns and documents have been submitted to the Registrar together with the payment of the prescribed fees and all applicable penalties, the name of the company will be struck off the register.

Subparagraph (h)(ii) would amend subsection (4), by deleting the words “subsection (3)” and substituting the words “subsection (2).” Subparagraph (h)(iii) will amend subsection (5), by inserting after the words “with the Court”, the words “or that the company is carrying on business or in operation and all outstanding notices, returns and documents have been submitted to the Registrar together with the payment of the prescribed fees and all applicable penalties”.

Paragraph (i) would amend section 489(1), subparagraph (A), will amend paragraph (e), by deleting the word “or”.

Subparagraph (B)(I) would amend in paragraph (f), subparagraph (iii) by deleting the words “; or” and substituting the word “;”.

Subparagraph (B)(II) would amend subparagraph (iv), by deleting the word “:” and substituting the words “; or”.

Subparagraph (B)(III) would insert after subparagraph (iv), paragraph (v), which would give the Registrar an additional ground to strike a company off the register, where the Registrar has reasonable cause to believe that any information is misleading,

false or deceptive in a material particular contained in a report, return, notice or other document that is required by this Act or the Regulations to be sent to the Registrar.

Subparagraph (C) would insert after paragraph (f), new paragraph (g), which is another ground for striking off the register where the non-profit company has failed to comply with section 5(6) of the Non-Profit Organisations Act, 2019.

Paragraph (j) will amend section 510A, to allow the Registrar to also be allowed to apply to a Judge of the High Court for an order directing that the shares and membership interest in the company be subject to restrictions where the company fails without reasonable cause to also pay the penalty to the Registrar.

Paragraph (k) will insert after section 515, new section 515A. Subsection (1) would empower the Registrar to issue a notice to any person, who there is reasonable cause to believe has committed an offence referred to in Part X of the Regulations. This will offer the person the opportunity to discharge any liability to conviction in respect of that offence by payment of an administrative fine. In subsection (2), criminal proceedings shall not be taken against a person who has received a notice until twenty-one days has expired after the notice was served. Subsection (3) would provide that where a person fails to pay the administrative fine referred to in subsection (1), or continues to commit the offence after twenty-one days following the date of receipt of the notice as referred to in subsection (2), that person is liable on summary conviction for the offence committed.

Under subsection (4), the payment of an administrative fine as referred to in subsection (1) shall be made to the Registrar, a certificate that the payment was or was not paid must be provided and signed by the Registrar, as it shall be admissible as evidence.

Under subsection (5), criminal proceedings cannot be laid until the expiration of twenty-one days after the notice is served, where the payment of the administrative fine is made and the commission of the offence has ceased. The amount of the administrative fine and the fact that it is to be paid to the Registrar whose address is to be stated. Under subsection (6), provision is made that requires that in any proceedings for an offence to which this section applies, no reference to subsection (2) and subsection (1) should be made unless before the Court and reference is has been made by, or on behalf of the accused.

Paragraph (l) would seek to amend the Regulations by inserting after regulation 23, a new Part and regulations. Part X, provides that the offences which may be discharged by the payment of an administrative fine and the applicable administrative fine are set out in Schedule 5. Subsection (ii) inserts after Schedule 4, Schedule 5, which contains the offences and applicable administrative fines.

Clause 8 will amend the Partnership Act, Chap. 81:02, in section 20A, by inserting the definition of an “authorised corporate service provider”.

Paragraph (b) will amend section 20B, to insert new subsection (3A), which provides that the register shall be kept at the registered address of the principal place of business of a firm or other place in Trinidad and Tobago designated by the partners of the firm.

Paragraph (c) would seek to amend section 20C, first to repeal subsection (5) and insert a new subsection which directs a firm within thirty days after receiving a statement to verify the identity of all beneficial owners by conducting adequate due diligence procedures, to update the register of beneficial owners and submit to the Registrar General, a return in the prescribed form which shall be certified by a partner or an authorised corporate service provider with any supporting documents. Section 20C is also amended in subsection (7)(c) by inserting after the word “date” the words “; which shall be certified by a partner or an authorised corporate service provider.”; New subsection (11A) is also inserted to provide that where a firm, knowingly or recklessly, makes or provides a return, notice or other document that is required by this Act to be sent to the Registrar General that contains a statement that is misleading, false or deceptive in a material particular or omits to state a material fact required in the return, notice or other document, or necessary to make a statement contained therein, not misleading in light of the circumstances in which it was made, it commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

Paragraph (d) will amend section 20D, to insert new subsections. New subsection (4) will allow the Registrar General to conduct analysis of information to detect inconsistencies and inaccuracies. New subsection (5), would provide that if it appears to the Registrar General the information contained in a document submitted to him in relation to a firm is inconsistent with other information contained in records kept by the Registrar General, the

Registrar General may give notice to the firm stating in what respects the information contained in it appears to be inconsistent with other information in records kept by the Registrar General and requiring the firm, within a period of thirty days to take reasonable steps to resolve the inconsistencies. The new subsection (6) will allow the Registrar General to remove from the register any information that proves to be inaccurate.

Paragraph (e) will amend section 20D, to first insert new section 20DA. (1) to require the Registrar General to issue a notice to any person who there is reasonable cause to believe has committed an offence, offering the person an opportunity to discharge any liability to conviction in respect to that offence, by payment of an administrative fine. Under subsection (2), criminal proceedings shall not be taken against a person who has received a notice until twenty-one days has expired after the notice was served. Subsection (3), where a person fails to pay the administrative fine referred to in subsection (1), or continues to commit the offence after twenty-one days following the date of receipt of the notice as referred to in subsection (2), that person is liable on summary conviction for the offence committed. Subsection (4), the payment of an administrative fine as referred to in subsection (1) shall be made to the Registrar, a certificate that the payment was or was not paid must be provided and signed by the Registrar as it shall be admissible as evidence. Under subsection (5), criminal proceedings shall not be laid until the expiration of twenty-one days after the notice is served, and where the payment of the administrative fine is made the commission of the offence has ceased, the amount of the administrative fine and the fact that it is to be paid to the Registrar whose address is to be stated. Subsection (6), in any proceedings for an offence to which this section applies, no reference to subsection (2) and subsection (1) should be made unless before the Court and reference is has been made by, or on behalf of the accused.

Paragraph (f) will amend the Partnership (Prescribed Forms and Fees) Rules, by inserting after Rule 5 the offences in respect of which criminal liability may be discharged by payment of administrative fines are lay out in Schedule III. Subsection (iii), is amended by inserting after Schedule II, Schedule III.

Clause 9 will amend the Registration of Business Names Act, Chap. 82:85, in section 9B to delete subsection (1) and replace with a new subsection (1) that would include instances where the Registrar General has reasonable grounds to believe that any information is misleading, false or deceptive in material particular contained in a report, return, notice or other document to which the Registrar General would issue a notice.

Clause 10 would amend the Licensing of Dealers (Precious Metals and Stones) Act, Chap. 84:06. New subsection (2A) states that a licence shall not be granted if the applicant, his owners, directors, beneficial owners or senior employees has been convicted of an offence involving fraud, dishonesty, deception, financial crime or under the Proceeds of Crime Act, the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act, or the Counter-Proliferation Financing Act, 2025. New subsection (2B) provides that no licence shall be granted if the applicant, his owners, directors, beneficial owners or senior employees is a designated entity pursuant to the Anti-Terrorism Act or the Counter-Proliferation Financing Act, 2025.

Under paragraph (b), new subsection 4C would provide in subsection (1), that the FIUTT is be the AML/CFT/CPF supervisory authority for the supervision of persons licensed under the Act. An individual granted a licence under section 4(1), is required to apply for registration with the FIUTT within thirty days of being granted a licence by the Licensing Committee.

Paragraph (c) repeals section 11 and replaces it with a new section that provides that where any person licenced under the Act, or his owners, directors, beneficial owners, or senior employees is convicted of any offence involving fraud, dishonesty, deception, financial crime or under the Proceeds of Crime Act, the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act, or the Counter-Proliferation Financing Act, 2025, the Court if it sees fit, may cancel the licence of the person.

Clause 11 will amend the Non-Profit Organisations Act, No. 7 of 2019, in section 3(1), in paragraph (ii), in the definition of “controller” by deleting the word “a trust” and the words “the trust” and substituting the words “an express trust” and “the express trust” Subparagraph (ii) would also remove reference to the term “AML/CFT/CPF” and now only define Counter-Financing of Terrorism as this is the term used in the Act.

Subparagraph (b) will amend section 18(3), to delete the words “18G” and substitute the words “18J” to correct a cross-reference error. Subparagraph (c) will insert after subsection 21B(1) new subsection (2), which will allow the Registrar General to conduct analysis of information to detect inconsistencies and inaccuracies. New subsection (3), would provide that if it appears to the Registrar General the information contained in a document submitted to him in relation to a non-profit organisation is inconsistent with other information contained in records kept by the Registrar General, the Registrar General may give notice to the non-profit organisation stating in what respects the information contained in it appears to

be inconsistent with other information in records kept by the Registrar General and request that the non-profit organisation within a period of thirty days to take reasonable steps to resolve the inconsistencies. The new subsection (4) will allow the Registrar General to remove from the register any information that proves to be inaccurate.

Paragraph (d) will amend section 21C, to insert after the word “information” the words “which shall be certified by a controller or an authorised corporate service provider”.

Paragraph (e) will amend section 21D, to delete the words “send to the non-profit organisation a notice” and substitute the words “send by post or deliver in electronic form to the non-profit organisation, or publish by means approved by the Registrar General, a notice”.

Paragraph (f) would insert new section 23A, which would empower the Registrar General to issue a notice to any person who there is reasonable cause to believe may have committed an offence, referred to in the Rules and Regulations, offering the person an opportunity to discharge any liability to conviction in respect to that offence, by payment of an administrative fine.

Under subsection (2), criminal proceedings cannot not be taken against a person who has received a notice until twenty-one days has expired after the notice was served.

Subsection (3), would provide that where a person fails to pay the administrative fine referred to in subsection (1), or continues to commit the offence after twenty-one days following the date of receipt of the notice as referred to in subsection (1) that person is liable on summary conviction for the offence committed.

Subsection (4) goes on to provide that the payment of an administrative fine, as referred to in subsection (1), is to be made to the Registrar and a certificate that the payment was or was not paid must be provided and signed by the Registrar as it shall be admissible as evidence.

Under subsection (5), the notice under subsection (1) is required to specify the alleged offence and give details of the offence as necessary. Criminal proceedings shall not be laid until the expiration of twenty-one days after the notice is served, and where the payment of the administrative fine is made, the commission of the offence has ceased, the amount of the administrative fine and the fact that it is to be paid to the Registrar whose address is to be stated.

Subsection (6) would provide that in any proceedings for an offence to which this section applies, no reference to subsection (2) and subsection (1) should be made unless before the Court and reference is has been made by, or on behalf of the accused.

Paragraph (g) would amend the Non-Profit Organisations (Forms and Fees) Rules to insert after Rule 4, new Rule 5, which would provide that the offences for which liability may be discharged by payment of administrative fines are set out in the Schedule 3.

Paragraph (h) will insert after Schedule 2, the new Schedule 3.

Clause 12 would amend the Counter-Proliferation Financing Act, No. 8 of 2025. Paragraph (a) will amend section 4(3) first in the chapeau of paragraph (a), to delete the words “and report”. Then in paragraph (a)(ii), to delete the comma after the word “purpose” and replace it with a semi-colon and finally by deleting the words “to the FIUTT”. Paragraph (b) is also amended to delete the words “paragraph (a)(ii) and make available to the FIUTT” and replace them with the words “paragraph (a) and make available to the Supervisory Authority”.

New subsection (3A) is being inserted to provide that if a financial institution or listed business knows or has reasonable grounds to suspect that funds are being used for proliferation financing, the financial institution or listed business shall make a suspicious activity or transactions report to the FIUTT.

The Counter-Proliferation Financing Regulations, 2025, are being amended, in regulation 3(1), to insert after the words “targeting financial sanctions”, the words “and for the mitigation of proliferation financing risks”.

Regulation 5(1) would be amended, to delete the words “section 4” and substitute the words “section 3”.

Regulation 6 would be amended to insert after subregulation (2) new subregulation (3) that will provide that the training required in subregulation (1) shall be given to employees at different levels within a financial institution or listed business so that they can identify funds which may be linked, related to or may be used for proliferation financing. This will ensure that information and technology available to the directors and staff are being updated constantly.

BILL

AN ACT to amend the Trustee Ordinance, Cap. 4 of 1939, the Proceeds of Crime Act, Chap. 11:27, the Police Service Act, Chap. 15:01, the Registration of Clubs Act, Chap 21:01, the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01, the Companies Act, Chap. 81:01, the Partnership Act, Chap. 81:02, the Registration of Business Names Act, Chap. 82:85, the Licensing of Dealers (Precious Metals and Stones) Act, Chap. 84:06, the Non-Profit Organisations Act, No. 7 of 2019 and the Counter-Proliferation Financing Act, No. 8 of 2025

[, 2026]

Enactment	ENACTED by the Parliament of Trinidad and Tobago as follows:
Short title	1. This Act may be cited as the Miscellaneous Provisions (FATF Compliance) Act, 2026.
Cap. 4 of 1939	<p>2. The Trustee Ordinance is amended—</p> <p>(a) in section 2A(4), by inserting after the words “Registration to the” the word “express”;</p> <p>(b) in section 10A(2)(a)(ii), by deleting the word “trust” wherever it occurs and substituting the words “express trust”;</p> <p>(c) in section 10AA(1), by inserting after the words “apply to” the words “express”;</p> <p>(d) in section 10D—</p> <p style="padding-left: 2em;">(i) by inserting after subsection (3), the following subsections:</p> <p style="padding-left: 4em;">“(3A) In addition to the information contained in the register under subsection (3), the trustee of an express trust or administrator of any other form of legal arrangement shall hold basic information on other regulated agents of, and service provided to, the express trust or other form of legal arrangement.</p> <p style="padding-left: 4em;">(3B) The information under subsection (3A) shall include non-beneficial ownership information such as the identity of the owners or directors of the service provider, nationality,</p>

address and relationship to the trust or any other form of legal arrangement and shall be—

- (a) accurate and up-to-date and updated within at least five days of there being a change;
- (b) maintained for at least six years after the involvement of the trustee of an express trust or administrator of any other form of legal arrangement, with the express trust or other form of legal arrangement has ended; and
- (c) provided to the Financial Intelligence Unit of Trinidad and Tobago or any competent authority upon written request, within the timeframe specified.

(3C) The register shall be kept at a place in Trinidad and Tobago designated by the trustee of the express trust or administrator of the other form of legal arrangement.

(3D) For the purposes of this section—

“competent authority”
has the meaning
assigned to it by

section 57A(1B) of
the Proceeds of
Crime Act.”;

- (ii) in subsection (5), by deleting the words “thirty days of a written request being received” and substituting the words “such time as specified in a written request”;
- (iii) in subsection (6A), by deleting the words “sub-section (5A)” and substituting the words “sub-section (5)”; and
- (iv) by deleting subsection (9) and substituting the following subsections:

“(9) Where—

- (a) a trustee of an express trust or administrator of any other form of legal arrangement fails without reasonable cause to send any report, return, notice, document or the prescribed fee to the Registrar General; or
- (b) the Registrar General has reasonable cause to believe that any information is misleading, false or deceptive in a material particular contained in a report, return, notice or other document,

that is required by this Ordinance or the Regulations to be sent to the Registrar General, the Registrar General may send by post or deliver in electronic form to the trustee of an express trust or administrator of any other form of legal arrangement, or publish by means approved by the Registrar General, a notice advising of the default and stating that—

- (c) on the day following the expiration of thirty days after the date of the notice, unless the default is remedied, the powers of the trustee of the express trust or administrator of the other form of legal arrangement may not be exercised; and
- (d) in respect of an express trust or any other form of legal arrangement registered under this Ordinance on the day following the expiration of thirty days referred to in paragraph (c), unless the default is remedied, the registration of the express trust or any other form of legal arrangement under this Ordinance, shall be cancelled.”;

(e) in section 10E—

- (i) in subsection (4), by deleting the words “a trust” and substituting the words “an express trust”;
- (ii) by inserting after subsection (4), the following subsection:

“(5) The Registrar General shall carry out such analysis of information, within his possession, as he considers appropriate for the purpose of detecting inconsistencies and inaccuracies—

(a) where it appears to the Registrar General that the information contained in a document submitted to him in relation to an express trust or other form of legal arrangement is inconsistent with other information contained in records kept by the Registrar General, the Registrar General may give notice to the trustee of the express trust or other form of legal arrangement to which the document relates—

- (i) stating in what respects the information contained in it appears to be inconsistent with other information in records kept by the Registrar General; and

(ii) requiring the express trust or other form of legal arrangement, within a period of thirty days, beginning with the date on which the notice is issued, to take reasonable steps to resolve the inconsistency—

(A) by submitting amended, replacement or additional documents;
or

(B) in any other manner the Registrar General may determine;

(b) the Registrar General may remove from the register such information that proves to be inaccurate.”;

(f) by inserting after section 10F, the following sections:

“Disclosure
of status as
trustee

10G. Where the trustee of an express trust or administrator of any other form of legal arrangement is—

(a) forming a business relationship; or

- (b) carrying out an occasional transaction above the amount prescribed by the Minister under section 56(3C) of the Proceeds of Crime Act,

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with a financial institution or listed business on behalf of the express trust or other form of legal arrangement, he shall disclose his status as trustee of the express trust or administrator of any other form of legal arrangement to the financial institution or listed business.

Breaches
relative to
returns,
notices or
other
documents

10H. A trustee of an express trust or administrator of any other form of legal arrangement, who knowingly or recklessly makes or provides a return, notice or other document that is required by this Ordinance to be sent to the Registrar General that—

- (a) contains a statement that is misleading, false or deceptive in a material particular; or
- (b) omits to state a material fact required in the return, notice or other document, or necessary to make a statement contained therein not misleading in light of the circumstances in which it was made,

he commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

Non-
applicability
to publicly
listed trusts

10I. Sections 10A to 10F shall not apply to an express trust or other form of legal arrangement that is a reporting entity under section 4 of the Securities Act.

(g) by inserting after section 12, the following section:

“Prosecution
for offences

13. (1) The Registrar General may issue a notice to any person, who there is reasonable cause to believe has committed an offence referred to in the Regulations, offering the person the opportunity to discharge any liability to conviction in respect of that offence by payment of an administrative fine prescribed for the offence in the Regulations.

(2) Where a person is given a Notice under this section, criminal proceedings shall not be taken against him for the offence specified in the Notice, until the expiration of twenty-one days commencing from the day after which the Notice was served.

(3) Where a person fails to pay the administrative fine referred to in subsection (1) or where he continues to commit the offence after the expiration of twenty-one days following the date of receipt of the Notice referred to in subsection (1) that

person is liable on summary conviction for the original offence committed.

(4) A payment of an administrative fine under this section shall be made to the Registrar General and in any criminal proceedings against an offender referred to in this section, a certificate that payment of the administrative fine was or was not made to the Registrar General by the specified date shall, if the certificate purports to be signed by the Registrar General, be admissible as evidence of the facts stated therein.

(5) A Notice under subsection (1) shall—

(a) specify the offence alleged;

(b) give such particulars of the offence as are necessary for giving reasonable information of the allegation; and

(c) state—

(i) that criminal proceedings shall not be laid until the expiration of twenty-one days from the date of receipt of the Notice where payment

of the administrative fine is made and the commission of the offence has ceased; and

- (ii) the amount of the administrative fine and the fact that it is to be paid to the Registrar whose address is to be stated.

(6) 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 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.”;

(h) in the Trustee (Prescribed Forms and Fees) Regulations, by—

- (i) inserting after regulation 4, the following regulation:

“Offences for which administrative fine payable 5. The offences in respect of which criminal liability may be discharged by payment of an

administrative fine and the applicable administrative fines are as set out in Schedule 3.”;

(ii) inserting after Schedule II, the following Schedule:

“SCHEDULE III

OFFENCES IN RESPECT OF WHICH CRIMINAL LIABILITY MAY BE
DISCHARGED BY PAYMENT OF AN ADMINISTRATIVE FINE

Section	General Description of Offence	Criminal Penalty	Administrative Fine		
			Less than six (6) months	More than six (6) months, up to (1) year	More than one (1) year
2A(12)	Failure by a trustee or administrator to register an express trust or other form of legal arrangement	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
10C(3)	Failure of a beneficial owner, without reasonable cause, to submit a statement in to the trustee or administrator	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
10C(4)	Providing a statement with false information by a beneficial owner	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
10D(6A)	Failure of a trustee or administrator, upon receipt of a written request from a competent authority, to provide information on its beneficial owners	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
10D(7)	Failure of a trustee or administrator to take reasonable steps to ascertain and obtain all information as to the beneficial ownerships of the trust or other form of legal arrangement	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
10D(7)	Failure by a trustee or administrator to maintain and keep updated the register of beneficial owners	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00

SCHEDULE III—*CONTINUED*

10D(7)	Failure by a trustee or administrator to ensure that the information maintained in the register of beneficial owners is current and correct	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
10D(7)	A trustee or administrator knowingly and recklessly fails to file a return	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
10H	Knowingly or recklessly providing a return, notice or other document that is required to be filed, by a trustee or administrator, that contains a statement that is misleading, false or deceptive in a material particular	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
10H	Omission by a trustee or administrator, knowingly or recklessly, to state a material fact required in a return, notice or other document or necessary to make the statement not misleading	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00 ⁷ .

3. The Proceeds of Crime Act is amended—Chap. 11:27
amended

(a) in section 2(1), in the definition of “financial institution” by—

(i) in paragraph (b), by inserting after the word “Act” the words “or registered under an Order made under section 17(4) of the Financial Institutions Act”; and

- (ii) in paragraph *(d)*, by deleting the word “society” and substituting the words “credit union”;
- (b)* in section 3(2), by deleting the words “convicted unless”;
- (c)* in section 55D(4), in the definition of “Supervisory Authority” in paragraph *(a)*, by inserting after the word “Act” the words “or registered under an Order made under section 17(4) of the Financial Institutions Act,”;
- (d)* in section 56(1)*(e)*, by deleting subparagraph *(i)* and substituting the following subparagraph:
 - “(i) financial institutions which are not—
 - (A) licensed under the Financial Institutions Act, the Exchange Control Act or the Central Bank Act;
 - (B) registered under the Insurance Act or the Securities Act; or
 - (C) authorised under the Virtual Asset and Virtual Assets Service Provider Act, 2025; and”;
- (e)* in the Financial Obligations Regulations in—
 - (i) regulation 2(1), in the definition of—
 - (A) “money or value transfer service business” by inserting after the word “belongs,” the words “but does not include a person providing only utility bill payment services”; and

(B) “Supervisory Authority” in paragraph (a), by inserting after the word “Act” where it first appears, the words “or registered under an Order made under section 17(4) of the Financial Institutions Act”; and

(ii) regulation 40(a), by inserting after the word “Act” the words “or registered under an Order made under section 17(4) of the Financial Institutions Act”.

4. The Police Service Act is amended in section 49B,^{Chap. 15:01 amended} by deleting the words “sections 49 to 49F” and substituting the words “section 49A”.

5. The Registration of Clubs Act is amended—^{Chap. 21:01 amended}

(a) in section 2(1), by inserting in the appropriate alphabetical sequence the following definitions:

“ “AML/CFT/CPF” means Anti-Money Laundering, Counter-Financing of Terrorism and Counter-Proliferation Financing;”; and

“FIUTT” means the Financial Intelligence Unit of Trinidad and Tobago established under the Financial Intelligence Unit of Trinidad and Tobago Act;”;^{Chap. 72:01}

(b) by repealing section 8(1), and substituting the following subsection:

“8. (1) The Licensing Committee to which an application is made may, in its discretion, refuse to

order the Secretary to enter any club in a register if—

- (a) in its opinion—
 - (i) the return furnished under section 5 is incomplete;
 - (ii) the evidence as to the objects of the club or the system of management, or as to the character of the club premises is unsatisfactory;
 - (iii) there is unsatisfactory proof of any of the grounds of complaint set out in section 14(1)(a), (f) and (i); or
 - (iv) any other good cause is shown; or
- (b) the applicant, his owners, directors, beneficial owners or senior employees, where applicable, has been convicted of an offence—
 - (i) involving fraud, dishonesty or deception;
 - (ii) a financial crime; or
 - (iii) under the Proceeds of Crime Act, the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and

Tobago Act or the Chap. 72:01
 Counter-Prolifera-
 tion Financing Act; Act No. 8 of 2025
 or

- (c) the applicant, his owners, directors, beneficial owners or senior employees, where applicable, is a designated entity pursuant to the Anti-Terrorism Act or an Order made under section 4 of the Economic Sanctions Act.”; and

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- (c) by inserting after section 8B, the following section:

“Supervision
 by FIUTT for
 AML/CFT/
 CPF

8C. (1) For the purposes of this Act, the FIUTT shall be the AML/CFT/CPF supervisory authority of a members club granted a certificate by the Licencing Committee under section 5(4).

(2) A members club granted a certificate under section 5(4), or the renewal of the certificate, shall apply for registration with the FIUTT within thirty days of being granted a certificate or renewal of a certificate by the Licensing Committee.”.

6. The Financial Intelligence Unit of Trinidad and Tobago Act is amended—

- (a) in section 2(1),—

- (i) by inserting after the definition of “Minister” the following definition:

“ “ Non-Profit Organisation” or
 “NPO” has the meaning
 assigned to it by section
 3(1)(a) of the Non-Profit
 Organisation Act.”; and

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- (ii) in the definition of “non-regulated financial institution” in paragraph (a), by deleting the word “society” and substituting the words “credit union”;

(b) in section 18H—

- (i) in subsection (1), by inserting after the words “or Orders made thereunder,” the words, “the Counter-Proliferation Financing Act,”;
- (ii) by inserting after subsection (1), the following subsection:

“(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).”;

- (iii) in subsections (2), (3), (4), (5), (6), (7) and (8), by deleting the words “or listed business” and substituting the words “, listed business or NPO”;

(c) in section 18J, by—

- (i) inserting after subsection (2), the following subsections:

“(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.”; and

- (ii) by inserting after subsection (3), the following subsection:

“(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.”.

7. The Companies Act is amended—

- (a) in section 9—

- (i) in paragraph (i), by inserting after the word “address” the word “occupation”;

(ii) in paragraph (j), by inserting after the word “incorporation” the words “together with any supporting documentation”;

(b) in section 33—

(i) by repealing subsections (1B) and (1C), and substituting the following subsections:

“(1B) A company, when issuing or transferring shares or membership interests, shall—

(a) within thirty days from the date of the issuance or transfer deliver a return to the Registrar in the prescribed form, which shall be certified by a director or officer of the company or an authorised corporate service provider, notifying the Registrar of the issuance or transfer; and

(b) in accordance with Part VA, ascertain and obtain information as to all the beneficial owners of the company, together with any supporting documentation and,

within thirty days from the date of change in beneficial ownership of the company, deliver a return to the Registrar in the prescribed form, which shall be certified by a director or officer of the company or an authorised corporate service provider, notifying the Registrar of the beneficial owners.

(1C) A company, when purchasing or redeeming its shares or membership interests, shall—

(a) within thirty days from the date of the purchase or redemption, deliver a return to the Registrar in the prescribed form, which shall be certified by a director or officer of the company or an authorised corporate service provider, notifying the Registrar of the purchase or redemption; and

- (b) in accordance with Part VA, ascertain and obtain information as to the beneficial owners of the company, together with any supporting documentation and, within thirty days from the date of change in the beneficial ownership of the company, deliver a return to the Registrar in the prescribed form, which shall be certified by a director or officer of the company or an authorised corporate service provider, notifying the Registrar of the beneficial owners.”;
- (ii) in subsection (1G), by deleting the words “under this subsection” and substituting the words “under subsection (1F)”;
- (iii) in subsection (1H), by deleting the words “subsection (1F) and (1G)” and substituting the words “subsection (1G)”;
- (iv) in subsection (1I), by deleting the words “subsection (1F) and (1G)” and substituting the words “subsection (1F)”;

- (c) in section 225, by deleting the words “sections 71 and 176” and substituting the words “sections 33(1B), 71 and 176”;
- (d) in section 328(1), by deleting the words “send to the external company a notice” and substituting the words “send by post or deliver in electronic form to the external company, or publish by means approved by the Registrar, a notice”;
- (e) in section 332(7), by deleting the words “subsection (1)” and substituting the words “subsections (1) and (6)”;
- (f) in section 337B, by—
 - (i) inserting after subsection (3), the following subsections:
 - “(4) A company shall ensure that the information on record at the Office of the Registrar General is current and correct.
 - (4A) A company that fails to ensure that the information at the Office of the Registrar General is current and correct, commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for three years and for every day in which the offence continues, a further fine of one hundred dollars.”;
 - (ii) in subsection (5), by deleting the words “Companies Registry” and substituting the words “Office of the Registrar General”;

(g) in section 337C(4), by inserting after the words—

(i) “the company”, the words “or authorised officer of an external company”; and

(ii) “officer of the company”, the words “or authorised officer of an external company”;

(h) in section 461—

(i) by repealing subsection (1) and substituting the following subsections:

“(1) Where the Registrar has reasonable cause to believe that a company is not carrying on business or in operation, he may send to the company by post or email a letter—

(a) inquiring whether the company is carrying on business or in operation; and

(b) stating that, if an answer is not received within three months after sending the letter, a notice will be published in the *Gazette* and by other means approved by the Registrar with a view to striking the name of the company off the register.”;

(2) If the Registrar—

(a) receives an answer to the effect that the company is not carrying on business or in operation, or;

(b) does not within three months after sending the letter receive an answer,

he may publish in the *Gazette* and by other means approved by the Registrar, a notice that at the expiration of three months from the date of that notice, the name of the company mentioned therein will, unless evidence is provided to the Registrar that an action has been filed against the company with the Court or that the company is carrying on business or in operation and all outstanding notices, returns and documents have been submitted to the Registrar together with the payment of the prescribed fees and all applicable penalties, be struck off the register and the company shall be dissolved.”;

(ii) in subsection (4), by deleting the words “subsection (3)” and substituting the words “subsection (2)”; and

(iii) in subsection (5), by inserting after the words “with the court” the words “or that the company is carrying on business or in operation and all outstanding notices, returns and documents have been submitted to the Registrar together with the payment of the prescribed fees and all applicable penalties”;

(i) in section 489(1)—

(A) in paragraph (e), by deleting the word “or”;

(B) in paragraph (f)—

(I) in subparagraph (iii), by deleting the words “; or” and substituting the word “;”;

(II) in subparagraph (iv), by deleting the word “:” and substituting the words “; or”;
and

(III) by inserting after subparagraph (iv), the following subparagraph:

“(v) a report, return, notice or other document that is required by the Act or the Regulations to be sent to the Registrar.”; or

(C) by inserting after paragraph (f), the following paragraph:

“(g) the non-profit company has failed to comply with section 5(6) of the Non-Profit Organisations Act, 2019.”;

- (j) in section 510A, by deleting the words “document or prescribed fee” and substituting the words “document, prescribed fee or penalty”;
- (k) by inserting after section 515, the following new section:

“Prosecution
of offence

515A. (1) The Registrar may issue a notice to any person, who there is reasonable cause to believe has committed an offence referred to in Part X of the Regulations, offering the person the opportunity to discharge any liability to conviction in respect of that offence, by payment of an administrative fine prescribed for the offence in Part X of the Regulations.

(2) Where a person is given a notice under this section, criminal proceedings shall not be taken against him for the offence specified in the Notice until the expiration of twenty-one days commencing from the day after which the Notice was issued.

(3) Where a person fails to pay the administrative fine referred to in subsection (1) or where he continues to commit the offence after the expiration of twenty-one days following the date of receipt of the Notice referred to in subsection (1), that person is liable on summary conviction for the original offence committed.

(4) A payment of an administrative fine under this section shall be made to the Registrar and in any criminal proceedings against an offender referred to in this section, a certificate that payment of the administrative fine was or was not made to the Registrar by the specified date shall, if the certificate purports to be signed by the Registrar, be admissible as evidence of the facts stated therein.

(5) A Notice under subsection (1) shall—

- (a) specify the offence alleged;
- (b) give such particulars of the offence as are necessary for giving reasonable information of the allegation; and
- (c) state—
 - (i) that criminal proceedings shall not be laid until the expiration of twenty-one days from the date of receipt of the Notice where payment of the administrative fine is made and the commission of the offence has ceased; and

- (ii) the amount of the administrative fine and the fact that it is to be paid to the Registrar whose address is to be stated.

(6) 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 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.”; and

(l) in the Regulations, by—

- (i) inserting after regulation 23, the following Part and regulations:

“PART X

OFFENCES IN RESPECT OF WHICH
CRIMINAL LIABILITY MAY BE
DISCHARGED BY PAYMENT OF AN
ADMINISTRATIVE FINE

Offence subject of administrative fine

24. The offences in respect of which criminal liability may be discharged by payment of an administrative fine and applicable administrative fines, are as set out in Schedule 5.”;

(ii) by inserting after Schedule 4, the following Schedule:

“SCHEDULE 5

OFFENCES IN RESPECT OF WHICH CRIMINAL LIABILITY MAY BE
DISCHARGED BY PAYMENT OF AN ADMINISTRATIVE FINE

Section	General Description of Offence	Criminal Penalty	Administrative Fine		
			Less than six (6) months	More than six (6) months, up to (1) year	More than one (1) year
33(1D)	Failure of a company to issue shares or membership interests	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
33(1D)	Failure of a company, when issuing or transferring shares or membership interests, to deliver a return of issuance or transfer of shares or membership interest to the Registrar	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
33(1D)	Failure of a company, when issuing or transferring shares or membership interests, to obtain beneficial ownership information and deliver a return of beneficial ownership to the Registrar	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00

SCHEDULE 5—*CONTINUED*

33(1D)	Failure of a company, when purchasing or redeeming shares or membership interests, to deliver a return to the Registrar within thirty days from the date of the purchase or redemption of the shares or membership interests	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
33(1H)	Failure of a company, where a statement from a nominee shareholder is submitted to the company, to enter the name of the nominator in the register of members as the shareholder in respect of the share or shares held by the nominee and within thirty days from the receipt of the statement to deliver a return to the Registrar	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00

SCHEDULE 5—CONTINUED

33(1)	Failure of a nominee shareholder to, within fourteen days of the commencement of the subsection, submit a statement to the company indicating the full name, address, occupation or status and nationality or jurisdiction of incorporation or formation of the nominator	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
61(2)	Carrying on business by a company for more than one month without appointing a secretary	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
64(4)	Appointment of a nominee director by a company	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
177(8)	Failure of a company to maintain information in its register of members for a period of six years after a person ceases to be a member of the company or the dissolution of the company	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00

SCHEDULE 5—*CONTINUED*

194(3)	Failure of a company to deliver to the Registrar a return not later than thirty days after each anniversary date of its continuance, incorporation or amalgamation	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
332(7)	Failure of an external company, within thirty days after a change of name, corporate instruments or objects or restrictions, to notify the Registrar General and file duly certified copies of the instruments by which the change has been made	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
332(7)	Failure of an external company, within thirty days of an issuance, purchase, redemption or transfer of shares or membership interests, to deliver a return to the Registrar	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00

SCHEDULE 5—*CONTINUED*

337B(2E)	Failure of a company to maintain its register of beneficial owners	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
337B(3)	Failure of a company or external company to take reasonable steps to ascertain and obtain all information as to the beneficial owners holding an interest in the company	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
337B(6A)	Failure of a company, within thirty days of receipt of a written request from a competent authority, to provide information on its beneficial owners	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00
337B(8)	Failure of an external company to appoint a natural person resident in Trinidad and Tobago as an authorised officer of the external company	\$50,000.00 and \$300.00 for every day the offence continues	\$60,000.00	\$80,000.00	\$100,000.00

SCHEDULE 5—*CONTINUED*

337B(13)	Failure of an external company, within fourteen days of the commencement of this subsection, to appoint its first authorised officer	\$50,000.00 and \$300.00 for every day the offence continues	\$60,000.00	\$80,000.00	\$100,000.00
337B(13)	Failure of an external company that is publicly traded in any country other than Trinidad and Tobago which was registered pursuant to section 318 of this Act to appoint an authorised officer within fourteen days of the commencement of this subsection and submit to the Registrar a notice of the appointment within thirty days of the appointment	\$50,000.00 and \$300.00 for every day the offence continues	\$60,000.00	\$80,000.00	\$100,000.00
337B(13)	Failure of an external company to submit, together with the notice of appointment, such documents and information as the Registrar may require	\$50,000.00 and \$300.00 for every day the offence continues	\$60,000.00	\$80,000.00	\$100,000.00

SCHEDULE 5—*CONTINUED*

337B(15)	Failure of an external company to maintain a register of all its authorised officers	\$50,000.00 and \$300.00 for every day the offence continues	\$60,000.00	\$80,000.00	\$100,000.00
337B(20)	Failure of an authorised officer of an external company to maintain the register of beneficial owners of the external company	\$10,000.00 and imprisonment for three years	\$20,000.00	\$25,000.00	\$40,000.00
337C(4)	Failure of a company, within thirty days from the date of a change in its beneficial ownership or the particulars of its beneficial owner, to file a return of the change with the Registrar	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
337C(4)	Failure of an authorised officer of an external company, within thirty days from the date of a change in the beneficial ownership of the external company or the particulars of its beneficial owner, to file a return of the change with the Registrar	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00

SCHEDULE 5—CONTINUED

510(1)(b)(i)	Untrue statement of a material fact by a person who makes or assists in making a report, return, notice or other document required under the Act	\$10,000.00 and imprisonment for six months	\$20,000.00
510(1)(b)(ii)	Omission by a person who makes or assists in making a report, return, notice or other document required under the Act to state a material fact required in the report, return, notice or other document or necessary to make a statement contained therein not misleading	\$10,000.00 and imprisonment for six months	\$20,000.00
510(3)	Authorising, permitting or acquiescing by a director or officer of a body corporate or a partner of a firm to the commission of the offence under section 510(1)	\$10,000.00 and imprisonment for six months	\$20,000.00.”.

8. The Partnership Act is amended—

(a) in section 20A, by inserting in the appropriate alphabetical sequence the following:

“authorised corporate service provider” means an attorney-at-law or accountant who is

Chap. 81:02
amended

registered with the Registrar General to perform functions pursuant to the Registration of Business Names (Electronic Filing) Regulations, 2023, and who has been authorised to act on behalf of and to bind a partner;”;

- (b) in section 20B, by inserting after subsection (3), the following subsection:

“(3A) The register shall be kept at the registered address of the principal place of business of the firm in Trinidad and Tobago or at some other place in Trinidad and Tobago designated by the partners of the firm.”;

- (c) in section 20C—

- (i) by repealing subsection (5) and substituting the following subsection:

“(5) A firm shall, within thirty days of receipt of a statement under this section, verify the identity of the beneficial owner by conducting adequate due diligence procedures, update the register of beneficial owners and submit to the Registrar General, a return in the prescribed form, which shall be certified by a partner or an authorised corporate service provider, together with any supporting documentation and the prescribed fee.”;

- (ii) in subsection (7)(c), by inserting after the word “date” where it appears second, the words “, which shall be certified by a partner or an authorised corporate service provider”; and
- (iii) by inserting after subsection (11), the following subsection:

“(11A) A firm, that knowingly or recklessly makes or provides a return, notice or other document that is required by this Act to be sent to the Registrar General that—

- (a) contains a statement that is misleading, false or deceptive in a material particular; or
- (b) omits to state a material fact required in the return, notice or other document, or necessary to make a statement contained therein not misleading in light of the circumstances in which it was made,

it commits an offence and is liable on summary conviction to a fine of ten thousand dollars.”;

- (d) in section 20D, by inserting after subsection (3), the following subsections:

“(4) The Registrar General shall carry out such analysis of information, within his possession, as he considers appropriate for the purpose of detecting inconsistencies and inaccuracies.

(5) Where it appears to the Registrar General that the information contained in a document submitted to him in relation to a firm is inconsistent with other information contained in records kept by the Registrar General, the Registrar General may give notice to the firm to which the document relates—

- (a) stating in what respects the information contained in it appears to be inconsistent with other information in records kept by the Registrar General; and
- (b) requiring the firm, within a period of thirty days, beginning with the date on which the notice is issued, to take reasonable steps to resolve the inconsistency—
 - (i) by submitting amended, replacement or additional documents; or
 - (ii) in any other manner the Registrar General may determine.

(6) The Registrar General may remove from the register any information that proves to be inaccurate.”;

(e) by inserting after section 20D, the following section:

<sup>“Prosecution
of offences</sup>

20DA. (1) The Registrar General may issue a notice to any person, who there is reasonable cause to believe has committed an offence referred to in the Rules, offering the person an opportunity to discharge any liability to conviction in respect of that offence, by payment of an administrative fine prescribed for the offence in the Rules.

(2) Where a person is given a Notice under this section, criminal proceedings shall not be taken against him for the offence specified in the Notice until the expiration of twenty-one days, commencing from the day after which the Notice was served.

(3) Where a person fails to pay the administrative fine referred to in subsection (1), or where he continues to commit the offence after the expiration of twenty-one days following the date of receipt of the Notice referred to in subsection (1), that person is liable on summary conviction for the original offence committed.

(4) The payment of an administrative fine under this section shall be made to the Registrar General and in any criminal proceedings against an offender referred to in this section,

a certificate that payment of the administrative fine was or was not made to the Registrar General by the specified date shall, if the certificate purports to be signed by the Registrar General, be admissible as evidence of the facts stated therein.

(5) A notice under subsection (1) shall—

(a) specify the offence alleged;

(b) give such particulars of the offence as are necessary for giving reasonable information of the allegation; and

(c) state—

(i) that criminal proceedings shall not be laid until the expiration of twenty-one days from the date of receipt of the Notice where payment of the administrative fine is made and the commission of the offence has ceased; and

- (ii) the amount of the administrative fine and the fact that it is to be paid to the Registrar General whose address is to be stated.

(6) 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 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.”;

(f) the Partnership (Prescribed Forms and Fees) Rules are amended by—

- (i) inserting after Rule 4 the following Rule:

“Offences
subject of
administra-
tive fines

5. The offences, in respect of which criminal liability may be discharged by payment of an administrative fine and the applicable administrative fines, are as set out in Schedule III.”; and

(ii) inserting after Schedule II the following Schedule:

“SCHEDULE III

OFFENCES IN RESPECT OF WHICH CRIMINAL LIABILITY MAY BE
DISCHARGED BY PAYMENT OF AN ADMINISTRATIVE FINE

Section	General Description of Offence	Criminal Penalty	Administrative Fine		
			Less than six (6) months	More than six (6) months, up to (1) year	More than one (1) year
20B(2)	Failure of a firm to take reasonable steps to identify and obtain its beneficial ownership information	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
20B(5)	Failure by a firm to maintain and keep updated a register of beneficial owners	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
20B(5)	Failure by a firm to ensure that the information it maintains in respect of the beneficial owners of the firm is current and correct	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
20B(7)	Failure of a firm, within thirty days of receipt of a written request from a competent authority, to provide information on its beneficial owners	\$10,000.00	\$10,000.00	\$15,000.00	\$30,000.00

SCHEDULE III — *CONTINUED*

20C(3)	Failure of a partner or beneficial owner of a firm to submit the statement without reasonable cause to the firm	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
20C(4)	False information provided by a partner or beneficial owner in the statement submitted to the firm	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$25,000.00		
20C(6)	Failure of a firm, knowingly and recklessly, to submit a return to the Registrar General	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
20C(8)	Failure of a firm to ensure that the information at the Office of the Registrar General is current and correct	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$40,000.00
20C(11)	Knowingly or recklessly providing a return, notice or other document that is required to be filed, by a firm, that contains a statement that is misleading, false or deceptive in a material particular	\$10,000.00	\$20,000.00		

SCHEDULE III — *CONTINUED*

20C(11)	Omission by a firm, knowingly or recklessly, to state a material fact required in a return, notice or other document or necessary to make the statement not misleading	\$10,000.00	\$20,000.00
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Chap. 82:85
amended

9. The Registration of Business Names Act is amended in section 9B, by deleting subsection (1) and substituting the following subsection:

“(1) Where—

- (a) a firm fails without reasonable cause to send any report, return, notice, document or the prescribed fee to the Registrar General; or
- (b) the Registrar General has reasonable cause to believe that any information is misleading, false or deceptive in a material particular contained in a report, return, notice or other document,

that is required by this Act, the Rules or the Partnership Act to be sent to the Registrar General, the Registrar General may send by post or deliver in electronic form to the firm or publish by means approved by the Registrar General, a notice advising of the default and stating that—

- (c) on the day following the expiration of thirty days after the date of the notice, unless the default is remedied, the powers of the partners of the firm may not be exercised; and

(d) in respect of a firm registered under this Act, on the day following the expiration of thirty days referred to in paragraph (c), unless the default is remedied, the registration of the firm under this Act, shall be cancelled.”.

10. The Licensing of Dealers (Precious Metals and Stones) Act is amended— Chap. 84:06 amended

(a) in section 4, by inserting after subsection (2), the following subsections:

“(2A) A licence under this section shall not be granted if the applicant, his owner, directors, beneficial owners or senior employees, where applicable, has been convicted of an offence—

(a) involving fraud, dishonesty or deception;

(b) a financial crime; or

(c) under the Proceeds of Crime Act, the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act or the Counter-Proliferation Financing Act, Chap. 11:27
Chap. 12:07
Chap.71:01
Act No. 8 of 2025

(2B) In addition to the requirements set out in subsection (2A), a licence shall not be granted if the applicant, his owner, directors, beneficial owners or senior employees, where applicable, is a designated entity pursuant to the Anti-Terrorism Act or an Order made under section 4 of the Economic Sanctions Act.”;

(b) by inserting after section 4B, the following section:

“Supervision by FIUTT for AML/CFT/CPF 4C. (1) For the purposes of this Act, the FIUTT shall be the AML/CFT/CPF supervisory authority for persons licensed under this Act.

(2) A licensee under section 4(1) shall apply for registration with the FIUTT within thirty days of being granted a licence by the Licensing Committee.”; and

(c) by repealing section 11 and substituting the following section:

“Licence may be cancelled on conviction 11. Where a person licensed under this Act, his owners, directors, beneficial owners or senior employees, where applicable, is convicted of any offence—

- (a) involving fraud, dishonesty or deception;
- (b) a financial crime; or
- (c) under the Proceeds of Crime Act, the Anti-Terrorism Act, the Financial Intelligence Unit of Trinidad and Tobago Act or the Counter-Proliferation Financing Act,

the Court may, if it sees fit, cancel the licence of the person.”.

Act No. 7 of 2019
amended

11. The Non-Profit Organisations Act is amended—

(a) in section 3(1),—

- (i) in the definition of “controller” in paragraph (b) by deleting the words “a trust” and the words “the

trust” and substituting the words “an express trust” and “the express trust”, respectively; and

- (ii) by deleting the definition of “AML/CFT/CPF” and placing in the correct alphabetical sequence the following definition:

“Counter-Financing of Terrorism” means the Countering of the Financing of Terrorism;”;

- (b) in section 18(3), by deleting the words “18G” and substituting the words “18J”;
- (c) by renumbering section 21B as 21B(1) and by inserting after subsection 21B(1), the following subsections:

“(2) The Registrar General shall carry out such analysis of information, within his possession, as he considers appropriate for the purpose of detecting inconsistencies and inaccuracies.

(3) Where it appears to the Registrar General that the information contained in a document submitted to him in relation to a non-profit organisation is inconsistent with other information contained in records kept by the Registrar General, the Registrar General may give notice to the non-profit organisation to which the document relates—

- (a) stating in what respects the information contained

in it appears to be inconsistent with other information in records kept by the Registrar General; and

- (b) requiring the non-profit organisation, within a period of thirty days, beginning with the date on which the notice is issued, to take reasonable steps to resolve the inconsistency—
- (i) by submitting amended, replacement or additional documents; or
 - (ii) in any other manner the Registrar General may determine.

(4) The Registrar General may remove from the register such information that proves to be inaccurate.”;

- (d) in section 21C(1), by inserting after the word “information” the words “which shall be certified by a controller or an authorised corporate service provider”;
- (e) in section 21D(1), by deleting the words “send to the non-profit organisation a notice” and substituting the words “send by post or deliver in electronic form to the non-profit organisation, or publish by means approved by the Registrar General, a notice”;

(f) by inserting after section 23, the following section:

<sup>“Prosecution
of offences</sup>

23A. (1) The Registrar General may issue a notice to any person, who there is reasonable cause to believe has committed an offence referred to in the Rules or Regulations, offering the person the opportunity to discharge any liability to conviction in respect of that offence, by payment of an administrative fine prescribed for the offence in the Rules.

(2) Where a person is given a Notice under this section, criminal proceedings shall not be taken against him for the offence specified in the Notice until the expiration of twenty-one days commencing from the day after which the Notice was served.

(3) Where a person fails to pay the administrative fine referred to in subsection (1) or where he continues to commit the offence after the expiration of twenty-one days following the date of receipt of the Notice referred to in subsection (1), that person is liable on summary conviction for the original offence committed.

(4) The payment of an administrative fine under this section shall be made to the Registrar General and in any criminal proceedings against an offender referred to in this section,

a certificate that payment of the administrative fine was or was not made to the Registrar General by the specified date shall, if the certificate purports to be signed by the Registrar General, be admissible as evidence of the facts stated therein.

(5) A Notice under subsection (1), shall—

(a) specify the offence alleged;

(b) give such particulars of the offence as are necessary for giving reasonable information of the allegation; and

(c) state—

(i) that criminal proceedings shall not be laid until the expiration of twenty-one days from the date of receipt of the Notice where payment of the administrative fine is made and the commission of the offence has ceased; and

- (ii) the amount of the administrative fine and the fact that it is to be paid to the Registrar General whose address is to be stated.

(6) 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 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.

(g) in the Non-Profit Organisations (Forms and Fees) Rules, by—

- (i) inserting after Rule 4 the following Rule:

“Offences
subject of
administra-
tive fines

5. The offences for which liability for conviction may be discharged by the payment of an administrative fine and the applicable administrative fines are set out in the Schedule 3.”;

(ii) by inserting after Schedule 2, the following Schedule:

“SCHEDULE 3

(Section 5)

OFFENCES IN RESPECT OF WHICH CRIMINAL LIABILITY MAY BE
DISCHARGED BY PAYMENT OF AN ADMINISTRATIVE FINE

Section	General Description of Offence	Criminal Penalty	Administrative Fine		
			Less than six (6) months	More than six (6) months, up to (1) year	More than one (1) year
5(2)	Failure by a person to register a non-profit organisation and operating a non-profit organisation without registration	\$50,000.00	\$50,000.00	\$55,000.00	\$60,000.00
11A(3)	Failure of a controller, upon receipt of a written request from a competent authority, to provide information on its beneficial owners	\$10,000.00	\$10,000.00	\$15,000.00	\$20,000.00
21C(2)	Failure of a controller to submit an annual return to the Registrar General	\$10,000.00 and imprisonment for three years and \$300.00 for every day the offence continues	\$20,000.00	\$25,000.00	\$30,000.00.”; and

(iii) by deleting the words “AML/CFT/CPF” wherever they occur and substituting the words “Counter-Financing of Terrorism”.

12. The Counter-Proliferation Financing Act, 2025, is Act No. 8 of
2025
amended
amended in—

(a) section 4—

(i) in subsection (3)—

(A) in paragraph (a), in the chapeau, by deleting the words “and report”;

(B) in subparagraph (a)(ii) by—

(I) deleting the comma after the word “purpose” and substituting a semi-colon; and

(II) deleting the words “to the FIUTT”; and

(C) in subparagraph (b), by deleting the words “paragraph (a)(ii) and make available to the FIUTT” and substituting the words “paragraph (a) and make available to the Supervisory Authority”;

(ii) by inserting after subsection (3), the following subsection:

“(3A) Where a financial institution or listed business knows or has reasonable grounds to suspect that funds being used for the purpose of a transaction to which subsection (3) refers are related to proliferation financing, the financial

institution or listed business shall make a suspicious transaction or suspicious activity report to the FIUTT.”; and

(b) the Counter-Proliferation Financing Regulations, 2025 are amended—

- (i) in regulation 3(1), by inserting after the words “targeted financial sanctions” the words “and for the mitigation of proliferation financing risks”;
- (ii) in regulation 5(1), by deleting the words “section 4” and substituting the words “section 3”; and
- (iii) in regulation 6, by inserting after subregulation (2), the following subregulation:

“(3) The training required by subregulation (1), shall be given—

- (a) in such a manner that employees at different levels of the financial institution or listed business, will develop the ability to identify funds which may be linked or related to or may be used for proliferation financing; and

No. 5 of 2026

FIRST SESSION
THIRTEENTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to amend the Trustee Ordinance, Cap. 4 of 1939, the Proceeds of Crime Act, Chap. 11:27, the Police Service Act, Chap. 15:01, the Registration of Clubs Act, Chap. 21:01, the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01, the Companies Act, Chap. 81:01, the Partnership Act, Chap. 81:02, the Registration of Business Names Act, Chap. 82:85, the Licensing of Dealers (Precious Metals and Stones) Act, Chap. 84:06, the Non-Profit Organisations Act, No. 7 of 2019 and the Counter-Proliferation Financing Act, No. 8 of 2025

Received and read the
First time
Second time
Third time