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I Assent

[L.S.]

ERROL CHARLES,  
*Acting Governor-General.*

*December 15, 2022.*

## SAINT LUCIA

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**No. 24 of 2022**

**AN ACT** to provide for the regulation and supervision of a virtual asset business in or from Saint Lucia and for related matters.

[ 28th December, 2022 ]

**BE IT ENACTED** by the King's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and Senate of Saint Lucia, and by the authority of the same, as follows:

**Short title**

1. This Act may be cited as the Virtual Asset Business Bill, 2022.

**Interpretation****2.—(1) In this Act —**

“Authority” means the Financial Services Regulatory Authority established under section 3 of the Financial Services Regulatory Authority Act, Cap. 12.23;

“client” includes a potential client;

“control” means the power of a person, either alone or with an affiliate, relative, connected or other person, directly or indirectly or by an agreement or otherwise to exert influence over the business and affairs of a virtual asset business;

“fiat currency” means currency issued by a central bank and is the official legal tender of a country or group of countries;

“International Financial Reporting Standards” means the accounting rules and standards issued by the International Accounting Standards Board;

“licence” means a licence issued under section 8;

“licensee” means a person licensed under section 8;

“Minister” means the Minister responsible for finance;

“Ministry” means the Ministry responsible for finance;

“officer” means —

- (a) a chief executive officer, chief operating officer, president, vice president, corporate secretary, treasurer, chief financial officer, chief accountant, chief auditor, chief investment officer, chief compliance officer or chief risk officer;
- (b) any other individual designated as an officer by its articles of incorporation or continuance, by-laws or other constituent document or resolution of the directors or members; or

(c) any other individual who performs functions similar to those performed by a person referred to under paragraph (a), whether or not the individual is formally designated as an officer;

“person” includes a sole corporation, a body incorporated or unincorporated, a firm, an association and a partnership;

“prospectus” means a document, statement, advertisement or notice that provides information for the purpose of offering to the public and a client, subscription to or purchase of a virtual asset;

“security” has the meaning assigned under section 2 of the Securities Act, Cap. 12.18;

“significant shareholder” means a person who alone or with an affiliate or a connected person —

(a) holds more than ten per cent of a virtual asset business;

(b) exercises or controls more than ten per cent of the total voting rights at a general meeting of the virtual asset business or another company of which the virtual asset business is a subsidiary;

“virtual asset” —

(a) means a digital representation of value that can be digitally traded, or transferred, and can be used for payment or investment purposes;

(b) does not include digital representations of fiat currency or security;

“virtual asset business” means the conduct, for or on behalf of another person, of one or more of the following activities or operations —

(a) an exchange between a virtual asset and fiat currency;

(b) an exchange between one or more forms of virtual assets;

- (c) a transfer of a virtual asset, whether or not for value;
  - (d) the safekeeping or administering of a virtual asset or instruments enabling control over a virtual asset;
  - (e) participating in or providing financial services related to the issue or sale of a virtual asset.
- (2) In this Act, a person is connected to another person —
- (a) where that person is an individual, if the person is —
    - (i) the relative of the other person,
    - (ii) the trustee of a settlement under which the other person has a life interest in possession,
    - (iii) a company of which the other person is a director or a controlling or significant shareholder,
    - (iv) an employee or partner of the other person;
  - (b) where that person is a company, if the person is —
    - (i) a director or controlling shareholder or significant shareholder of the company,
    - (ii) a subsidiary or affiliate of the company,
    - (iii) a director or employee of a subsidiary or affiliate of the company;
  - (c) where that person has with the other person an agreement or arrangement —
    - (i) with respect to the acquisition, holding or disposal of shares or other interests in a company,
    - (ii) under which those persons jointly undertake to act together in exercising the voting power in relation to the company.
- (3) In this Act, in relation to a person, a reference to fit and proper is a reference to —
- (a) the sound financial standing or solvency of the person or any officer, executive, principal representative, beneficial owner, significant shareholder, director or manager of the person;

- (b) the appropriateness of the person's educational or other qualifications or experience in relation to the type of virtual asset business the person intends to offer or operate;
- (c) the sound reputation, financial integrity and probity of —
  - (i) the person, if the person is an individual,
  - (ii) an officer, an executive, a significant shareholder, a director or manager, if the person is a company, or
  - (iii) a principal representative;
- (d) in the case of the interest of a client of the person, that it is not likely to be in any way threatened by a director, officer, principal representative or significant shareholder of the person;
- (e) in the case of a person or a principal representative, director, officer or significant shareholder of the person, that the person or principal representative, director, officer or significant shareholder of the person is not engaged in any business practices or has not conducted himself or herself in a manner that appears to be improper, deceitful or otherwise discredit the business practice of the person;
- (f) the previous conduct and activities in business or financial matters of the person in question and, in particular, any evidence that the person —
  - (i) has not committed an offence involving fraud or other dishonesty,
  - (ii) has not contravened any provision made by or under an enactment designed to protect members of the public against financial loss due to dishonesty, incompetence or malpractice by persons concerned in the provision of financial services or the management of companies or against financial loss due to the conduct of a discharged or an un-discharged bankrupt,
  - (iii) has not obtained an employment record which indicates that the person carried out an act of impropriety in the handling of his or her employer's business,

- (iv) has not engaged in or been associated with any other business practices or otherwise conducted himself or herself in a manner as to cast doubt on his or her competence and soundness of judgment,
  - (v) has not been convicted of an offence under this Act,
  - (vi) has not suspended payment in respect of, or is able to meet, an obligation as it falls due,
  - (vii) if the person is a company, has not been declared insolvent or is not likely to become insolvent,
  - (viii) if the person is an individual, has not been declared bankrupt within or outside Saint Lucia and is not an undischarged bankrupt,
  - (ix) has not been removed or suspended by a regulatory authority from serving as a director or officer in any body corporate within or outside Saint Lucia,
  - (x) has not failed to satisfy any judgment or order of a court within or outside Saint Lucia, including, the repayment of a debt;
- (g) any other prescribed matter.

### **Application**

**3.** This Act applies to a person who, whether before or after the commencement of this Act, offers or operates a virtual asset business in or from Saint Lucia.

### **Requirement for licence**

**4.—(1)** Subject to subsection (2), a person shall not offer or operate in or from Saint Lucia, a virtual asset business without being licensed under this Act.

(2) Subject to subsection (5), a person, who immediately before the commencement of this Act was offering or operating a virtual asset business may, continue to operate that virtual asset business for sixty days from the date of commencement of this Act.



(3) Where a person continues to operate a virtual asset business in accordance with subsection (2) that person shall, within seven days of the commencement of this Act, make an application for a licence under section 5.

(4) Where an application made for a licence under subsection (3) is not granted or is withdrawn, the person shall cease to operate the virtual asset business within fourteen days of the date of the notice received by the person from the Authority.

(5) Notwithstanding subsection (2), the Authority may, if in the public interest, order a person to cease offering or operating a virtual asset business until an application for a licence is determined.

(6) A person who, immediately before the commencement of this Act, was offering or operating a virtual asset business and does not make an application for a licence under subsection (3) shall cease to offer or operate that virtual asset business.

(7) A person who contravenes subsection (1) is liable on summary conviction to a fine not exceeding ten thousand dollars and imprisonment for a term not exceeding two years.

#### **Application for licence**

**5.—**(1) A person may make an application for a licence to the Authority to offer or operate a virtual asset business.

(2) An application for a licence under subsection (1) must include —

- (a) the name and address of the registered office of the person;
- (b) the address of the place of business of the person in Saint Lucia;
- (c) a statement setting out the nature and scope of the virtual asset business, such as —
  - (i) the date the operations commenced,
  - (ii) the name of the person who intends to offer or operate the virtual asset business,
  - (iii) the website address where the person conducts the virtual asset business from or intends to conduct the virtual asset business from,

- (iv) the name of any other country where the person offers or intends to offer the virtual asset business;
- (d) the name and address of a person who holds a management position or is authorized to represent the applicant;
- (e) the name and address of an affiliate company within and outside Saint Lucia;
- (f) the name and address of directors, beneficial owners and significant shareholders;
- (g) the name and address of a principal representative or proposed principal representative required under section 11;
- (h) written policies, rules and procedures for anti-money laundering, counter-proliferation financing and counter-terrorist financing measures, data management and protection, security access control and cyber security safeguards;
- (i) a copy of a risk assessment of the products and services to be provided; and
- (j) any other information the Authority requires for the purpose of determining an application.

(3) An application for a licence under subsection (1) must be accompanied by —

- (a) the prescribed application fee;
- (b) a copy of a government-issued identification for a director, officer and person authorized to represent the applicant; and
- (c) certified copies of the instruments by which the person is constituted or established.

(4) A virtual asset business which is licensed under this Act is not required to be licensed under the Trade Licences Act, Cap. 13.04.

(5) A person shall not, in an application for a licence, make a false or misleading declaration or submit false or misleading documents in support of the application.

(6) An application for a licence which contains a false or misleading declaration or is supported by false or misleading documents is void.

(7) A person who contravenes subsection (5) is liable on summary conviction to a fine not exceeding ten thousand dollars and imprisonment for a term not exceeding two years and is prohibited from making another application for a licence under this section.

#### **Grant and refusal of application for licence**

**6.—**(1) The Authority shall, on receipt of an application for a licence under section 5, cause a review of the application for a licence and consider whether to grant or refuse to grant the application for a licence.

(2) The Authority shall not grant a licence unless the Authority is satisfied that the —

- (a) person is a fit and proper person to be engaged in a virtual asset business;
- (b) application satisfies the requirements under section 5 and the prescribed application fee is paid;
- (c) requirements of this Act have been complied with; and
- (d) person is able to fulfill the obligations of a licensee under this Act.

(3) The Authority may request further information or documents from a person, whether or not an applicant, for the purpose of considering whether to approve or refuse an application for a licence.

(4) The Authority shall notify the applicant in writing —

- (a) of the approval of the application for a licence; or
- (b) of the refusal of the application for a licence and provide the reason for the refusal unless to do so would be contrary to the public interest.

#### **Conditions for licence**

**7.—**(1) The Authority may impose conditions on a licence issued to a licensee.

(2) The Authority may amend, remove or add any condition on a licence.

**Licence and renewal**

8.—(1) Where the Authority approves an application for a licence under section 6, the person shall pay the prescribed licence fee.

(2) The Authority shall, on being satisfied that the licence fee has been paid, —

- (a) register the licensee in the register; and
- (b) issue a licence in the prescribed form.

(3) The licence issued under subsection (2) is valid from the date it is issued until the 31<sup>st</sup> day of December of the same year.

(4) For each year a licensee continues to offer or operate a virtual asset business, the licensee shall renew his or her licence by paying the prescribed licence fee on or before the 31<sup>st</sup> day of January of each year.

(5) The fee for the renewal of a licence is the same as the fee for a licence.

(6) The Authority shall issue a licence for each renewal of a licence in accordance with subsection (3).

**Suspension and revocation of licence**

9.—(1) The Authority may suspend a licence by giving ten days written notice to the licensee, if the licensee —

- (a) has contravened this Act;
- (b) obtains a licence pursuant to an application for a licence where a false declaration was made;
- (c) ceases to operate or offer a virtual asset business in excess of ninety days;
- (d) makes a request for revocation or suspension of a licence to the Authority;
- (e) in the case of a company, enters liquidation, is wound up or otherwise dissolved;
- (f) is no longer a fit and proper person to be a licensee;
- (g) is conducting business in a manner that is detrimental to clients or the public interest;

- (h) misrepresents or provides false information in a prospectus; or
- (i) in the case of a beneficial owner, significant shareholder, director or manager of the licensee, is convicted of a criminal offence, except where the offence —
  - (i) is a minor traffic offence, or
  - (ii) has been spent in accordance with the Criminal Records (Rehabilitation of Offenders) Act, Cap. 3.13.

(2) A licence shall be revoked on the expiration of five days from the date of notice given by the Authority if the licensee fails to rectify the issues which caused its suspension, within thirty days.

(3) Notwithstanding subsections (1) and (2), the Authority may revoke or suspend a licence without notice if it is in the public interest or to protect the interest of clients.

(4) A notice under subsections (1) and (2) shall specify the reasons for the suspension or revocation.

### **Registers**

**10.—**(1) The Authority shall maintain a register of licensed and suspended licensees which must provide the —

- (a) name and address of the licensee;
- (b) the name and address of the directors, beneficial owners and significant shareholders;
- (c) type of virtual asset business the licensee conducts;
- (d) date of licensing;
- (e) status of licence; and
- (f) date of suspension, if the status of a licence is suspended.

(2) The Authority shall maintain a register of licensees whose licences have been revoked which must provide details of the revocation, including the —

- (a) name of the former licensee;

- (b) reason for the revocation of the licence; and
- (c) date of revocation of the licence.

(3) The Authority shall maintain a register of the issue or sale of virtual assets which must include the —

- (a) name and address of the licensee responsible for the issue or sale of virtual assets;
- (b) description of the virtual asset;
- (c) date of approval of the prospectus related to the issue or sale of virtual assets;
- (d) date of the publication of the prospectus; and
- (e) date of the issue or offer for sale of virtual assets ends.

(4) The registers shall be made available to the public and published on the website of the Authority or the Ministry.

#### **Appointment and obligations of principal representative**

**11.**—(1) A licensee with a registered office outside Saint Lucia shall appoint and have at all times in place, a person who is ordinarily resident in Saint Lucia to be its principal representative.

(2) The principal representative shall —

- (a) be responsible for the daily management of the place of business in Saint Lucia;
- (b) act as a liaison between clients of the licensee and other offices of the licensee or its affiliates, other than offices located in, or affiliates incorporated in, Saint Lucia;
- (c) act as a liaison between the licensee and the Authority on all matters arising in connection with the virtual asset business in Saint Lucia;
- (d) receive all notices and other documentation from the Authority on behalf of the licensee;
- (e) advise and guide the licensee as to its responsibilities and obligations to ensure compliance with this Act;

- (f) submit to the Authority on behalf of the licensee all required information and documentation under this Act in a timely manner;
- (g) disclose to the Authority information or an explanation that the Authority may require for the purpose of verifying information to be taken into account in considering a matter arising in connection with the virtual asset business in Saint Lucia; and
- (h) carry out any other prescribed responsibilities.

**Requirements of a licensee**

**12.—(1)** A licensee shall place in escrow, with a registered trust company or with an entity or person whose business is the provision of trust or custodial services, assets to discharge financial obligations to clients of the licensee and such assets must be equivalent to a minimum of fifteen per cent of the total value of client funds held by a licensee.

(2) A licensee shall, on the approval of the Authority and subject to terms and conditions satisfactory to the Authority, lodge any software source code and associated materials supporting the virtual asset business with a software escrow agent.

(3) Subject to the requirements of section 5, a licensee shall write to the Authority for approval of any changes in the business of the licensee, including the —

- (a) name of any director, officer, principal representative or significant shareholder;
- (b) nature and scope of the virtual asset business; and
- (c) address and contact information of the registered office and any other place of business in and outside Saint Lucia.

(4) A licensee who fails to comply with a requirement imposed under subsection (2) or (3) is liable to a penalty of five thousand dollars.

(5) A licensee shall submit to the Authority quarterly reports providing —

- (a) the number of accounts held by the licensee;

- (b) the value of the accounts held by the licensee; and
  - (c) a statement of the assets held in escrow.
- (6) A licensee shall —
- (a) maintain adequate accounting records and prepare financial statements in respect of each financial year in accordance with the International Financial Reporting Standards;
  - (b) keep a copy of accounting records and financial statements at its place of business in Saint Lucia.
- (7) A licensee shall implement and maintain policies for the virtual asset business —
- (a) to comply with the Data Protection Act, Cap. 8:18 and to ensure that the collection, storage, use and disclosure of personal information of a client is —
    - (i) legitimate and for purposes related to the business of the licensee,
    - (ii) protected from unauthorized access, and
    - (iii) kept confidential;
  - (b) to protect the operations of the licensee and personal information collected and stored by the licensee from cyber threats.
- (8) A licensee shall —
- (a) communicate information on its website or in any publication made available to the public regarding the virtual asset business in a complete and comprehensible manner, so a client can evaluate the features, costs and risks of the virtual asset business that the licensee offers or operates; and
  - (b) where there are any changes to the information communicated under paragraph (a), reflect the change or issue a notice of the change within seven days using the same medium used to communicate the information under paragraph (a).
- (9) A licensee shall not, directly or indirectly, make a false or misleading declaration or omit to disclose a material fact for the purpose of gaining or retaining a client.



(10) A licensee who contravenes subsection (9) is liable on summary conviction to a fine not exceeding ten thousand dollars and imprisonment for a term not exceeding two years.

**Audit and financial statements**

**13.—**(1) A licensee shall appoint an auditor who is a chartered accountant, a certified public accountant, a member of the Institute of Chartered Accountants of the Eastern Caribbean or a professionally qualified accountant satisfactory to the Authority to perform an annual audit and the duties of the auditor shall —

- (a) be to examine the books and records and to make a report on the annual financial statements and financial position; and
- (b) include discharging all or any of the following requirements if the Authority requires the licensee —
  - (i) to submit additional information in relation to the audit of the licensee as the Authority considers necessary,
  - (ii) to carry out any other examination or establish any procedure in a particular case,
  - (iii) to submit a report on a matter referred to in subparagraphs (i) and (ii),
  - (iv) to submit a report on the financial and risk management controls of the licensee, and
  - (v) to provide an opinion on whether suitable measures to counter money laundering, terrorist financing and proliferation financing have been adopted by the licensee and are being implemented in accordance with the applicable laws.

(2) For the purposes of subsection (1)(b)(i), the additional information required includes —

- (a) the volume of transactions relating to the virtual asset business;

- (b) a report as to whether proper records of the transactions in relation to the virtual asset business have been maintained; and
- (c) a report as to whether the licensee has complied with this Act and any other law as the Authority determines.

(3) A licensee shall, within four months of the end of the financial year of the licensee, submit the audited financial statements to the Authority unless prior written approval for an extension is granted by the Authority.

(4) The audited financial statements under subsection (3) shall cover a period of not more than eighteen months beginning on the date of the commencement of operations, or if the licensee has previously prepared audited financial statements, beginning at the end of the period covered by the most recent audited financial statements.

(5) Notwithstanding subsection (1), the Authority may appoint and instruct, at the expense of the licensee, an independent auditor who is a chartered accountant, a certified public accountant, a member of the Institute of Chartered Accountants of the Eastern Caribbean or some other professionally qualified accountant to —

- (a) conduct an independent audit of a licensee; and
- (b) report the findings or results to the Authority.

(6) The independent auditor shall immediately make a report to the Authority, if in the course of the performance of the external auditor's duties, the external auditor is satisfied that —

- (a) there has been a serious breach or non-compliance with this Act;
- (b) there is evidence —
  - (i) that a criminal offence involving fraud or other dishonesty may have been committed, or
  - (ii) of a suspicious transaction.

(7) An independent auditor is not liable for breach of a duty solely by reason of non-compliance with subsection (5) or any other request for information by the Authority.

(8) A licensee shall comply with the requirements of the Money Laundering (Prevention) Act, Cap. 12.20 and institute procedures to ensure that accounting records and business operations comply with the Money Laundering (Prevention) Act, Cap. 12.20.

(9) In this section, “suspicious transaction” has the meaning assigned under the Money Laundering (Prevention) (Guidance Notes) Regulations, Cap. 12.20.

**Prospectus for issue or sale of a virtual asset**

**14.—(1)** A licensee shall not participate in or provide financial services related to the issue or offer for sale of a virtual asset without —

- (a) submitting a prospectus to the Authority for review at least thirty days before the proposed date of its publication;
- (b) a statement of no objection to the prospectus by the Authority; and
- (c) publishing the prospectus prior to the issue or offer for sale.

(2) A prospectus submitted under subsection (1)(a) must be prepared in accordance with the prescribed requirements.

(3) The Authority may provide a statement of no objection to a prospectus if it complies with the requirements of this Act.

(4) A prospectus is valid for a period not exceeding twelve months from the date the statement of no objection was provided by the Authority.

(5) Where a prospectus contains a misrepresentation or false information, a client may, within thirty days of the date that the misrepresentation or false information came to his or her knowledge, withdraw the purchase of or subscription to an issue or offer for sale of a virtual asset.

(6) A licensee is liable to pay compensation to a person who relied on a prospectus containing a misrepresentation or false information to purchase or subscribe to an issue or offer for sale of a virtual asset and suffers loss as a result of purchasing or subscribing to an issue or offer for sale of a virtual asset.

**Powers of the Authority regarding a prospectus**

**15.—**(1) The Authority may waive the inclusion of certain information required for a prospectus if the Authority considers that —

- (a) disclosure of the information would be contrary to the public interest;
- (b) the disclosure of the information would be seriously prejudicial to the licensee, provided that the omission of such information is not likely to mislead the public as to facts and circumstances essential for an informed assessment of the licensee or virtual asset; or
- (c) the information is not essential to influence the assessment of the financial position and prospects of the licensee or virtual asset.

(2) The Authority has the power —

- (a) to order an amendment to a prospectus to include information, in addition to the prescribed requirements, prior or subsequent to the provision of a statement of no objection to a prospectus;
- (b) pursuant to paragraph (a), to suspend an issue or offer for sale of a virtual asset where an order for an amendment is made subsequent to the provision of a statement of no objection to a prospectus;
- (c) to suspend or cancel an issue or offer for sale of a virtual asset if it is in the public interest to do so; and
- (d) to issue a notice advising the public of an order made under paragraph (a) or (b).

(3) The Authority is not liable to an action for damages suffered as a result of a prospectus for which the Authority provided a statement of no objection.

**Amendment to a prospectus**

**16.—**(1) A licensee shall submit to the Authority a proposed amendment to a prospectus for a statement of no objection by the Authority.

(2) A licensee shall, within seven days of receiving the statement of no objection under subsection (1) —

- (a) issue the amendment to the prospectus and state any implication the amendment will have on a client;
- (b) issue a notice of the amendment to a person who purchased or subscribed to an issue or offer for sale; and
- (c) submit to the Authority a copy of any notice issued pursuant to paragraph (b).

(3) A person who purchased or subscribed to an issue or offer for sale of a virtual asset prior to an amendment to a prospectus, has the right to withdraw the purchase or subscription within fourteen days of the date the notice was issued to that person.

(4) A licensee who fails to comply with a requirement under subsection (2) is liable to a penalty of five thousand dollars.

#### **General powers of the Authority**

**17.—**(1) The Authority may, by notice in writing to a licensee or director, an officer or a significant shareholder of a licensee, require information to be provided to the Authority within the time and in the form as specified in the notice for the purpose of determining compliance with this Act.

(2) The Authority has the power to examine or cause an examination of a licensee for the purpose of determining if a licensee is complying with this Act, at the expense of the licensee.

(3) For the purposes of examining a licensee, the licensee shall grant the Authority—

- (a) full access to the registered office or place of business of a licensee, and to the books and records relating to its business;
- (b) the right to call on —
  - (i) any director, principal representative, officer or any other employee of the licensee, or
  - (ii) any other person with information regarding the licensee,

to furnish any information and explanation that the Authority considers necessary.

(4) The Authority may cooperate with any local or foreign authority as necessary for the performance and exercise of its duties and powers.

(5) Where the Authority intends to share confidential information in accordance with subsection (4), the Authority shall enter into an agreement with the other authority to provide for the maintenance of the confidentiality of the information and use of the information only for the purposes for which the information is being disclosed.

### **Fees**

**18.—**(1) Any fee paid in accordance with this Act is non-refundable.

(2) The licence fee shall cover the period commencing on the 1<sup>st</sup> day of January to the 31<sup>st</sup> day of December of each year.

(3) Fees under this Act are payable to the Authority and proof of payment must be submitted to the Authority.

(4) Where a licensee does not pay the fee for renewal of a licence on or before the 31<sup>st</sup> day of January of the year for that renewal, the licensee shall pay the prescribed late fee for each day the fee for the renewal of the licence remains unpaid.

### **General penalty**

**19.** A person who contravenes a provision of this Act for which a penalty is not specified is liable on summary conviction to a fine not exceeding ten thousand dollars and imprisonment for a term not exceeding two years.

### **Civil penalty**

**20.—**(1) Where a civil penalty is imposed on a licensee, the payment of the penalty shall discharge the licensee from further liability under this Act for the contravention for which the penalty was levied.

(2) A penalty imposed on a licensee may be recovered as a civil debt by the Authority.

**Exclusion of liability**

**21.** Section 18 of the Financial Services Regulatory Authority Act, Cap. 12.23 applies in relation to the exclusion of liability under this Act.

**Guidelines**

**22.—(1)** The Authority may issue Guidelines to give effect to this Act.

(2) Without limiting the generality of subsection (1), the Guidelines may provide for —

- (a) policies, practices and procedures for evaluating the financial soundness of a licensee;
- (b) corporate governance;
- (c) disclosure; and
- (d) compliance with the Money Laundering (Prevention) Act, Cap. 12.20.

**Regulations**

**23.—(1)** The Minister may, on the recommendation of the Authority, make Regulations to give effect to this Act.

(2) Without limiting the generality of subsection (1), the Regulations may provide for —

- (a) records to be kept by the Authority;
- (b) reports to be made to the Authority;
- (c) forms necessary for the administration of this Act;
- (d) the policies, procedures and systems for identifying, monitoring and controlling such risks as the Authority specifies;

- (e) capital and liquidity requirements;
- (f) fit and proper requirements; and
- (g) any other matter required for the efficient administration of this Act.

Passed in the House of Assembly this 6<sup>th</sup> day of December, 2022.

CLAUDIUS J. FRANCIS,  
*Speaker of the House of Assembly.*

Passed in the Senate this 8<sup>th</sup> day of December, 2022.

ALVINA REYNOLDS,  
*President of the Senate.*