



OFFENCES & PENALTIES
under the
AML/CFT Laws of Trinidad and Tobago

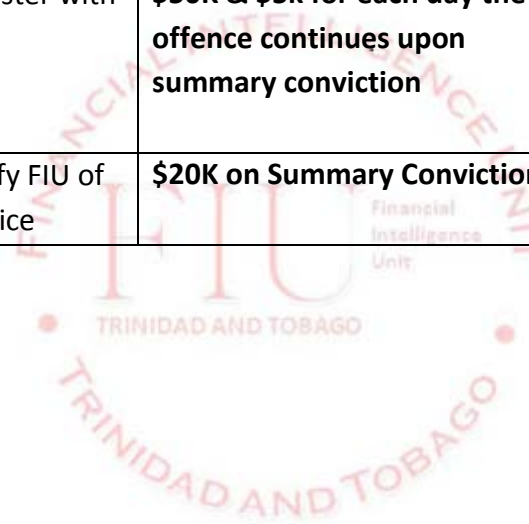
The Proceeds of Crime Act and amendments thereto, the Anti-Terrorism Act and amendments thereto, the Financial Intelligence Unit Act and amendments thereto and Regulations made under these Acts contain detailed provisions of money laundering offences, financing of terrorism offences and related offences. The Table below lists some of the important offences of which you should be aware as a Supervised Entity reporting to the Financial Intelligence Unit of Trinidad and Tobago.

No.	BRIEF DESCRIPTION OF THE OFFENCE	PENALTY	SECTION CREATING OFFENCE	SECTION IMPOSING PENALTY
1	<p><u>Money Laundering</u></p> <p>The offence includes engaging directly or indirectly with any transaction involving criminal property OR receiving, possessing, concealing, disguising, transferring, converting, bringing into or removing from T&T property which a person knows or has reasonable grounds to suspect is criminal property.</p>	<p>\$25M & 15 yrs. imprisonment upon conviction on indictment</p>	<p>POCA, Sec. 45(1)</p>	<p>POCA, Sec. 53(1)</p>

No.	BRIEF DESCRIPTION OF THE OFFENCE	PENALTY	SECTION CREATING OFFENCE	SECTION IMPOSING PENALTY
2	<u>Tipping-Off</u> Disclosing information to any other person knowing that the matter is subject of investigation or proposed investigation	\$5M & 5 yrs. imprisonment upon summary conviction	POCA, Sec. 51	POCA, Sec. 53(2)
3	Failure to disclose knowledge or suspicion of Money Laundering	\$250K & 3 yrs. imprisonment upon summary conviction	POCA, Sec. 52(1)	POCA, Sec. 53(3)
4	Failure to make a suspicious transaction /suspicious activity report to the FIU	\$500k & 2 yrs. imprisonment upon summary conviction; \$3M & 7 yrs. imprisonment upon conviction on indictment	POCA, Sec. 55A	POCA, Sec. 57(1)
5	Where the company commits an offence under the POCA any Officer, Director or agent of a company is guilty of an offence	\$500k & 2 yrs. imprisonment upon summary conviction; \$3M & 7 yrs. imprisonment upon conviction on indictment	POCA, Sec. 57(2)	POCA, Sec. 57(1)
6	Commission of a terrorist act, providing financial or other services, assistance, support, etc. for commission of terrorist acts	20 – 25 yrs. imprisonment upon conviction on indictment	ATA, Sec. 4-15	Same
7	Participating in the Commission of a terrorist act	25 yrs. imprisonment upon conviction on indictment	ATA, Sec. 3	Same

No.	BRIEF DESCRIPTION OF THE OFFENCE	PENALTY	SECTION CREATING OFFENCE	SECTION IMPOSING PENALTY
8	<u>Financing of Terrorism</u>	Upon conviction on indictment:- <ul style="list-style-type: none"> • Individuals:- \$5M & 25 yrs. imprisonment • Legal entities:- \$25M 	ATA, Sec. 22A	ATA, Sec. 22A(3) and (4)
9	Disclosing the facts or content of an STR/SAR to any person	\$5M & 5 yrs. imprisonment on summary conviction	POCA, Sec. 55A(2) & ATA, Sec. 22C(5)	Same
10	Failure to disclose information to the FIU relating to property used for the commission of offences under the ATA or (proposed) transactions involving terrorist property	5 yrs. imprisonment upon conviction on indictment	ATA, Sec. 33(6)	Same
11	Failure of a FI or LB to comply with Court Order to provide information requested by the FIU	Upon summary conviction:- \$500K & \$25k for each day the offence continues; Upon conviction on indictment:-\$1M & \$50k for each day the offence continues	FIU Act, Sec.21(1)	Same
12	Director, CEO or other officer, or Owner/Partner of FI or LB who knowingly authorized or agreed to withhold the information requested by the FIU	\$250K & 3 yrs. Imprisonment on summary conviction	FIU Act, Sec. 21(2)	Same

No.	BRIEF DESCRIPTION OF THE OFFENCE	PENALTY	SECTION CREATING OFFENCE	SECTION IMPOSING PENALTY
13	Disclosure of Information received from FIU	\$250K & 3 yrs. imprisonment on summary conviction	FIU Act, Sec.23(1)	Same
14	Disclosure of Investigation into STR/SAR	\$250K & 3 yrs. imprisonment on summary conviction	FIU Act, Sec. 24	Same
15	Failure by Supervised Entity to register with the FIU	\$50K & \$5k for each day the offence continues upon summary conviction	FIU Regulations, R.28(2)	Same
16	Failure By Supervised Entity to notify FIU of Change of address of registered office	\$20K on Summary Conviction	FIU Regulations, R.29(2)	Same



Abbreviations:

CEO	Chief Executive Officer	ML	Money Laundering	POCA	Proceeds of Crime Act, Chap. 11:27 (as amended)
FI	Financial Institution	Sec.	Section of the Legislation	ATA	Anti-Terrorism Act, Chap. 12:07 (as amended)
LB	Listed Business	STR/ SAR	Suspicious Transaction/ Activity Report	FIU Act	Financial intelligence Unit of Trinidad and Tobago Act, Chap. 72:01 (as amended)
K	Thousand (\$TT)	M	Million (\$TT)	Yrs.	Years

Updated: as at 14th November, 2014.