



OFFENCES & PENALTIES under 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, terrorist financing 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.

BRIEF DESCRIPTION OF THE OFFENCE	RELEVANT LAW	PENALTY
Money Laundering - the offence includes concealing, disguising, transferring, receiving, bringing into or removing from T&T money or other property knowing or suspecting that the money or other property was obtained from a specified offence	S 29, POCA-A	25 Mill. & 15 yrs. imprisonment on indictment
Tipping Off – disclosing information to any other person knowing that the matter is subject of investigation or proposed investigation	S. 29, POCA-A	5 Mill. & 5 yrs. imprisonment on summary conviction
Failure to disclose knowledge/suspicion of Money Laundering	S. 29, POCA-A	250 K. and 3 yrs. imprisonment
Failure to report complex, unusual large transactions to the FIU	S. 57 (1), POCA	500 K. and 2 yrs. Imprisonment on summary conviction; 3 Mill. & 7 yrs. Imprisonment on indictment
Failure to make a suspicious transaction or suspicious activity report to the FIU	S 57 (1), POCA	500 K. and 2 yrs. imprisonment on summary conviction; 3 Mill. & 7 yrs. Imprisonment on indictment
Failure to comply with Financial Obligations Regulations, 2010, such as Customer due diligence or record keeping requirements	S. 57 (1), POCA	500 K. and 2 yrs. imprisonment on summary conviction; 3 Mill. & 7 yrs. Imprisonment on indictment
Where the company commits an offence under the POCA any Officer, Director or agent of a company is guilty of an offence	S. 57 (2), POCA	500 K. and 2 yrs. imprisonment on summary conviction; 3 Mill. & 7 yrs. Imprisonment on indictment
Providing financial or other services, assistance, support, etc for commission of terrorist acts	A-TA, Part II, S. 3,4 -9	20 yrs. Imprisonment

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Participating in the Commission of a terrorist act	A-TA, Part II, S. 22A	25 yrs. Imprisonment
Financing of Terrorism	A-TA, Part III A	25 yrs. Imprisonment
Disclosing the facts or content of a STR/SAR to any person	A-TA S. 22C (5),	250 K. and 3 yrs. imprisonment
Failure to disclose information relating to property used for the commission of offences under the ATA to the FIU	A-TA, Part VII S. 33	5 yrs. Imprisonment
Failure of a FI or LB to provide Information requested by the FIU	S. 21 (1), FIU Act	500 K., and a further fine of 25 K for each day the offence continues on summary conviction 1 Mill., and a further 50 K for each day the offence continues
Director, CEO or other officer, or Owner/Partner of FI or LB who authorized or agreed to withhold the information requested by the FIU	S. 21 (2), FIU Act	250 K. and 3 yrs.
Disclosure of Information received from FIU	S. 23 (1), FIU Act	250 K & 3 yrs.
Disclosure of Investigation into STR/SAR	S. 24, FIU Act	250 K & 3 yrs.
Failure by Supervised Entity to register with the FIU	FIU Regulations, R. 28	50 K & a further fine of 5 K for each day the offence continues
Failure By Supervised Entity to notify FIU of Change of address of registered office	FIU Regulations, R. 29	20 K

Abbreviations:

CEO Chief Executive Officer	Mill. Million TT\$	A-TA Anti-Terrorism Act
FI Financial Institution	ML Money Laundering	POCA Proceeds of Crime Act
K. Thousand TT\$	S. Section of the legislation	POCA-A Proceeds of Crime(Amendment) Act
LB Listed Business	STR/SAR Suspicious Transaction/Activity Report	FIU Financial Intelligence Unit of T&T Act