



**Government of the Republic of Trinidad and Tobago**

**MINISTRY OF FINANCE**

**THE HONOURABLE DAVENDRANATH TANCOO, MP**

**MINISTER OF FINANCE**

***(1) The Miscellaneous Provisions (FATF  
Compliance) Bill, 2025***

***(2) The Counter-Proliferation Financing Bill, 2025***

**Friday 19<sup>th</sup> September, 2025**

**House of Representatives**

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## Introduction

Mister Speaker, in accordance with Standing Order 50(2), I beg to move that Bill, entitled:

- (i) An Act to amend the Trustees Ordinance, Chap. 4 of 1939, the Prevention of Corruption Act, Chap. 11:11, the Mutual Assistance in Criminal Matters Act, Chap. 11:24, the Proceeds of Crime Act, Chap.11:27, the Anti-Terrorism Act, Chap.12:07, the Police Service Act, Chap. 15:01, the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01, the Income Tax Act, Chap 75:01, the Companies Act, Chap. 81:01, the Partnership Act, Chap. 81:02, the Registration of Business Names Act, Chap. 82:85,

the Securities Act, Chap. 83:02 and the Non-Profit Organisations Act, No. 7 of 2019 to give effect to the obligations of Trinidad and Tobago under the Financial Action Task Force;

- (ii) An Act to provide for implementation of the recommendations of the Financial Action Task Force (FATF) with respect to measures to counter proliferation financing, to make consequential amendments to the Economic Sanctions Act and for related matters; and

Mister Speaker, I am grateful for the opportunity to contribute to the debate on these two Bills, which are inter-related on the subject of FATF Compliance.

Let me first thank members of this Honourable House for agreeing to consider them together, because these Bills are not abstract, they are about giving our country the tools to fight back against crime and corruption. They are about protecting the ordinary citizen.

These two vital Bills provide strong protection against both crime and criminality. With their passage, Trinidad and Tobago will have a robust legislative framework to properly deal with the proceeds of crime including, cross-border activities, and the kind of white-collar crime that has already robbed this nation of billions of dollars and destroyed thousands of lives.

We promised the people that we would tackle these issues head-on. Today, with these Bills, that promise made is a now a promise kept.

Mister Speaker, I start first with the Miscellaneous Provisions (FATF Compliance) Bill, 2025, and I will move on to the Counter-Proliferation Financing Bill, 2025.

## **Introduction to the Miscellaneous Provisions (FATF Compliance) Bill, 2025**

At first glance, this Bill may appear to be a highly technical piece of legislation but in truth, it is one of the most consequential Bills that will come before this Honourable House during this Parliamentary session.

Its importance lies not only in the amendments it introduces across thirteen (13) different pieces of legislation, but in what those amendments mean for the protection of our financial system, our international reputation, and ultimately, our economy and the welfare of our people.

Mister Speaker, the passage of this Bill is a crucial and substantial initiative by the Government of Trinidad and Tobago to fortify our legal and regulatory framework against money laundering, terrorist financing and proliferation financing.

This Bill comes at a critical moment. Trinidad and Tobago is preparing for the onsite 5th Round Mutual Evaluation for anti-money laundering/countering the financing of terrorism/counter-proliferation financing by the Financial Action Task Force (FATF) in March 2026.



Mister Speaker, this evaluation is not a routine administrative exercise; it is a searching, rigorous, and demanding assessment of how effectively our nation complies with the global standards on anti-money laundering (AML), counter-terrorist financing (CTF), and counter-proliferation financing (CPF).

The FATF's 40 Recommendations and eleven (11) Immediate Outcomes set the benchmark. They require that countries not only enact legislation but also demonstrate real, measurable effectiveness in preventing, detecting, and prosecuting financial crimes. In this environment, where effectiveness carries as much weight as technical compliance, this Bill is a lifeline.

It ensures that Trinidad and Tobago will enter that evaluation with a strengthened framework that reflects global best practice and demonstrates our seriousness of purpose. We on this side are committed. And I say to my colleagues opposite, we look forward to your support for the smooth passage of these Bills and the others to come.

Mister Speaker, we know from hard experience the costs of failing to meet FATF standards. Trinidad and Tobago has, in the past, faced the scrutiny of grey-listing.

We know what it means to be viewed as a jurisdiction with “strategic deficiencies.” Such a label is not merely symbolic.

It affects our ability to maintain correspondent banking relationships, raises the cost of international transactions, it discourages foreign direct investment, and undermines confidence in our financial system.

Every exporter, every importer, every citizen who seeks to send or receive international payments is put at risk when our financial system is not trusted.

We cannot and must not go down that road again.

**Mister Speaker,** as Minister of Finance, I want to give the citizens of Trinidad and Tobago the assurance that this Government, under the leadership of the Honourable Kamla Persad-Bissessar, is taking every possible action to achieve full legal compliance and to ensure that our financial systems are never again compromised by the failures that existed before April 2025.

Following its 4th Round Mutual, Trinidad and Tobago was found to have strategic deficiencies in its anti-money laundering and counter-terrorist financing (AML/CFT) regime.

As a result, the Financial Intelligence Unit of Trinidad and Tobago (FIUTT) was placed into Procedural Trigger 3 of the FATF's Support and Compliance Process, an intermediate level requiring enhanced monitoring and technical assistance, particularly addressing gaps related to FATF Recommendation 40 and the Egmont Group's information-exchange principles.

Mister Speaker, in its 2015 Mutual Evaluation, Trinidad and Tobago was found to have critical shortcomings in several other FATF Recommendations. The country was Partially Compliant or Non-Compliant regarding foundational areas such as risk assessments, sanctions customer due diligence, wire transfers and NGO sector oversight.

A more recent assessment (2019) advised that, Trinidad and Tobago has achieved full compliance in some of these areas including sanctions implementation (Recommendation 6), Customer Due Diligence (Recommendation 10) and wire transfers (Recommendation 16).

Risks from higher-risk jurisdictions (Recommendation 19) were likewise mitigated. Improvements were also made in sanctions against proliferation financing (Recommendation 7) and information exchange or international cooperation (Recommendation 40), bringing us to a Largely Compliant standard.

Notably, oversight of non-profit organisations (Recommendation 8) moved forward from non-compliance to partial compliance showing some

momentum but indicating that substantial work remains to be done.

Mister Speaker, FATF's report titled, "Improving Global AML/CFT Compliance: On-going Process," notes that, Trinidad and Tobago have made a high-level political commitment to work with the FATF and Caribbean Financial Action Task Force (CFATF) to strengthen the effectiveness of its AML/CFT regime and address any related technical deficiencies as a country identified as having strategic deficiencies.

This was evidenced by our ongoing efforts and ability to gain approval for the Counter Terrorism Strategy by the National Security Council, the issuance of a Case Prioritization Policy and advancing legislation in a number of areas.

To this end, the FATF recommends that jurisdictions identified as having strategic deficiencies complete the implementation of action plans expeditiously and within stipulated timeframes.

In advancing, the FATF proposes that Trinidad and Tobago should continue to work on implementing its action plan to address its deficiencies by:

- (1) Adopting and implementing the relevant measures to enhance international cooperation;
- (2) Addressing issues related to transparency and beneficial ownership;



- (3) Completing the legislative efforts to enhance the processing of money laundering charges before the courts;
- (4) Taking measures to enhance tracing and confiscation of criminal proceeds;
- (5) Prioritising and prosecuting terrorist financing cases when they arise;
- (6) Enacting the necessary amendments related to targeted financial sanctions and implementing measures to monitor NPOs on the basis of risk; and
- (7) Developing, adopting and implementing the necessary framework to counter proliferation financing.

Mister Speaker, it is crucial that Trinidad and Tobago possess the necessary rules, regulations and operational infrastructure that are the building blocks

for an effective system to tackle illicit financial inflows and out flows.

This Bill demonstrates this government's unwavering in its commitment to strengthening our anti-money laundering and counter-financing of terrorism (AML/CFT) regime and addressing the technical compliance gaps identified by the FATF.

Mister Speaker, I now intend to examine the Miscellaneous Provisions (FATF Compliance) Bill, 2025, which contains 15 clauses, on a clause-by-clause basis.

Mister Speaker, I also want to mention that there is a short list of amendments that I trust have been received by all Members. This list contains minor amendments to clauses 3, 11, 12 and 15.

## **Clause by Clause Examination of the Miscellaneous Provisions (FATF Compliance) Bill, 2025**

### Clause 1 – Short Title

Mister Speaker, Clause 1 contains the Short Title of the Bill, which is cited as the “The Miscellaneous Provisions (FATF Compliance) Act, 2025.”

### Clause 2 – Commencement

Mister Speaker, Clause 2 of the Bill provides for the commencement date of the Bill, which is to be fixed by Proclamation by the President and which is necessary given the need to ensure that operationalization and crucial legislative requirements can adequately be addressed.

## Clause 3 – Amendment of the Trustees Ordinance

Mister Speaker, Clause 3 amends the Trustees Ordinance, Chap. 4 of 1939. This amendment is aimed at ensuring that all express trusts are registered to allow for greater transparency. Any trust that is not registered will now be null and void. Trustees therefore must register within fourteen (14) days of creation, or within three (3) months for pre-existing trusts. They must disclose beneficial ownership details, including names, dates and places of birth, and must notify the Registrar General within thirty days of any change.

Mister Speaker, the proposed amendments in Clause 3 are crucial for enhancing the transparency and beneficial ownership of express trusts.

These are directly related to the Financial Action Task Force's Recommendation 25 (Transparency and Beneficial Ownership of Legal Arrangements). Without this, trusts can and has undoubtedly been used as secret vehicles to launder money. By requiring registration, updating of particulars, and penalties for non-compliance, we are closing one of the most serious gaps in our system.

Mister Speaker, the amendments modernise trust regulation by imposing mandatory registration and updates, introduces timelines for compliance and ongoing reporting, ensuring beneficial ownership information is available to competent authorities and the introduction of proportionate penalties with capped liability and ministerial flexibility to exempt categories of trusts.

Beneficial ownership transparency is also strengthened through expanded reporting duties and access for competent authorities.

Apart from strengthening compliance with FATF Recommendation 25 Recommendation 10 on recordkeeping and Recommendation 35 on effective sanctions is also triggered, and gaps relating to beneficial ownership transparency and enhancing Trinidad and Tobago's AML/CFT framework are closed.

Clause 4 – Amendment of the Prevention of Corruption Act, Chap. 11:11

Mister Speaker, Clause 4 seeks to amend the Prevention of Corruption Act, Chapter 11:11 by

addressing gaps that were highlighted in both the FATF technical assessment and by international conventions.

These amendments transform the Prevention of Corruption Act into a more comprehensive anti-corruption framework by criminalising a wider range of misconduct including deprivation of state revenue, bribery in public procurement, bribery of foreign officials and embezzlement of public resources while safeguarding the investigatory process.

Mister Speaker, Trinidad and Tobago must never again find itself in the position we were in over the last few years, when the Office of the Procurement Regulator, the Auditor General, and others in this very Parliament sounded the alarm. Billions of taxpayers' dollars were

spent illegally on projects that no one could verify. Billions siphoned away into the private pockets of a few crooked individuals, all at the expense of the ordinary taxpayer. It is time, Mister Speaker, that those who commit the crime must pay the price and face the time.

Mister Speaker, collectively, these amendments proposed in this Bill, expand the list of predicate offences for money laundering (FATF Recommendation 3), strengthen anti-bribery measures, enhance the responsibilities of law enforcement and investigatory authorities as required in Recommendation 30 and improve international cooperation by addressing foreign bribery in the context of Recommendation 37.



Mister Speaker, in addition to strengthening Trinidad and Tobago's technical compliance with FATF Recommendations, the amendment of the Act to insert the definitions of "embezzle" and "foreign public official" are important to bring clarity and to ensure alignment with Article 16 of the United Nations Convention Against Corruption, which requires the criminalisation of bribery of foreign public officials.

Mister Speaker, the criminalisation of the bribery of a foreign public official further strengthens Trinidad and Tobago's ability to prosecute transnational corruption cases.

## Clause 5 – Amendment of the Mutual Assistance in Criminal Matters Act, Chap.11:24

Mister Speaker, Clause 5 amends the Mutual Assistance in Criminal Matters Act, Chap.11:24 to enhance our framework for international cooperation in criminal matters, in line with FATF Recommendation 38 (Mutual Legal Assistance: Freezing and Confiscation).

Mister Speaker, the reforms broaden the scope of international cooperation in criminal matters by explicitly including seizure and freezing orders, clarifying procedures for enforcement and allowing cost recovery and sharing arrangements. They also relax the dual criminality requirement for non-coercive requests and strengthen the authority of the Central

Authority to provide related assistance without requiring supplemental requests.

Mister Speaker, the amendments to the Mutual Assistance in Criminal Matters Act strengthen Trinidad and Tobago's international cooperation framework in several important ways.

By expanding the definition of criminal proceedings to include seizure and freezing orders, the law ensures that broader asset preservation measures can be supported, directly aligning with FATF Recommendation 38.

The explicit inclusion of communication in cooperation provisions enhances the speed and efficiency of

exchanges supplementing Recommendation 40 (Other forms of international cooperation).

Mister Speaker, widening the scope of freezing, seizure, confiscation or forfeiture orders broadens the range of enforceable foreign orders and the relaxation of dual criminality requirements for non-coercive requests and authorisation for the Central Authority to provide related assistance without supplemental requests.

This removes barriers to cooperation reinforces compliance with Recommendations 37 and 38 (Mutual Assistance) and Recommendation 40 (Other forms of international cooperation).

Mister Speaker, the amendments to the Act additionally introduces asset-sharing and cost-sharing arrangements with foreign States, which heavily incentivises cooperation and ensures equitable burden-sharing allowance, along with reliance on foreign judicial findings without local investigation and extension to external seizure and freezing orders, thus streamlining enforcement in line with Recommendation 38.

Clause 6 – Amendment of the Proceeds of Crime Act, Chap. 11:27 (POCA)

Mister Speaker, Clause 6 amends the Proceeds of Crime Act, Chap. 11:27 to bring it fully in line with FATF requirements. The amendments significantly broaden

and modernize Trinidad and Tobago's anti-money laundering and asset recovery framework by expanding key definitions, strengthening confiscation and restraint order powers, criminalising dealings with criminal property, providing legal cover for undercover operations, enhancing supervisory authority obligations and updating the Financial Obligations Regulations to address new risks like virtual assets.

Mister Speaker, through this we are giving real legal teeth to our law enforcement agencies, including the courts, in the battle against crime.

Mister Speaker, with the amendment of the definition of "property" to include virtual assets, bearer instruments and natural resources and the replacement of "drug trafficking" with the wider concept of "criminal

conduct,” the law now captures all forms of illicit proceeds reinforcing FATF Recommendations 3 on money laundering offences and, 15 on new technologies.

Confiscation and restraint powers are strengthened giving courts and the Director of Public Prosecutions (DPP) flexibility to initiate, vary and enforce orders even when asset values change upholding the requirements of FATF Recommendation 4 to prioritise asset recovery.

Mister Speaker, law enforcement will now be empowered to use covert techniques such as undercover operations and controlled deliveries with

legal protection, bolstering investigative capacity as required in FATF Recommendation 31.

Supervisory authorities will be mandated to apply risk-based monitoring of financial institutions and listed businesses (FATF Recommendation 26) while the National Anti-Money Laundering Committee (NAMLC)'s duty of conducting and updating national risk assessments to guide coordinated responses to money laundering, terrorism financing and proliferation financing is enhanced to encourage a risk-based approach to identifying AML/CFT threats in line with FATF Recommendation 1.



Mister Speaker, the new Schedule to the Financial Obligations Regulations introduces a structured framework for classifying breaches (as Moderate, Serious, or Very Serious) and links the materiality of each contravention to corresponding administrative fines. It establishes a revenue-based methodology for listed businesses and an asset-size-based methodology for financial institutions, ensuring proportionality between the size of the entity, the gravity of the breach, and the penalty imposed.

Mister Speaker, together these reforms create a comprehensive and flexible framework that enhances asset recovery, improves financial transparency, strengthens regulatory oversight and equips law enforcement with robust investigative tools, thereby

closing substantial FATF-identified gaps and aligning the country's regime with international AML/CFT standards.

We are doing all that, within six (6) months of coming into office. By clarifying liability for compliance failures and broadening the scope of predicate offences, the legislative regime enhances deterrence and improves compliance with FATF Recommendation 35 on Sanctions, Recommendation 10 on Customer Due Diligence, Recommendation 18 on Internal Controls and Foreign Subsidiaries, and Recommendation 26 on Regulation and Supervision of Financial Institutions.

Clause 7 – Amendment of the Anti-Terrorism Act, Chap.

12:07

Mister Speaker, Clause 7 amends the Anti-Terrorism Act Chapter 12:07 to close gaps in our counter-terrorism financing regime and to give effect to a number of international conventions.

Mister Speaker, the amendments to the Anti-Terrorism Act and its Regulations greatly improves Trinidad and Tobago's counter-terrorism framework by expanding the definition of property, to include virtual assets and internationally protected persons thereby ensuring compliance with FATF Recommendation 5 on terrorist financing and Article 2 of the 1999 International

Convention for the Suppression of the Financing of Terrorism.

New offences, including the prohibition of unmarked plastic explosives and the acquisition of nuclear material reinforces Trinidad and Tobago's commitment to complying with Conventions such as the 1991 Convention on the Marking of Plastic Explosives and the 1980 Convention on the Physical Protection of Nuclear Material.

These amendments refine Trinidad and Tobago's international treaty obligations while reinforcing FATF Recommendations 5 and 7 on terrorist financing and targeted financial sanctions related to proliferation.

Mister Speaker, the strengthened asset-freezing and targeted sanctions regime covering erroneous listings, enhances the Attorney General's powers, immediate freezing and reporting duties for financial institutions and listed businesses and a tiered administrative fines framework. This brings the Act into alignment with FATF Recommendation 6 on targeted financial sanctions related to terrorism and terrorist financing.

Mister Speaker, the enhancement of provisions in the Act relating to due diligence and suspicious transaction reporting implement FATF Recommendations 10, and 20 while new investigative powers speaking to controlled delivery, undercover operations and ex-parte applications align with FATF Recommendations 29–31 on operational and law enforcement

requirements and Articles 19–20 of the UN Convention against Transnational Organized Crime (2000).

Mister Speaker, stronger penalties including life imprisonment and multimillion-dollar fines, ensures compliance with FATF Recommendation 35 on effective sanctioning measures.

Mister Speaker, collectively, these reforms close major legislative gaps, operationalize obligations under seven major UN counter-terrorism conventions and strengthen national security and international credibility through full alignment with the FATF standards.

Clause 8 – Amendment of the Police Service Act, Chap.  
15:01

Mister Speaker, Clause 8 amends the Police Service Act  
Chapter 15:01.

By inserting two new sections on the admissibility of  
evidence and relevant definitions in respect of  
controlled deliveries and undercover operations we are  
providing substantial support for the operationalisation  
of FATF Recommendation 31 which requires competent  
authorities to have the necessary investigative powers  
to combat money laundering and terrorist financing.

Mister Speaker, the strengthening of investigative  
powers of the Police Service against organised crime,  
provision of statutory backing for the use of controlled

deliveries and undercover operations and guaranteed admissibility of covert evidence, closing loopholes where such evidence might otherwise have been challenged as inadmissible aligns Trinidad and Tobago with FATF Recommendation 30 (use of special investigative techniques for money laundering/terrorist financing cases).

To this end, Mister Speaker, law enforcement can conduct covert operations against drug cartels, terrorist financiers, arms traffickers and money launderers with an assurance that resulting evidence will be admissible in court. This is expected to lead to more successful prosecutions of complex and high-level criminal cases. We are taking the fight to the criminal at every level.



Furthermore, evaluators always ask, can covert operations produce evidence that stands up in court? This clause answers firmly, yes. It strengthens our investigative tools, ensuring that criminal cases are not lost because evidence is inadmissible.

Clause 9 – Amendment of the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01

Mister Speaker, Clause 9 makes amendments to the FIUTT Act Chapter 72:01 to improve the effectiveness of the Financial Intelligence Unit as both a financial intelligence unit and supervisory authority tasked with strengthening AML/CFT/CPF (Anti-Money Laundering, Countering the Financing of Terrorism, and Countering Proliferation Financing) supervision.

Mister Speaker, the amendments to this Act seek to strengthen FIUTT's enforcement powers through oral directives, penalties and publication of fines, extend registration and renewal requirements for listed businesses and non-regulated financial institutions (NRFIs), empowers FIUTT to refuse or revoke registration for unfit or high-risk persons/entities, it expands supervisory cooperation and information-sharing with regulators and law enforcement, introduces risk-based monitoring requirements and power to demand financial statements, modernise publication and notification processes, extend AML/CFT/CPF compliance obligations to non-profit organisations (NPOs) and replace certain criminal penalties with administrative fines to streamline enforcement.

Mister Speaker, the amendments to the FIUTT Act aim to bring Trinidad and Tobago's legislation in direct harmonisation with the FATF definitions, standards and technical compliance requirements, mainly, FATF Recommendations 26 on regulation and supervision of financial institutions and Recommendation 29 financial intelligence units.

Mister Speaker, in essence, the FIUTT will operate more like a regulator in addition to acting in the capacity of an intelligence unit. Entities under its supervision will face higher compliance costs and obligations but the system will be far more robust against money laundering, terrorist financing, and proliferation financing risks.

Mister Speaker, FATF Immediate Outcome 6 focuses on the effectiveness of the FIU. This clause ensures our FIUTT is not a paper tiger but a strong, agile, and effective watchdog. Evaluators will look closely at FIU powers, and this legislation strengthens our hand considerably.

#### Clause 10 – Amendment of the Income Tax Act, Chap. 75:01

Mister Speaker, Clause 10 seeks to amend the Income Tax Act Chapter 75:01 to empower the Board of Inland Revenue with investigative powers necessary to detect and deter tax evasion. This is a significant development in our legal framework because, for the first time, the BIR will have explicit statutory authority to investigate tax-related offences rather than being confined to its

traditional role of assessing returns and collecting revenue.

Mister Speaker, this amendment authorises the BIR to investigate offences under the Income Tax Act and other offences that come to its attention, exercise all powers given under the Income Tax Act or other laws, take and record statements from taxpayers, employees, agents, or any relevant persons, require production of books, records, and documents and co-operate with law enforcement and competent authorities, subject to safeguards in section 4 of the Act.

With specific regard to tax crimes that are predicate offences for money laundering under FATF

Recommendation 3, the money laundering offence, will be addressed as this amendment ensures that Trinidad and Tobago can fully investigate and prosecute tax-related money laundering.

Furthermore, these amendments enhance evidence-gathering capacity in tax evasion and related financial crime cases, strengthens investigative reach and closes loopholes that allow offenders to withhold information. The amendments will also improve inter-agency coordination in tackling tax evasion, money laundering and terrorist financing.

Mister Speaker, in essence, tax evaders and those using tax structures to launder money or finance terrorism will now face greater risk of detection and

prosecution as the BIR will operate more like a law enforcement body in financial crime matters.

FATF Recommendations 3, 9 (financial institution secrecy laws), and 31 (powers of law enforcement and investigative authorities) make clear that countries must treat tax evasion as a serious financial crime and must empower competent authorities, including the tax authority, with adequate investigative powers.

In previous evaluations, Trinidad and Tobago was found lacking in this area, and Clause 10 directly addresses that deficiency. It ensures that when FATF examiners arrive for our 5th Round onsite mutual evaluation, we can demonstrate that our tax authority is not a passive

administrator but an active enforcer within the AML/CTF framework.

But Mister Speaker, the importance of this amendment goes beyond satisfying FATF's technical requirements. Tax evasion robs the State of much-needed revenue, undermines public confidence in the fairness of the tax system, and provides fertile ground for broader criminal schemes. Those who launder the proceeds of crime often disguise their activity through fraudulent filings, offshore arrangements, and shell companies that conceal taxable income. By empowering the BIR with investigative authority, we are equipping the State to protect the Treasury, reduce opportunities for abuse, and reinforce the integrity of our financial system. This amendment is essential not only to pass our mutual



evaluation but also to safeguard our economy and ensure that every citizen and business contributes fairly to national development.

Mister Speaker, we are aggressively seeking to protect the public purse an objective that every member of this Parliament should endorse today. I call on citizens to pay close attention to this debate, to see clearly where each of their elected representatives stands in the fight against crime.

Clause 11 – Amendment of the Companies Act, Chap.

81:01

Mister Speaker, Clause 11 amends the Companies Act Chapter 81:01 by enhancing beneficial ownership transparency and corporate accountability.

Mister Speaker, the reforms to the Companies Act focus on prohibiting nominee directors in order to prevent the misuse of nominee arrangements to conceal beneficial ownership, extending offences and compliance duties to external companies, expanding beneficial ownership disclosure and requiring timely access by competent authorities. For far too long, nominee directors and opaque ownership structures have allowed companies to be misused as fronts for money laundering, tax evasion, and corruption.

This clause prohibits the appointment of nominee directors and strengthens the annual return obligations for external companies.

Mister Speaker, these amendments align with FATF Recommendation 24 on beneficial ownership transparency and Recommendation 25 on legal persons. When effected amendments intend to improve transparency of corporate control and prevent the use of nominees from hiding beneficial owners consistent with the FATF Recommendations requirements.

Mister Speaker, this is one of the most critical areas of our upcoming 5th Round Mutual Evaluation.

Evaluators will question whether Trinidad and Tobago can identify the true natural persons behind legal entities, and Clause 11 allows us to answer with confidence. It ensures that competent authorities have timely access to accurate information, it closes dangerous loopholes, and it strengthens our ability to

prevent companies from being used as anonymous shells for illicit activity.

Clause 12 – Amendment of the Partnership Act, Chap.  
81:02

Mister Speaker, Clause 12 amends the Partnership Act Chapter 81:02 and introduces similar beneficial ownership requirements for partnerships. The amendments strengthen beneficial ownership transparency, revise the penalty regime and introduce a penalty waiver mechanism for partnerships.

Mister Speaker, Clause 12 seeks to insert more detailed beneficial ownership information required in registers and mandate that partnerships must provide beneficial

ownership information to competent authorities within thirty (30) days of request.

Furthermore, the penalties for late filing is reduced and capped, with the Minister empowered to amend and providing a Ministerial waiver power to allow amnesties for late filings.

Mister Speaker by the imposition of a statutory duty to disclose beneficial ownership information promptly upon request, we are giving enforcement agencies timely access and ensuring consistent alignment with the Proceeds of Crime Act definition of competent authorities, it strengthens transparency of partnerships and ensures investigative authorities can access beneficial ownership data quickly, closing a FATF-

identified gap under Recommendation 24 (transparency of legal persons and arrangements).

Furthermore, making penalties more proportionate and predictable ensures that partnerships face deterrence but not excessive financial burdens and provides flexibility by allowing the Minister to adjust penalties without amending the Act. The effect of these amendments encourages compliance while maintaining fairness supporting the FATF's principle of proportionate and dissuasive sanctions.

In practice, partnerships can no longer hide beneficial owners or indefinitely delay filings. By extending beneficial ownership obligations to partnerships, this Government is demonstrating that we are serious

about closing every possible loophole and ensuring that no legal entity can be exploited to hide the proceeds of crime.

The registry will be more accurate, enforcement agencies will have faster access to data and Trinidad and Tobago will be closer to compliance with FATF Recommendation 24.

Clause 13 – Amendment of the Registration of Business Names Act, Chap. 82:85

Mister Speaker, Clause 13 seeks to amend the Registration of Business Names Act Chapter 82:85

Mister Speaker, the amendments therein ensures that all businesses operating in Trinidad and Tobago are registered promptly, introduce stricter timelines,

clearer penalties and a new waiver mechanism for firms and individuals required to register business names. These amendments seek to further promote compliance and transparency in line with the FATF Recommendation 24 on beneficial ownership and legal persons.

Mister Speaker, while some may think this is an administrative matter, it is in fact a crucial reform for our anti-money laundering and counter-terrorist financing regime.

FATF standards make it clear that criminals often use small, informal business structures as fronts to launder illicit funds. By bringing sole traders and small enterprises firmly within the compliance net, Clause 13



ensures that competent authorities will have visibility into who is behind these businesses, and evaluators will see that Trinidad and Tobago has a risk-based framework that does not leave out any sector.

Clause 14 – Amendment of the Securities Act, Chap.  
83:02

Mister Speaker, Clause 14 amends the Securities Act Chapter 83:02 and strengthens oversight of registrants under the Securities Act. These amendments significantly enhance transparency, accountability and integrity within Trinidad and Tobago's securities sector.

The scope of beneficial ownership is broadened to capture indirect and ultimate control, robust financial

reporting obligations for registrants are introduced, proportionate sanctions for non-compliance is enforced and fit-and-proper tests are enhanced to exclude entities and individuals linked to terrorism financing, sanctions breaches or securities fraud.

Mister Speaker, these amendments additionally set timelines, auditing standards, qualifications for auditors and empowers the Trinidad and Tobago Securities and Exchange Commission (TTSEC) to act on deficient reports. The insertion of a Part IV(A) significantly strengthens financial transparency and accountability of all registrants.

It establishes clear statutory deadlines, imposes auditing standards and obligations for auditors to alert

TTSEC, gives TTSEC explicit enforcement powers in cases of deficiencies and provides regulators with continuous and comparable financial data for effective supervision.

This closes a FATF-identified gap in monitoring Designated Non-Financial Businesses and Professions (DNFBPs) and securities actors (FATF Recommendation 28). It ensures the TTSEC can identify risks earlier, intervene where registrants show financial weakness and hold both registrants and auditors accountable.

Mister Speaker, in addition to enhancing compliance monitoring necessary for FATF Recommendation 26 to ensure securities intermediaries are adequately supervised, collectively, these amendments advance

compliance with FATF Recommendations 10 on customer due diligence, 24 on transparency and beneficial ownership of legal persons, 25 on transparency and beneficial ownership of legal arrangements, 27 on powers of supervisors, and 35 on sanctions, bolstering the country's AML/CFT framework and aligning its securities regulation with global standards.

Clause 15 – Amendment of the Non-Profit Organisations Act, No. 7 of 2019

Mister Speaker, Clause 15 amends the Non-Profit Organisations Act No. 7 of 2019 and seeks to enhance transparency and compliance obligations for non-profit organisations (NPOs).

Mister Speaker, the amendments to the Non-Profit Organisations Act enhance the accountability and regulatory oversight of NPOs in Trinidad and Tobago. By requiring disclosure of branch information and beneficial ownership data, adjusting penalties to ensure fairness while maintaining deterrence, extending compliance duties to members and enabling ministerial discretion to waive penalties, the law aligns more closely with global AML/CFT standards.

These reforms strengthen compliance with FATF Recommendations 8 on non-profit organisations, 24 on transparency and beneficial ownership of legal persons, 25 on transparency and beneficial ownership of legal arrangements, and 35 on sanctions, mitigating risks of misuse of NPOs for money laundering or terrorist financing.

In the upcoming Mutual Evaluation on-site, evaluators will question whether Trinidad and Tobago have implemented proportionate measures to protect the sector while still enabling it to function effectively.

Clause 15 ensures exactly that balance: it provides regulators with the information they need to identify risks and act where there are concerns, while also giving legitimate charities and NGOs the space to continue their vital work. This is not only about compliance, but about protecting the integrity of our non-profit sector, which so many of our citizens rely upon.

Mister Speaker, I turn now to the Counter-Proliferation Financing Bill, 2025.

## **Introduction to the Counter-Proliferation Financing Bill, 2025**

Mister Speaker, the Counter-Proliferation Financing Bill, 2025, forms a critical pillar of Trinidad and Tobago's National Anti-Money Laundering/Counter Financing of Terrorism/Counter-Proliferation Financing Strategy.

Mister Speaker, the issue at hand is one which lies at the very heart of our national security, our international obligations, and the protection of our financial system: the urgent need for comprehensive risk-based legislation to counter proliferation financing.

For the benefit of the listening audience. Proliferation financing, is the act of providing funds or financial services that support a wide range of activities,

including the development, manufacture, acquisition, or spread of weapons of mass destruction and the systems that deliver them. This includes nuclear, chemical, and biological weapons — instruments so destructive that they threaten international peace, security and humanity itself.

Mister Speaker, we cannot underestimate this risk. Around the world, states and non-state actors have sought to acquire nuclear technology, chemical agents, and biological materials. To do so, they rely on financing -the oxygen without which proliferation cannot survive.

While direct involvement in proliferation financing is typically deliberate, regulated entities can inadvertently become enablers due to gaps in controls, insufficient



awareness, or inadequate compliance mechanisms. Indeed, we have seen around the world how front companies and trade transactions have been used to acquire dual-use goods (items with both civilian and military applications), which are later diverted to weapons programs. We have also seen funds moved across borders through seemingly ordinary transfers, only to be used to fuel activities that undermine international peace. In every case, financial systems were instrumental in enabling these transactions.

Mister Speaker, without robust legislation, our financial sector will remain vulnerable and capable of being exploited by those who recognize that vulnerability. It is therefore critical that we act with haste to ensure that we are not utilized as a conduit, which would

cause us to be exposed to reputational harm, financial exclusion, and even international sanctions.

Mister Speaker, the FATF has made our obligations clear.

FATF Recommendation 1 explicitly states, and I quote: “Countries should identify, assess, and understand the money laundering, terrorist financing and proliferation financing risks for the country, and should take action, including designating an authority or mechanism to coordinate actions to assess risks, and apply resources, aimed at ensuring the risks are mitigated effectively.”

Notably, this requires us to adopt a risk-based approach. This means that governments, supervisors, financial institutions, and listed businesses must

understand where they are vulnerable, and must apply enhanced measures where risks are higher. Legislation is the backbone of this risk-based approach. Without it, financial institutions/listed businesses lack clear authority, and regulators lack teeth.

Proposed legislation must therefore mandate risk assessments of proliferation financing threats, and empower regulators and financial institutions to apply enhanced due diligence in high-risk areas.

FATF Recommendation 7 provides, and I quote:

“Countries should implement targeted financial sanctions to comply with United Nations Security Council resolutions relating to the prevention,

suppression and disruption of proliferation of weapons of mass destruction and its financing.

These resolutions require countries to freeze without delay the funds or other assets of, and to ensure that no funds or other assets are made available, directly or indirectly, to or for the benefit of, any person or entity designated by, or under the authority of, the United Nations Security Council."

In other words, Mister Speaker, the creation of laws which prohibits any citizen, business, or financial institution from dealing with frozen assets in any way, is imperative.

There must be a prohibition on allowing anyone in our jurisdiction from making funds or assets available to such designated parties.

FATF Recommendations 1 and 7 provide us with a clear framework: identify and mitigate risks through a risk-based approach, and implement targeted financial sanctions without delay.

Mister Speaker, it is a fact that our current legal framework does not provide adequate provisions for supervision and enforcement. Notably, there are no legislative mechanisms to implement targeted financial sanctions under Recommendation 7 with the necessary speed and precision that is required. These gaps leave us exposed. They leave us vulnerable. And they leave us out of step with the international community.

There is therefore an urgent need for a comprehensive legal framework that implements the FATF

recommendations as it relates to counter-proliferation financing, thereby mitigating any associated risks and ensuring that this country can be found to be compliant under the FATF technical and effectiveness assessment.

Mister Speaker, before I move to examine the Bill on a clause-by-clause basis, I wish to advise Members that there is a list of amendments that I trust have been circulated by now that are very minor but relate to clauses 2, 3, 4, 5, 8, 12 and 13 of the Bill.

I now intend to examine the Bill, which contains 14 clauses, on a clause-by-clause basis.

## **Clause by Clause Examination of the Counter-Proliferation Financing Bill, 2025**

### Clause 1 – Short Title

Mister Speaker, Clause 1 of the Bill contains the Short Title of the Bill, which is cited as the “The Counter-Proliferation Financing Act, 2025.”

### Clause 2 – Interpretation

Mister Speaker, Clause 2 of the Bill contains the interpretation clause which identifies the reporting entities under the Act as being financial institutions (having the meaning assigned to it under section 2 of the Proceeds of Crime Act Chap 11:27) and listed

businesses (a business or profession listed under the First Schedule to the Proceeds of Crime Act).

It also defines the listed entities in respect of whom financial institutions and listed businesses are required to report, as being those individuals or entities in respect of whom a freezing order, relative to proliferation financing, has been made under the Economic Sanctions Act.

The Bill also identifies the Central Bank of Trinidad and Tobago (CBTT) as the Supervisory Authority in respect of financial institutions licensed under the Financial Institutions Act, Chap 84:01 and the Insurance Act, Chap 79:50, whereas the Trinidad and Tobago Securities Exchange Commission (TTSEC) will be charged with the Supervisory Authority function in



respect of persons registered under section 51(1) of the Securities Act, Chap 83:02.

In addition, the FIUTT will be the Supervisory Authority in respect of listed businesses and financial institutions registered as non-regulated financial institutions under the Financial Intelligence Unit of Trinidad and Tobago (FIUTT) Act, Chap 72:01. These Supervisory Authorities will be charged with supervision of those entities within its remit as well as compliance with the Act, generally.

### Clause 3 – Reporting Obligation

Mister Speaker, Clause 3 of the Bill places an obligation on financial institutions and listed businesses, upon being notified of the list of listed entities, to immediately inform the FIUTT whether a listed entity

has property in the financial institution or business, whether any transaction is being conducted involving property owned or controlled by a listed entity or whether the financial institution or listed business has funds or other assets of persons acting on behalf of the listed entity.

By this clause, the financial institutions and listed businesses will also be obligated to submit a suspicious activity report in instances where a listed entity or person acting on its behalf attempts to enter or continue a business relationship with those institutions/businesses and shall be barred from entering/continuing same.

Mister Speaker, this clause operationalises the requirement under FATF Recommendation 7, which

demands that targeted financial sanctions be implemented “without delay.” In FATF language, that means action must be taken within hours of notification, not weeks.

Mr. Speaker, this provision ensures that we meet that test, and that no sanctioned individual or entity can move funds through our financial system once they are listed.

#### Clause 4 – Additional Obligations

Mister Speaker, Clause 4 of the Bill requires financial institutions and listed businesses to keep and retain records pursuant to Regulations under the Act. This clause also imposes an obligation on financial

institutions and listed businesses to file suspicious activity reports with the FIUTT where there are reasonable grounds to believe that property within the institutions/businesses belong to or are derived or generated from property owned or controlled by a listed entity or a person acting on its behalf.

The clause further goes on to impose additional obligations on financial institutions and listed businesses to the extent that they must pay special attention to and report complex, unusual or large transactions with no apparent economic or visible legal purpose.

Those financial institutions/listed businesses will also be required to develop and maintain written compliance

programmes and otherwise monitor compliance with the Regulations made under section 13.

The clause also creates a duty of confidentiality in respect of any suspicious activity or suspicious transaction report, breach of which will constitute an offence. This duty shall apply to both the Director and staff of the FIUTT as well as persons within the financial institutions and listed businesses. Any person found in breach thereof, will be liable on summary conviction to a fine of Five Million dollars and to imprisonment for five years. Mister Speaker, we are not making joke in the fight against crime.

Mister Speaker, this clause goes to the heart of FATF Recommendation 11 (Record Keeping) and Recommendation 20 (Suspicious Transaction

Reporting). It recognises that strong paper trails and confidentiality are essential to effective investigations.

Mister Speaker, FATF assessors will look closely at how records are kept, whether suspicious activity is properly reported, and whether staff are trained to avoid tipping off offenders.

Clause 5 – Report of suspicious activity or transaction

Mister Speaker, Clause 5 of the Bill requires a financial institution or listed business that has reasonable grounds to suspect that property which it holds has been frozen pursuant to any written law implementing the FATF recommendations, to make a suspicious activity or suspicious transaction report immediately to the FIUTT. This clause also confers the staff of those

institutions/businesses with protection from criminal, civil or administrative liability where reports are made in good faith.

Mister Speaker, this provision is essential because it encourages institutions to act quickly and decisively, without fear of reprisal. It ensures that the FIUTT gets timely intelligence, and it aligns us with international best practice. As FATF has said, delays in reporting can mean the difference between freezing illicit funds and losing them to another jurisdiction.

Clause 6 – Requirement for Supervisory Authority to monitor

Mister Speaker, Clause 6 of the Bill mandates the Supervisory Authorities (i.e. the CBTT, TTSEC and

FIUTT) to monitor the financial institutions and listed businesses under its supervision and to take necessary measures on a risk sensitive basis to ensure compliance with the Act or any other written law which implements FATF recommendations as it relates to counter proliferation financing.

Mister Speaker, this is in keeping with FATF Recommendation 26 and 27, which call for robust supervision of financial institutions and powers for supervisors to enforce compliance. Without this clause, the law would be toothless; with it, we ensure that our Supervisory Authorities can take proactive, risk-based action.



## Clause 7 – Supervisory Authority to disseminate information

Mister Speaker, Clause 7 of the Bill authorizes the Supervisory Authorities to disseminate the findings of any national, sectoral or thematic assessment of proliferation financing risks to the relevant financial institutions and listed businesses under its supervision.

Mister Speaker, this means that banks, insurance companies, and other listed businesses will be able to understand the risks identified at the national level and tailor their compliance accordingly.

This provision operationalises the FATF's call for a risk-based approach under Recommendation 1.

It ensures that risk assessments do not sit on shelves collecting dust but are actively used by industry players to strengthen controls.

## Clause 8– Authority to enter premises

Clause 8 of the Bill permits the Supervisory Authorities to enter the premises of financial institutions and listed businesses under their supervision during working hours in order to:

- examine business transaction records and client information records and ask any question in relation thereto;
- determine whether there has been implementation of policies and programmes required to ensure

compliance with the Act or with any other law by which the FATF recommendations have been implemented;

- determine whether there is compliance with the Act and Regulations or any other written law by which the FATF recommendations as it relates to counter proliferation financing have been implemented.

In instances where the Supervisory Authority is the FIUTT, the FIUTT must obtain the consent of the owner or the occupier of the premises for the entry. Where the entity supervised by the FIUTT refuses to give consent, a police officer above the rank of sergeant may apply for a warrant to enter the premises accompanied by an officer of the FIUTT.

The Bill does not require the CBTT or the TTSEC to obtain consent for the purposes of entry as this consent already exists under its primary legal framework.

## Clause 9 – Compliance Programme

Mister Speaker, Clause 9 of the Bill mandates financial institutions and listed businesses to develop and implement policies and programmes on a risk-sensitive basis for the purpose of managing and mitigating proliferation financing risks and ensure compliance with the Act and any other written law by which the FATF recommendations as it relates to counter proliferation financing have been implemented. These policies and programmes must be approved by senior management of the relevant institution or business.

Mister Speaker, the FATF stresses in Recommendation 18 that senior management involvement is critical. If compliance is not embedded in the culture of the institution, then controls are ineffective. This clause ensures accountability at the highest level of management.

#### Clause 10 – Confidentiality

This Clause imposes a duty of confidentiality on the Supervisory Authorities not to disclose any information or documents which it has obtained in the course of its duties as Supervisory Authorities.

## Clause 11 – Breach of Confidentiality

Mister Speaker, Clause 11 of the Bill seeks to create an offence for the breach of confidentiality in clause 10, with a penalty on summary conviction of a fine of Two Hundred and Fifty thousand Dollars (\$250,000) and to imprisonment for three (3) years.

Mister Speaker, this provision ensures the integrity of the system, deters misconduct, and reassures our international partners that sensitive data will not be compromised.

## Clause 12 – Offences and Penalties

Mister Speaker, this clause seeks to impose penalties for breaches of the obligations contained clause 5 and

9 of the Bill and in respect of a breach of the Regulations made thereunder. The penalties are set at, on summary conviction, fines up to \$2 million and 2 years' imprisonment and, on indictment, fines up to \$5 million and 7 years' imprisonment.

Mister Speaker, this clause also introduces Administrative Monetary Fines of up to \$1.75 million, giving Supervisory Authorities the power to enforce compliance directly, without lengthy court proceedings. This is exactly what FATF requires under Recommendation 35—sanctions that are proportionate, dissuasive, and effective.

Mr. Speaker, this is the kind of enforcement power that international assessors will expect to see in place before our 2026 on-site evaluation.

### Clause 13 – Regulations

Clause 13 of the Bill empowers the Minister of Finance to make Regulations, subject to negative resolution, for the purpose of giving effect to the Act and is a usual element of modern Bills.

### Clause 14 – Consequential Amendments to the Economic Sanctions Act

Clause 14 seeks to make consequential amendments to the Economic Sanctions Act Chap 81:05, to impose a



duty on the Attorney General to maintain lists of listed entities and individuals that are made in accordance with that Act.

## **Conclusion**

Mister Speaker, these two Bills are an indispensable legislative package that will immensely aid our nation's ongoing efforts to protect our financial system and reputation on the international stage. The breadth of these reforms underscores one fundamental truth: financial crime is not confined to banks or to traditional institutions. It extends to lawyers who may set up trusts, accountants who may form partnerships, non-profit organisations that may be misused to channel funds, securities dealers, money service providers, and even external companies seeking to take advantage of

regulatory gaps. Taken together, these two Bills directly target the core weaknesses identified by the FATF.

Mister Speaker, allow me to emphasize again the urgency of this moment. The 5th Round Mutual Evaluation will not be satisfied with laws on the books; it will ask probing questions: Are these laws being enforced? Are suspicious transaction reports being filed and acted upon? Are beneficial ownership registries accurate and accessible to competent authorities? Are prosecutors and judges using these tools to obtain convictions? Have we addressed Counter-Proliferation Financing adequately? Have we addressed Virtual Asset Service Providers?

Mister Speaker, FATF's methodology makes this clear one thing very clear: "Countries must not only

establish the necessary framework but must demonstrate that the framework is producing results in practice.”

These Bills therefore lay the legislative foundation for effective implementation and shows our prospective evaluators that Trinidad and Tobago is serious about closing compliance gaps.

Mister Speaker, this is not just about FATF. It is about our people. Corruption, money laundering, and terrorist financing rob citizens of opportunities, distort markets, and undermine the delivery of public services. When corrupt officials embezzle funds or when criminal enterprises launder the proceeds of drug trafficking, it is ordinary citizens who suffer, through reduced social

services, higher costs of doing business, and diminished confidence in institutions.

These Bills, by criminalizing the deprivation of State revenue, by strengthening anti-corruption measures, and by enhancing financial transparency, strikes directly at those who would rob the public purse.

Mister Speaker, these Bills are not simply a compliance exercise; it is a national security imperative, an economic safeguard, and a statement of our values.

By passing them, we affirm that Trinidad and Tobago will not be a haven for dirty money, that we will not allow our financial system to be abused, and that we are committed to transparency, accountability, and good governance. We send a clear message to our

international partners that we are a credible, trustworthy jurisdiction.

We send a message to our citizens that we are protecting their economy and their future. And we send a message to the FATF evaluators that Trinidad and Tobago takes its obligations seriously and is ready to demonstrate effectiveness.

Mister Speaker, in closing, I wish to say this: the passage of each one of these Bills are not the end of the journey; it is the foundation upon which we must build effective implementation, rigorous supervision, and decisive enforcement. But it is a critical foundation. Without it, our evaluation would be doomed to failure. With it, we have the legislative tools necessary to show

progress, to demonstrate compliance, and to secure our nation's financial future.

I therefore urge all Members of this Honourable House to support these Bills in the national interest, so that Trinidad and Tobago can meet the standards of the FATF, succeed in our upcoming 5th Round Mutual Evaluation, and take our rightful place as a model of integrity and compliance in the Caribbean region.

Mister Speaker, I beg to move.