

**Regulations of Anguilla: 6/2023**

Gazette Dated: 19<sup>th</sup> April, 2023

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COMMERCIAL REGISTRY AND BENEFICIAL OWNERSHIP REGISTRATION SYSTEM ACT, 2022

**COMMERCIAL REGISTRY AND BENEFICIAL OWNERSHIP REGISTRATION SYSTEM  
(AMENDMENT) REGULATIONS, 2023**

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Regulations made by the Governor under section 50 of the Commercial Registry and Beneficial Ownership Registration System Act, 2022 (R.A. 48/2022).

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**Interpretation**

1. In these Regulations, “Regulations” means the Commercial Registry and Beneficial Ownership Registration System Regulations, 2022.

**Amendment of section 7**

2. The Regulations are amended in section 7(b), by deleting “protected cell companies” and substituting “segregated portfolio companies”.

**Amendment of section 21**

3. The Regulations are amended in section 21 by deleting “section 17(2)(d)” in subsection (1) and subsection (2) and substituting “section 17(1)(d)”.

**Deletion and substitution of section 24**

4. The Regulations are amended by deleting 24 and substituting the following—

**“Segregated portfolio companies**

24. A person is a beneficial owner of a segregated portfolio company if paragraph (a), (b), (c), (d) or (e) of section 17(1) of the Act apply to the person with respect to—

- (a) a segregated portfolio account of the segregated portfolio company; or
- (b) the general account of the segregated portfolio company.”.

**Amendment of section 26**

5. The Regulations are amended in section 26—

(a) by deleting subsection (3) and substituting the following—

“(3) The prescribed beneficial ownership information with respect to an Anguilla company or a foreign listed company that is a registrable person comprises—

- (a) the full name of the Anguilla company or foreign listed company;
- (b) in the case of an Anguilla company—
  - (i) its company number,
  - (ii) the date of its incorporation, formation, continuation, consolidation or registration,
  - (iii) the legal form of the company and the law under which it is incorporated or formed,
  - (iv) the address of its registered office;
- (c) in the case of a foreign listed company—
  - (i) the country in which it is incorporated, formed or otherwise constituted,
  - (ii) the date on which it was incorporated, formed or otherwise constituted,

- (iii) its legal form and the law under which it is incorporated, formed or otherwise constituted,
  - (iv) its registration number, if applicable,
  - (v) the address of its registered office, or equivalent;
  - (d) in the case of an Anguilla company or a foreign listed company—
    - (i) the criteria specified in paragraphs (a) to (e) of section 17(2) of the Act that apply to the company or foreign listed company, and
    - (ii) the date on which the company or foreign listed company became or ceased to be a registrable person in relation to the company in question; and
  - (e) in the case of a listed company or a foreign listed company, the exchange on which the company's shares are listed.”; and
- (b) in subsection (4)(d)(i), by deleting “foreign listed company”.

**Insertion of section 26A**

6. The Regulations are amended by inserting the following section after section 26

**“Period for filing notice under section 26(2)**

**26A.** A company shall file notice of change in registrable persons or prescribed beneficial ownership information with respect to a registrable person under section 26(2) of the Act within 21 days of the company first becoming aware of the change.”

**Amendment of section 28**

7. The Regulations are amended in section 28(1) by inserting “whether the beneficial ownership information was inaccurate when filed or has subsequently changed”, after “information that it has filed.”.

**Amendment of section 35**

8. The Regulations are amended in section 35 by deleting “1 September 2022” and substituting “31 May 2023”.

**Citation**

9. These Regulations may be cited as the Commercial Registry and Beneficial Ownership Registration System (Amendment) Regulations, 2023.

Made by the Governor in Council this 18 day of April, 2023.

  
Dileem Daniel-Selvaratnam  
GOVERNOR OF ANGUILLA