



ANGUILLA

A BILL FOR

**COMMERCIAL REGISTRY AND BENEFICIAL OWNERSHIP  
REGISTRATION SYSTEM (AMENDMENT) ACT, 2025**

Published by Authority

**COMMERCIAL REGISTRY AND BENEFICIAL OWNERSHIP REGISTRATION  
SYSTEM (AMENDMENT) ACT, 2025**

**TABLE OF CONTENTS**

**SECTION**

1. Interpretation
2. Amendment of section 1
3. Amendment of section 26
4. Amendment of section 28
5. Amendment of section 29
6. Deletion and substitution of section 30
7. Amendment of section 31
8. Amendment of section 32
9. Amendment of section 33
10. Amendment of section 34
11. Amendment of section 35
12. Citation

I Assent

Governor

\_\_\_\_\_  
Date

ANGUILLA

No. /2025

**COMMERCIAL REGISTRY AND BENEFICIAL OWNERSHIP REGISTRATION  
SYSTEM (AMENDMENT) ACT, 2025**

[Gazette Date: , 2025] [Commencement: Assent under section 57 of the Constitution]

An Act to amend the Commercial Registry and Beneficial Ownership Registration System Act, 2022.

Enacted by the Legislature of Anguilla

**PART 1**

**GENERAL PROVISIONS**

**Interpretation**

**1.** In this Act, “Act” means the Commercial Registry and Beneficial Ownership Registration System Act, 2022.

**Amendment of section 1**

**2.** The Act is amended in section 1, by inserting the following definitions in the appropriate alphabetical order—

““legitimate interest” means an interest in inspecting information in the Beneficial Ownership Register that meets the prescribed criteria;

“senior managing official” means the chief executive officer of an Anguilla company, or equivalent by whatever name called, or if the company does not have a chief executive officer or equivalent, a director of the company;”.

**Amendment of section 26**

**3.** The Act is amended in section 26—

(a) in subsection (1), by deleting paragraph (b) and substituting the following—

“(b) stating that there are no registrable persons in relation to the company, identifying the senior managing official of the company as the contact person for the company and setting out the prescribed beneficial ownership information with respect to the senior managing official of the company.”; and

(b) by inserting the following after subsection (1)—

“(1A) If an Anguilla company does not have a registrable person, subsections (2), (3) and (4) and sections 28 to 35 apply, with such modifications as are appropriate, to and with respect to, the individual identified as the senior managing officer of the company, as if the individual was a registrable person.”.

#### **Amendment of section 28**

4. The Act is amended in section 28—

(a) in subsection (1)—

(i) in paragraph (b), by inserting “and” after the semicolon;

(ii) by deleting paragraph (c) and substituting the following—

“(c) except where there is an applicable prohibition against disclosure under section 30, a person, in or outside Anguilla, who the Commission has determined has a legitimate interest in inspecting the information on the Beneficial Ownership Register.”; and

(iii) by deleting paragraph (d); and

(b) in subsection (3)—

(i) in paragraphs (a)(i) and (b)(i), by deleting “qualifying” in each place that it occurs; and

(ii) by deleting paragraph (d).

#### **Amendment of section 29**

5. The Act is amended in section 29—

(a) in subsection (1)—

(i) by deleting the chapeau and substituting the following—

“(1) Application may be made to the Commission to prohibit the disclosure of information specified in section 28(2)(a) with respect to an individual who is a registrable person or information specified in one or more subparagraphs of section 28(2)(a), to any member of the public on the grounds that—”

(ii) in paragraph (b)—

(A) by deleting the chapeau and substituting the following—

“(b) the disclosure of the information relating to the registrable person and the association of the registrable person with the Anguilla company, would expose the registrable person or an individual living in the same household as the registrable person to the serious risk of—”;

(B) in subparagraph (viii), by deleting “harm” and substituting “serious harm”; and

(b) by inserting the following subsection after subsection (2)—

“(2A) An application under subsection (1) must be accompanied by the evidence which supports the application.”; and

(c) in subsection (3), by deleting “Registrar” in both places it occurs and substituting “Commission”.

### **Deletion and substitution of section 30**

6. The Act is amended by deleting section 30 and substituting the following—

#### **“Determination of application to prohibit disclosure of information in the Beneficial Ownership Register**

**30.** (1) The Commission must not grant an application to prohibit disclosure of information in the Beneficial Ownership Register relating to a registrable person unless, on a detailed evaluation of the circumstances, the Commission is satisfied that there are reasonable grounds for believing that the registrable person or an individual living in the same household as the registrable person would be at serious risk of one or more of the harms specified in section 29(1)(b).

(2) For the purpose of determining an application made under section 29(1), the Commission may—

- (a) direct the applicant to provide it with additional information or evidence;
- (b) refer any question relating to an assessment of the nature or extent of any serious risk of one or more the harms specified in section 29(1)(b) to—
  - (i) the FIU;
  - (ii) a law enforcement authority in Anguilla;
  - (iii) any other person or body, in or outside Anguilla, that the Commission considers may be able to assist in making the assessment; and
- (c) accept any answer to a question referred under paragraph (b) as providing sufficient evidence of the nature or extent of any serious risk of a harm specified in section 29(1)(b).

(3) The Commission must within 7 days after determining an application under section 29, send notice of its decision to the—

- (a) individual who made the application; or
  - (b) Anguilla company that made the application on the individual's behalf.
- (4) If the application to prohibit disclosure is not granted the Commission must, in the decision notice—
- (a) give reasons for the refusal to grant the application;
  - (b) inform the individual or Anguilla company of their right to apply for permission to appeal against the determination within the period specified in section 34.
- (5) The Registrar must not, during the period between the date that on which the Commission receives an application under section 29(1) and the date on which it determines the application, disclose to any member of the public the information in the Beneficial Ownership Register which is the subject of the application.”

#### **Amendment of section 31**

7. The Act is amended in section 31—
- (a) by deleting the section heading and substituting “Commission not to disclose details concerning application to prohibit disclosure”; and
  - (b) by deleting the chapeau and substituting the following—  
“If an application is made to the Commission under section 29(1), the Commission must not disclose to any member of the public—”

#### **Amendment of section 32**

8. The Act is amended in section 32—
- (a) by deleting “Registrar” in each place that it occurs and substituting “Commission”; and
  - (b) by deleting “Registrar’s” in each place that it occurs and substituting “Commission’s”.

#### **Amendment of section 33**

9. The Act is amended in section 33—
- (a) by deleting subsection (1) and substituting the following—  
“(1) The Commission may revoke a determination made under section 30 if the Commission—
    - (a) is satisfied that the individual to whom the determination relates—
      - (i) is serving, or has served, a sentence of imprisonment (by whatever name called) exceeding five years which was imposed by a court of competent jurisdiction in any country or substituted for some other sentence imposed by such a court;

- (ii) is convicted, or has been convicted, by a court of competent jurisdiction in any country of an offence involving dishonesty; or
- (iii) is subject, or has been subjected, to any United Kingdom sanctions extended to Anguilla; or
- (b) becomes aware of information that, if known to the Commission at the time of the determination of the application, would have resulted in the application being refused.” and
- (b) by deleting “Registrar” in each place that it occurs in subsections (2), (3) and (4), and substituting “Commission”;
- (c) by deleting “Registrar’s” in subsection (2)(a), and substituting “Commission’s”.
- (d) by inserting the following subsection after subsection (4)—
  - “(5) If the Commission decides to revoke a determination made under section 30, the Commission must—
    - (a) provide the individual to whom the determination relates with reasons for the decision in writing; and
    - (b) the information in the Beneficial Ownership Register to which the revoked determination relates, shall be available for inspection by members of the public with a legitimate interest in accordance with this Act and the Regulations.”.

#### **Amendment of section 34**

**10.** The Act is amended in section 34—

- (a) by deleting “Registrar” wherever it appears in the section, including in the section heading, and substituting “Commission”;
- (b) by deleting “Registrar’s” wherever it appears in the section and substituting “Commission’s”; and
- (c) by inserting the following after subsection (5)—

“(6) The lodging of an appeal under this section against a determination of the Commission does not operate as a stay of that determination unless the Court orders otherwise.”.

#### **Amendment of section 35**

**11.** The Act is amended in section 35—

- (a) in the section heading, by deleting “Registrar” and substituting “Commission”; and
- (b) by deleting “the Registrar makes a non-disclosure determination with respect to” and substituting “the Commission prohibits the disclosure of”.

**Citation**

**12.** This act may be cited as the Commercial Registry and Beneficial Ownership Registration System (Amendment) Act, 2025.

---