



Guide to Anti-Money Laundering Services Provider Application Process

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Glossary

<i>AML/CFT/CPF Handbook</i>	Handbook for the prevention and detection of money laundering, the countering of terrorist financing, and the countering of proliferation financing. May also be referred to as “the Handbook” or “this Handbook”.
AMLSP	Anti Money Laundering Services Provider
AMLSP MLCO	AMLSP Direct Customer MLCOs
Article 9A (4) Notice	A Notice Issued under Article 9A (4) of the Money Laundering Order.

Article 10 Notice	A Notice issued under Article 10 of the Money Laundering Order.
FSJ Law	Financial Services (Jersey) Law 1998
Guidelines	Means guidelines issued by the JFSC on the interpretation of any provision in Schedule 2, including any expression used in Schedule 2 in accordance with Article 36 (2) of the <i>Proceeds of Crime Law</i> .
JFSC	Jersey Financial Services Commission
Legal Arrangement	<p>For the purposes of this guidance only, this term applies to arrangements or other structures that must act through another person and where those persons are therefore required to make applications through the legal arrangements application form. These categories include:</p> <ul style="list-style-type: none"> • General Partner of a Limited Partnership • Protected Cell Company of a Protected Cell • Manager of a Limited Liability Company • Member of a Limited Liability Company • General Partner of an Incorporate Limited Partnership • General Partner of a Separate Limited Partnership • Partner of a Limited Liability Partnership • Member of a Council of a Foundation
Money Laundering Order	Money Laundering (Jersey) Order 2008
Proceeds of Crime Law	Proceeds of Crime (Jersey) Law 1999
Supervisory Bodies Law	Proceeds of Crime (Supervisory Bodies) (Jersey) Law 2008
Schedule 2	Schedule 2 of the Proceeds of Crime Law
Schedule 2 business	Has the meaning given in Article 1 of the Supervisory Bodies Law
Schedule 2 business FAQs	<p>The Frequently Asked Questions published by the JFSC in relation to Schedule 2 business.</p> <p>https://www.jerseyfsc.org/industry/schedule-2-business-faqs/</p>

1 Background and Overview

- 1.1 This guidance document relates to the Anti Money Laundering Services Provider (the AMLSP) introduced by amendments to the Money Laundering (Jersey) Order 2008 (the Money Laundering Order) on 30 January 2023. This guidance is for persons wanting to be an AMLSP and persons who want to use an AMLSP.
- 1.2 Where a regulated service provider holds the requisite class of business under the Financial Services (Jersey) Law 1998 they can provide AMLSP services to the businesses that need to register with the JFSC as Schedule 2 businesses.
- 1.3 The AMLSP application process has been created to assist those persons in streamlining processes and avoid duplication of activities within Industry. Appointed AMLSPs can apply on behalf of their customers for registration as a Schedule 2 business. The AMLSP will, amongst other matters manage the appointment of key persons to those customers. The AMLSP will need to apply to the JFSC giving details of the individuals who it is proposing will act as key persons to its AMLSP customers.
- 1.4 For the avoidance of doubt an AMLSP may be used for persons who wish to undertake Schedule 2 business or already undertake Schedule 2 business, provided that they meet the eligibility criteria to appoint an AMLSP.

2 Guidance

- 2.1 It is the responsibility of each person to determine whether their activities or operations, or the activities of the Legal Arrangement they act as governing body for, are activities and operations that are Schedule 2 business for which they need to register under the Supervisory Bodies Law.
- 2.2 Further guidance regarding whether your business may be in scope of Schedule 2 can be found in the [Guidelines on interpretation of Article 36 of the Proceeds of Crime \(Jersey\) Law 1999 — Jersey Financial Services Commission](#). You may also find the [Schedule 2 business FAQs](#) of some assistance.
- 2.3 Eligibility criteria for an FSB/TCB to be an AMLSP and those persons who are eligible to use the services of an AMLSP are set out in the [Notice issued under Article 9A \(4\) of the Money Laundering \(Jersey\) order 2008 \(April 2023\)](#). For an AMLSP to be used there is a 2-part process:
 - 2.3.1 Part 1: If any FSB or TCB wants to act as an AMLSP and meets the eligibility criteria it will need to submit the information required in the AMLSP Key Person application form and obtain a no objection from the JFSC to the key persons it is proposing be appointed to the customers using its AMLSP services; and

- 2.3.2 Part 2: the AMLSP will also be required to submit an AMLSP Legal Person or Legal Arrangement application form including details of all its customers who meet the eligibility requirements and want to use the AMLSP to fulfil their AML/CFT/CPF obligations.
- 2.4 No fee is currently payable in relation to the AMLSP Key Person Application. Fees will be payable for those persons conducting Schedule 2 activities or operations needing to register under the Supervisory Bodies Law. There is a discount for persons seeking to register as a Schedule 2 business via their AMLSP. Follow this link to the relevant fees notice: [fee notice](#)
- 2.5 A critical feature of the AMLSP regime is that while the fulfilment of AML/CFT/CPF obligations will be performed by the AMLSP on behalf of its Schedule 2 business customers the relevant person cannot delegate its responsibilities as a Schedule 2 business. It is for the relevant person's board of directors (or equivalent) to consider and decide whether to appoint an AMLSP or how else it is going to meet its AML/CFT/CPF obligations. A relevant person may decide to undertake its own AML/CFT/CPF compliance activities or outsource some activities.

3 Application process – Before you begin.

- 3.1 Any FSB or TCB that meets the requirements set out in the [Notice Issued under Article 9A \(4\) of the Money Laundering \(Jersey\) Order 2008 \(April 2023\)](#) may choose to become an AMLSP and complete the [AMLSP Key Person application form](#).
- 3.2 The [AMLSP Legal Person or Legal Arrangement application form](#) must be completed by the AMLSP on behalf of their customers conducting Schedule 2 business who have appointed the AMLSP to provide AMLSP services.
- 3.3 Both application forms (collectively the **AMLSP application forms**) should be submitted via the myJFSC Portal
- 3.4 The board, or equivalent of the AMLSP has ultimate responsibility for oversight of the content of any submission made on their behalf.
- 3.5 The JFSC may periodically require the AMLSP to provide additional information in the course of its AMLSP activities and it is therefore recommended that the AMLSP implements relevant reporting processes for this type of information.
- 3.6 Where the AMLSP feels it necessary to provide additional data to enable the JFSC to understand the response, this information should also be provided via the chat function or attached as a document within the application.
- 3.7 All relevant parts of the application form should be completed, and the AMLSP must ensure that persons named in the forms are provided with the declaration requirements at the end of the forms.
- 3.8 This declaration indicates that the Applicant and the persons named in the application forms, acknowledge that the JFSC may seek to verify the information provided in the application forms including answers relating to fitness and propriety and that the JFSC has the authority to request information relating to Police records including, but not limited to, details of convictions (spent and unspent).
- 3.9 Before proceeding further with the steps set out below, the following should be read:
 - 3.9.1 [Notice: Issued under Article 9A \(4\) of the Money Laundering Order](#); and
 - 3.9.2 [Notice: Issued under Article 10 of the Money Laundering Order](#)

4 AMLSP Application steps

Step 1. AMLSP Key Person Application - Key Person details

- 4.1 The AMLSP will need to provide a list of individuals that may be appointed as AMLSP Direct Customer MLCOs and AMLSP Direct Customer MLROs.
- 4.2 The JFSC has established criteria in the [Article 9A \(4\) Notice \(B\)](#) for persons who may be an AMLSP MLCO and/or AMLSP MLROs (AMLSP MLRO). The AMLSP must list individuals who it proposes to fulfil those roles in the AMLSP Key Person Application Workbook.
- 4.3 The Applicant can provide details of more than one individual to fulfil the AMLSP MLCO and AMLSP MLRO roles using the appropriate fields in the form.
- 4.4 The Applicant is responsible for determining the eligibility of the individuals who may be the AMLSP MLCO and AMLSP MLRO. The Handbook at sections 18.2.3 and 18.2.4 sets out the JFSC's expectations regarding individuals the AMLSP appoints as AMLSP MLCO and MLRO.
- 4.5 Article 11(1)(d) of the Money Laundering Order requires a relevant person to maintain appropriate and consistent policies and procedures relating to screening of employees and under Section 9.2 paragraph 8 of the Handbook, employees should be screened prior to onboarding and where there is a subsequent significant change in an employee's role.
- 4.6 On receipt of the AMLSP Key Person application form, the JFSC will consider whether each individual is fit and proper in accordance with Article 14(4) of the Supervisory Bodies Law and may verify the information provided about each individual.
- 4.7 No individual shall become an AMLSP MLCOs and AMLSP MLROs unless:
 - 4.7.1 their name has been notified to the JFSC by the AMLSP.
 - 4.7.2 the JFSC has notified the AMLSP in writing that they have no objection to those individuals as listed in the AMLSP Key Person application form being an AMLSP MLCO and/or an AMLSP MLRO.
 - 4.7.3 The JFSC may refuse to provide a no objection to an individual if the JFSC is not satisfied that the person is fit and proper to hold the position of AMLSP MLCO and/or an AMLSP MLRO.
- 4.8 Where an AMLSP Key Person application form contains a list of more than one individual to be AMLSP MLCO and/or a AMLSP MLRO the no objection may relate to one or more of them.
- 4.9 Where the JFSC is not satisfied that the individual is fit and proper in accordance with Article 14 (4) the Supervisory Bodies Law the JFSC will contact that individual directly.
- 4.10 The process for filling out the application form is set out below:
 1. Under the Entity page, on the dropdown list under "Applications," please choose the "AMLSP Key Person application."
 2. On this page, enter in the names, date of birth, address and other necessary personal details of all individuals applying to be AMLSP MLRO and AMLSP MLCO for all underlying entities and arrangements that utilise the AMLSP. The form will list all entities with the relevant licenses to act as AMLSP in an Applicant's group.
 3. Once all persons who are applying for Key Person roles have been added, press "Continue" to reach the second page.

4. Confirm the Data protection and Declaration tick boxes. At this point, should you be named as the Authorised Signatory of the entity, you should see the “Submit” button. If you encounter any difficulties here, please speak to your entity’s Portal Administrator, who will be able to set you up as an Authorised Signatory. If issues persist, contact our Regulatory Maintenance Team who can assist with any portal issues.
5. Once the form is submitted via the portal, a member of the Authorisations Team will be able to process this. Should they or yourself have any comments or queries relating to the application, please ensure to utilise the Chat Function on the portal. This is available for each submitted form and can be seen in the speech bubble icon next to each submitted application.

Step 2 AMLSP Legal Person application form & Legal Arrangement application form

- 4.11 Following the initial workbooks provided in 2023 for the Anti-Money Laundering Service Provider (AMLSP) regime, we have now created forms within the myJFSC Portal. As such, we have a guide below for how to utilise such forms.
- 4.12 The workbooks were discontinued as of 7th October 2024.
- 4.13 To access the forms, Go to “Entities”, and choose the entity that is acting as the AMLSP. Do not go to “my Applications” at the top of the myJFSC portal page as this does not link to any of the relevant forms.
- 4.14 As with all of our Forms on the myJFSC portal, please ensure with your entity’s Portal Administrator who is a “Portal User,” and who is an “Authorised Signatory.” Only an Authorised Signatory can submit these forms. Your Portal Administrator can give you this access.
- 4.15 As in previous guidance, a FSB/TCB licensed entity holding Trust Company Business classes of G,H,L, OA & OB, and/or Fund Service Business classes of U, V, ZG, ZH, ZI and ZJ types will be able to act as an AMLSP.
- 4.16 As set out above, before a Schedule 2 application for an entity/ies utilising an AMLSP can be approved, the AMLSP must first apply using the Key Person form for the relevant individual(s) to be registered as AMLSP MLCO and AMLSP MLRO.
- 4.17 Before completing either application form, reference should be made to the [Article 9A \(4\) Notice](#) which sets out the criteria the relevant person must meet before they can appoint an AMLSP. The AMLSP will need to complete the application form for their customers who wish to register to conduct Schedule 2 business either as a new applicant or to conduct additional Schedule 2 activities/operations.
- 4.18 For the Legal Person application form:
 - 4.18.1 Under “Entities,” please choose the “AMLSP Legal Person Application.”
 - 4.18.2 The form consists of three pages; Page 1, providing details on the Applicant including the category of Schedule 2 registration under the Law being applied for; Page 2, containing details of the Principal Persons and Page 3, with relevant confirmations.
 - 4.18.3 On Page 1, please ensure to name the Applicant as the Legal Person seeking registration under Schedule 2, rather than the service provider.
 - 4.18.4 Once the category/ies of Schedule 2 registration has been selected by ticking the appropriate box, a question follows asking, “Is the applicant applying to

be a JPF, already a JPF or the governing body of a JPF?” If it is a Jersey Private Fund (JPF) please tick the box so we can ensure that a corresponding JPF application has been submitted/approved for the JPF consent. The JPF application will be completed as part of this process, subject to our regulatory requirements being met.

4.18.5 On Page 2, please enter in the details of any Natural Persons who will be Principal Persons, adding names, date of birth, address details and contact details, along with ticking the nature of their Principal Person role (Director, Shareholder Controller or Partner.)

4.18.6 If applicable, there is a separate data entry point to allow for Corporate Directors to be listed. Here name and address are sufficient, with any further queries to come as part of the application review should any arise. If there are any corporate entities that act as Principal Persons other than Directors, this is not needed in the form. PLEASE NOTE unlike our SBL Application also on the portal, it is not necessary to submit certified passports currently for this application for Principal Persons.

4.18.7 Confirm the Data protection and Declaration tick boxes. At this point, should you be named as the Authorised Signatory of the entity, you should see the “Submit” button. If you encounter any difficulties at this point, please speak to your entity’s Portal Administrator, who will be able to set you up as an Authorised Signatory. Should issues persist then contact the Regulatory Maintenance Team at RegulatoryMaintenance@jerseyfsc.org who can assist with any portal issues.

4.19 For the legal arrangement application form

4.19.1 For arrangements or structures with a separate governing body or protected cells of protected cell companies please complete the Legal Arrangement application form. The process for this form mirrors the Legal Person application form above. However, the details of the governing body of the Legal Arrangement must also be added in here. (For example, the General Partner of the Limited Partnership applying, etc....)

4.19.2 Trusts themselves are not required to register. Trustees who act as the governing body for a trust are required to register through the legal person application, as outlined in 4.18 above.

4.19.3 Please be aware that in naming the governing body, this is not an application for both parties, and so if both the Legal Arrangement and the governing body require registration under Schedule 2, please ensure to fill out an application form for each one accordingly.

4.19.4 The Name of the Applicant should be the legal person, legal arrangement, or cell of a cell company on whose behalf the application is made.

4.19.5 For the avoidance of doubt the “Applicant” means the person applying to register pursuant to the Proceeds of Crime (Supervisory Bodies) (Jersey) Law 2008 and who intends to carry on a Schedule 2 business.

4.19.6 For Separate Limited Partnerships, Incorporated Limited Partnerships and Limited Liability Partnerships, the working practice is for beneficial owners with a holding of 10% or greater to be provided.

4.19.7 The legal arrangement application form should be used where an applicant wishes to apply for registration of a limited partnership and its general partner. The legal arrangement application form will enable this via a single form. If limited partnership is selected, applicants are asked whether or not the general partner also wishes to register. If yes, the applicant will be prompted to detail the activities to be undertaken by the general partner. This will result in a single registration certificate confirming the registration of both.

Once a form is submitted

Once a form is submitted, should we have any comments or queries (or should you have any further points you wish to raise relating to the application), please use the Chat Functionality in our application forms. In your list of submissions, there are the following symbols:



These are, in order:

- A Download function so application forms can be saved by the Applicant.
- A Copy Functionality. If an AMLSP is to submit multiple application forms for Legal Persons and Legal Arrangements where similar or identical Principal Persons are in place, choosing this function in a form will allow the details of Principal Persons to be copied into the next application form, which should open automatically for ease of use.
- The Chat Function. This allows the Portal User/Authorised Signatory to liaise directly with the Officer on the Authorisations Team who is processing the application on any comments or queries that either side may have and allows for any further documentation to be provided. A screenshot of the details follows below for reference:

Chat History

No Chat History

Chat (optional)

Submit additional documents

There is a maximum capacity of 200 documents, totalling 1 GB in size for your submission

Upload files

Browse for files or drag them here

Choose file

File name	✓	Uploaded
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⚠ No items found

Cancel

Submit

- We have a Delete Function for draft unsubmitted applications, so such forms can be deleted by the applicant. Please note there is no “Withdraw” Button, and so should the applicant wish to withdraw their application this needs to be communicated via email or the Chat Function.

Once any form via the myJFSC portal is resolved, the Authorised Signatory will be notified via the system, though if you encounter any issues in this regard please ensure to email the Authorisations Team at Authorisations@jersejfsc.org for assistance.

Regarding application invoice, these should be available on the portal upon submission of an application under “Invoices” on an Entity’s page. Additionally, upon approval of an application, certificates should be available via the portal under “Documents”. If however, you encounter any issues with this and the visibility of such pieces, please let us know at Authorisations@jersejfsc.org and we will seek to assist.

5 AMLSP Applications: Legal Arrangements Examples

- 5.1 Where Schedule 2 activity is undertaken by a governing body on behalf of a Legal Arrangement, an application under the Supervisory Bodies Law may need to be made by that governing body in respect of that Legal Arrangement in addition to any applications it may need to make in respect of its own Schedule 2 activities.
- 5.2 As such, multiple applications may need to be made by or on behalf of such governing body under the Supervisory Bodies Law.
- 5.3 Example 1 may be applied by analogy to other types of Legal Arrangement. Example 2 is limited to trusts.

Example 1: Jersey Private Fund - Jersey limited partnerships with Jersey corporate general partner

- 5.4 ABC Limited, a Jersey company, will act as general partner to the following Jersey Private Funds:
- ABC Limited Partnership
 - DEF Limited Partnership
 - GHI Limited Partnership
- 5.5 ABC Limited is provided with services by TCB/FSB Services Ltd that wishes to be appointed as the AMLSP.

Step 1: TCB/FSB Services Ltd will take steps to ensure that it can act as AMLSP, having regard to the guidance in Section 18 of the AML/CFT/CPF Handbook, and will submit an “AMLSP Key Person” Application.

Step 2: Once approved as an AMLSP, TCB/FSB Services Ltd will submit the following AMLSP application forms:

“AMLSP Legal Persons” application form in respect of ABC Limited and the Schedule 2 activities it carries on in its own capacity to be a Trust Company Service Provider – Director, Secretary, Partner (as GP it is providing TCSP partnership services) and Fund and Security Services Activities (it is service provider to a fund).

“AMSLP – Legal Arrangement” application form in respect of each of the Schedule 2 activities it carries on in its capacity as general partner of each of the ABC Limited Partnership, the DEF Limited Partnership and the GHI Limited Partnership

- 5.6 The registration certificates will be issued as follows: (i) one to ABC Limited in its own capacity; and (ii) three to ABC Limited, each in its capacity as general partner of the relevant limited partnership.
- 5.7 The general partner (and other functionaries) can still rely on exemptions from the FSJ Law, but these exemptions do not exempt them from AML/CFT/CPF obligations, and they will need to register under the Supervisory Bodies Law as required.

Example 2: Jersey unit trust with two Jersey corporate trustees

- 5.8 XYZ Trustee 1 Limited and XYZ Trustee 2 Limited are Jersey companies that are to be appointed to act as trustees for the Jersey XYZ Unit Trust. The Jersey XYZ Unit Trust is not a fund, but it issues units which are considered to be securities. Each of the trustees will be provided with registered office and administration services by a TCB administrator (**TCB administrator**).
- 5.9 The trustees will rely on the Professional Investor Regulated Scheme exemption from the FSJ

Law but they will not be exempt from registration as a Schedule 2 business.

Step 1: The TCB administrator meets the eligibility requirements to be an AMLSP and has submitted the AMLSP Key Person application form.

Step 2: Once approved as an AMLSP, the TCB administrator submits the “AMLSP – Legal Persons” application form on behalf of each of XYZ Trustee 1 Limited and XYZ Trustee 2 Limited, in each case with the registration covering the trustees’ Schedule 2 activities in its own capacity and any Schedule 2 activities that they carry out on behalf of the trust.

- 5.10 The trust itself will not be registered under the SBL. The JFSC’s oversight of the in-scope activities of the trust will be at the trustee level, with the trustees’ registrations covering both their own activities as well as the activities they undertake in connection with the trust’s business.

Change of AMLSP and AMLSP Schedule 2 Revocation:

Should any of the Schedule 2 Registered Persons once approved under an AMLSP seek to revoke their Schedule 2 status, another form is available on the portal for Applicants to utilize where all such revocations can be submitted for processing. The process for this is as set out below:

Under the Entity’s page, and under “Applications,” pick “AMLSP Schedule 2 Revocation.”

The form should now have a list of all Schedule 2s that the AMLSP acts for. Tick all entities seeking to revoke their Schedule 2 registration. This is NOT a form for changing AMLSP, or where a Schedule 2 registered person wishes to continue without an AMLSP. Below in this guidance we revisit the current process for a Change of AMLSP.

The form will request the category for the rationale for the revocation, the date the Registered Person ceased conducting Schedule 2 activity, and all other confirmations needed to ensure the revocation can be completed.

If a confirmation cannot be given in the form, this will request a rationale in the form. As such, please utilise the Chat function for the form to let us know of any further issues or clarifications relevant to a specific application being made so we can ensure review of the item.

Regarding a Change of the AMLSP, we are currently creating a Portal Form for this process. Until such time this is created, please submit a request to the Authorisations Team via email on authorisations@jerseyfsc.org with all relevant information.

From the Outgoing AMLSP:

We would expect details of which Schedule 2 certificate holders are seeking to change AMLSP;

The identify of the Incoming AMLSP;

We would expect to receive details of which Principal Persons are ceasing to act for the Schedule 2 entity/ies as a result of the change of AMLSP; and

The date of the change of AMLSP.

From the Incoming AMLSP:

Details of what entities and arrangements they are taking on from the Outgoing AMLSP; and

Details of all Principal Persons who are being provided by the Incoming AMLSP to all Schedule 2 certificate holder boards

Due to the nature of this information, while previously these were provided via workbooks, please note as above that the workbooks have been discontinued as of 7 October 2024. For cases of multiple

changes of AMLSP, it is the entities' responsibility to set out the information needed in the most appropriate fashion.

It is not necessary to inform us of changes in AMLSP MLCO/AMLSP MLRO for the underlying Schedule 2s that rely on the AMLSP, as for our purposes, the roles of AMLSP MLCO and AMLSP MLRO are connected directly to the AMLSP, and not to each individual Schedule 2 certificate holder.