

FA10 - Anti-money laundering authorisation form



Use this form to apply for approval to carry out work within the scope of The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (the MLR).

It can be used by SRA authorised firms and individuals practising under regulation 10.2 of the SRA Authorisation of Individuals Regulations (Aol).

If you already have money laundering authorisation from us and need to make changes, use form FA10b.

Section 1 - Your details

Please provide the name and number of your authorised firm or, if you are practising on your own account under regulation 10.2 Aol, your own name and SRA number.

Firm name

SRA number

or Solicitor name

SRA number

Section 2 - Your services

You must tick 'Yes' or 'No' to each statement below to indicate whether your firm carries out that work.

Independent legal professional firms or sole practitioners

A firm or sole practitioner who, by way of business, provides legal or notarial services to others when participating in financial or real property transactions concerning any of the below.

A person participates in a transaction by assisting in the planning or execution of the transaction or otherwise acting for or on behalf of a client in the transaction.

- | | | | |
|------------|---|------------|-----------|
| 2.1 | The buying and selling of real property or business entities. | Yes | No |
| 2.2 | The managing of client money, securities or other assets. | Yes | No |
| 2.3 | The opening or management of bank, savings or securities accounts. | Yes | No |
| 2.4 | The organisation of contributions necessary for the creation, operation or management of companies. | Yes | No |
| 2.5 | The creation, operation or management of trusts, companies, foundations or similar structures. | Yes | No |

Trust or company service providers (TCSPs)

You must inform us before providing the Trust and Company Services below and follow our directions on any waiting period that may apply

- | | | | |
|-------------|--|------------|-----------|
| 2.6 | Forming any entity that, whether or not a legal person, is not an individual and includes a body corporate and a partnership or other unincorporated association. | Yes | No |
| 2.7 | Selling off-the-shelf firms (this means firms which do not carry on business or carry on business which is not the main activity of the TCSP). | Yes | No |
| 2.8 | Acting or arranging for another person to act:
i) as a director or secretary of a company
ii) as a partner in a partnership, or
iii) in a similar capacity in relation to other legal persons. | Yes | No |
| 2.9 | Providing a registered office, business correspondence or administrative address or other related services for a company, partnership or any other legal person or arrangement. | Yes | No |
| 2.10 | Acting or arranging for another person to act as:
i) a trustee of an express trust or similar legal arrangement, or
ii) a nominee shareholder for a person other than a company whose securities are listed on a regulated market. | Yes | No |

Tax advisers

- | | | | |
|-------------|--|------------|-----------|
| 2.11 | Offering material aid, or assistance or advice, in connection with the tax affairs of other persons, whether provided directly or through a third party. | Yes | No |
|-------------|--|------------|-----------|

Other

- | | | | |
|-------------|--|------------|-----------|
| 2.12 | Auditors, insolvency practitioners, external accountants and or estate agents. | Yes | No |
|-------------|--|------------|-----------|

The SRA cannot supervise auditors, insolvency practitioners, external accountants or estate agents under the MLR. If you tick 'Yes' to 2.12, you will need to be supervised by HMRC or another valid supervisor under the regulations.

Section 3 - Money Laundering Reporting Officer (MLRO)

- 3.1** Are you an SRA authorised firm or are you an individual practising under regulation 10.2 Aol?

SRA authorised firm - *go to question 3.2*

Practising under regulation 10.2 Aol - *go to question 3.3*

3.2 SRA authorised firms

You must appoint one person as a nominated officer under regulation 21(3) of the MLR. This person will need to also be approved as an officer under regulation 26.

Forename(s)		Surname	
Title		Date of birth	
		SRA number	
Email		Start date	

- | | | | |
|-----|---|------------|------------|
| (a) | Does the individual have a relevant conviction as listed in Schedule 3 to the MLR (reproduced at Annex 1 at the end of this form)? | Yes | No |
| (b) | Have you obtained a basic disclosure and barring service (DBS) check?
You must complete a basic DBS check (or overseas equivalent) for this individual and have the results when you make this application. | | Yes |

3.3 Solicitors practising under regulation 10.2 Aol

If you practise under regulation 10.2 Aol **and** have no employees, you are not required to have an MLRO.

If you have employees, you must have an MLRO under regulation 21(3) of the MLR. As we only authorise you and not your firm, you personally must be the MLRO.

- (a) I have no employees and do not require an MLRO - *go to section 6 (you do not need to complete sections 4 or 5)*

OR

I have employees and I will be the MLRO - *continue to (b) below*

- | | | | |
|-----|---|------------|------------|
| (b) | Do you have a relevant conviction as listed in Schedule 3 to the MLR (reproduced at Annex 1 at the end of this form)? | Yes | No |
| (c) | Have you obtained a basic disclosure and barring service (DBS) check?
You must complete a basic DBS check (or overseas equivalent) and have the results when you make this application. | | Yes |

Section 4 - Money Laundering Compliance Officer (MLCO)

SRA authorised firms - go to question 4.1

Solicitors practising under regulation 10.2 Aol with employees - go to question 4.2

4.1 SRA authorised firms

Most firms will also need to appoint an officer responsible for the firm's compliance with the MLR under regulation 21(1). This is a separate role from the MLRO but it can be held by the same person.

This person will need to be approved as an officer under regulation 26.

Forename(s)		Surname	
Title		Date of birth	
		SRA number	
Email		Start date	

- | | | | |
|-----|---|------------|------------|
| (a) | Does the individual have a relevant conviction as listed in Schedule 3 to the MLR (reproduced at Annex 1 at the end of this form)? | Yes | No |
| (b) | Have you obtained a basic disclosure and barring service (DBS) check?
You must complete a basic DBS check (or overseas equivalent) for this individual and have the results when you make this application. | | Yes |

Now go to section 5.

4.2 Solicitors practising under regulation 10.2 Aol

If you practise under regulation 10.2 Aol **and** have no employees, you are not required to have an MLCO.

If you have employees, you may require an MLCO under regulation 21(1) of the MLR. As we only authorise you and not your firm, you personally will need to be the MLCO if one is required.

I have employees but the size and nature of my business does not require me to have an MLCO.

OR

I have employees, require an MLCO and I will be the MLCO.

Now go to section 6

Section 5 - Beneficial owners, officers and / or managers (SRA authorised firms only)

Forename(s)	Surname	SRA number	Email address	Start date	UK resident in last 5 yrs?	Relevant conviction?	DBS / equiv check obtained?

Section 6 - Fit and proper declarations

6.1 Read the following two statements carefully and tick the box next to the one relevant to your firm:

None of the individuals listed in this form have any unspent criminal convictions that are listed in Schedule 3 to the MLR.

One or more of the individuals listed in this form have unspent criminal convictions that are listed in Schedule 3 to the MLR.

Schedule 3 to the MLR is reproduced at Annex 1.

6.2 Confirm that you have provided DBS checks (or overseas equivalents) for all individuals listed in this application.

Section 7 - Declaration

This section must be completed by a manager (as we define it) of the firm, or the individual practising under regulation 10.2 Aol.

- 7.1** I understand that it is my responsibility to make sure all the information provided in this application is correct and complete.
- 7.2** I understand that if I have knowingly or recklessly given you information that is false or misleading (or if I fail to tell you about any significant information) you could take disciplinary action, or share information with a third-party that leads to disciplinary action.
- 7.3** I understand that you may use any personal information from this application to perform your duties under relevant legislation.
- 7.4** I understand that you may do whatever checks you think are necessary to process this information and make sure that it complies with the SRA Standards and Regulations.
- 7.5** I confirm that the information I have given is correct to the best of my knowledge and belief.

Individual manager or individual practising under regulation 10.2 Aol

Provide details of the individual / individual manager making this declaration. Where a firm does not have any individual managers, a manager of the authorised corporate manager can make this declaration.

Forename(s)		Surname	
Title		Date of birth	
		SRA number	
Email		Date	

Section 8 - Returning the form

To help us process your application, check that you have completed all relevant sections and that the form declaration has been completed correctly.

Section 9 - What we will do with your data

Privacy notice

Annex 1 - Schedule 3 to the MLR

Relevant offences

1. An offence under the Perjury Act 1911.
2. An offence under section 89 of the Criminal Justice Act 1967 (false written statements tendered in evidence).
3. An offence under section 20BB of the Taxes Management Act 1970 (falsification of documents).
4. An offence under section 11 of the European Communities Act 1972 (EU offences).
5. An offence under Article 10 of the Perjury (Northern Ireland) Order 1979 (false statutory declarations and other false unsworn statements).
6. An offence under the Customs and Excise Management Act 1979.
7. An offence under the Estate Agency Act 1979, or specified for the purposes of section 3 of that Act in the Estate Agents (Specified Offences) (No 2) Order 1991.
8. An offence under any of sections 1 to 5 of the Forgery and Counterfeiting Act 1981 (counterfeiting offences).
9. An offence under section 35 of the Administration of Justice Act 1985 (penalty for pretending to be a licensed conveyancer or recognised body).
10. An offence under section 11(1) (undischarged bankrupts) or 13 (criminal penalties) of the Company Directors Disqualification Act 1986.
11. An offence under section 1, 2, 3, 3ZA or 3A of the Computer Misuse Act 1990 (computer misuse offences).
12. An offence under section 112 (false representations or obtaining benefit) or 114 (offences relating to contributions) of the Social Security Administration Act 1992.
13. An offence under section 52 of the Criminal Justice Act 1993 (the offence of insider dealing).
14. An offence under the Value Added Tax Act 1994.
15. An offence under section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statement and declarations).
16. An offence under the Data Protection Act 1998.
17. An offence under the Terrorism Act 2000.
18. An offence under paragraph 7(2) or (3) of Schedule 3 to the Anti-Terrorism, Crime and Security Act 2001 (offences).
19. An offence under the Money Laundering Regulations 2001, the Money Laundering Regulations 2003, the Money Laundering Regulations 2007 or under these Regulations.
20. An offence under section 35 of the Tax Credits Act 2002 (offence of fraud).
21. An offence under Part 7 (money laundering) or Part 8 (investigations) of, or listed in Schedule 2 (lifestyle offences: England and Wales), 4 (lifestyle offences: Scotland) or 5 (lifestyle offences: Northern Ireland) to, the Proceeds of Crime Act 2002.
22. An offence under the Commissioners for Revenue and Customs Act 2005.
23. An offence under the Terrorism Act 2006.
24. An offence under section 1, 2, 6 or 7 of the Bribery Act 2010 (bribery).
25. An offence under section 45 of the Serious Crime Act 2015 (offence of participating in activities of organised crime gang).
26. An offence under Parts 1 (general privacy protections); 2 (lawful interception of communications), 3 (authorisations for obtaining communications data), 5 (equipment interference), 6 (bulk warrants) and 7 (bulk personal dataset warrants) of the Investigatory Powers Act 2016.
27. An offence under section 45 (failure to prevent facilitation of UK tax evasion offences) or 46 (failure to prevent facilitation of foreign tax evasion offences) of the Criminal Finances Act 2017.
- 27A. An offence under the Data Protection Act 2018, apart from an offence under section 173 of that Act.
28. An offence of cheating the public revenue.
29. An offence under the law of any part of the United Kingdom consisting of being knowingly concerned in, or in taking steps with a view to, the fraudulent evasion of tax.
30. Any offence which has deception or dishonesty as one of its components.
31. The common law offences of conspiracy to defraud and perverting the course of justice.
32. An offence of attempting, conspiring or inciting the commission of an offence specified in this Schedule.
33. An offence under section 44 of the Serious Crime Act 2007 of doing an act capable of encouraging or assisting the commission of an offence specified in this Schedule.

- 34. An offence of aiding, abetting, counselling or procuring the commission of an offence specified in this Schedule.
- 35. An act which—
 - (a) constituted an offence under the law of a foreign country, and
 - (b) would have constituted an offence under any of paragraphs 1 to 34 under the law of any part of the United Kingdom if it had been done—
 - (i) in that part of the United Kingdom;
 - (ii) by a person who is linked to part of the United Kingdom (within the meaning of paragraph 5(3) of Schedule 7A to the Proceeds of Crime Act 2002 (connection with relevant part of the United Kingdom)(208)); or
 - (iii) as regards the United Kingdom.

Annex 2 - Beneficial owners, officers and / or managers continued...

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