



BERMUDA

EXCHANGE CONTROL AMENDMENT ACT 2018

2018 : 2

WHEREAS it is expedient to amend the Exchange Control Act 1972;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Exchange Control Amendment Act 2018.

Amends section 1

2 The Exchange Control Act 1972 is amended in section 1 by inserting in the appropriate alphabetical order the following—

“beneficial owner” shall have such meaning as may be prescribed;

“prescribed” means prescribed by regulations under section 2.”.

Amends section 2

3 The Exchange Control Act 1972 is amended in section 2—

(a) in subsection (1)—

(i) in paragraph (n), by inserting after the word “directions” the words “or notices”;

(ii) by inserting after paragraph (n) the following—

“(na) respecting the power of the Controller of Foreign Exchange to obtain information from any person to which this Act applies

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- including, but not limited to, information relating to beneficial owners;
- (nb) prescribing civil penalties, the procedure for the imposition thereof and for appeals;
- (nc) providing for savings and transitional matters;”;
- (b) in subsection (2), by deleting the word “and” at the end of paragraph (b) and by inserting after paragraph (b) the following—
 - “(ba) that a contravention or breach thereof shall be subject to the imposition of such civil penalty not exceeding \$25,000 as may be prescribed; and”.

Commencement

4 This Act shall come into operation on such day as the Minister of Finance may by notice in the Gazette appoint.

[Assent Date: 21 March 2018]

[Operative Date: 23 March 2018]