



## CO, MLRO & DMLRO Services for Cayman Funds

### The Requirement

Following recent amendments to the Cayman Islands Anti-Money Laundering Regulations 2017 and Guidance Notes issued by CIMA pursuant thereto, there is now a requirement for all Cayman domiciled entities carrying out 'relevant financial business' (which includes funds) to appoint individual named persons as AML Compliance Officer ("CO"), Money Laundering Reporting Officer ("MLRO") and Deputy MLRO ("DMLRO").

A person acting as MLRO / DMLRO must (i) act autonomously; (ii) be independent (have no vested interest in the underlying activity); and (iii) have access to all relevant material in order to make an assessment as to whether an activity is or is not suspicious.

Entities captured and therefore subject to the above requirement are:

- Regulated Investment Funds registered with CIMA;
- Non-regulated Investment Funds, which include Private Equity/Debt, Real Estate Funds, Infrastructure Funds and 'Funds of One', whether closed or open ended;
- Any other entity carrying out 'relevant financial business'.

The same person can be appointed as CO and either MLRO or DMLRO, but the MLRO and the DMLRO must be two separate individuals.

Funds registering as at June 1, 2018 are expected to register in full compliance. As are unregulated funds forming after 1 June 2018. Funds registered prior to 1 June 2018 and other entities in existence prior to that date which are newly subject to the requirements have until 30 September 2018 to become compliant.

Entities must therefore address these requirements as soon as practicable in order to comply with the requirement to appoint their CO, MLRO and DMLRO.



### Our Solution

Our professional team at IMS have developed a solution for funds for which we currently provide independent directors.

One of the many benefits of our solution over other potential service providers is that our AML Officers will have face to face access to the director(s) we provide and access to fund documentation to which our directors obtain and review from all service providers to the funds we work with, giving them invaluable knowledge of the fund(s) operations and structures.

We are able to offer a tailored number of appointments (see *below*) to suit your requirements, and will arrange relevant documentation to effect the appointments.

#### Combinations of appointments offered

- CO, MLRO and DMLRO
- CO & MLRO
- CO & DMLRO
- MLRO and DMLRO

See the next page for details of the services provided in respect of the various appointments comprise.

Our **pricing** is dependent upon the specific appointments required and will reflect economies of scale where there are, for example, master feeder structures etc. We can provide a fee quote on request.



## CO, MLRO & DMLRO Services for Cayman Funds – Officer Services

### Anti-Money Laundering Compliance Officer

- Assisting entities to develop and maintain appropriate AML/CFT policies.
- Ensure regular audit/testing of the AML/CFT program, in particular the administrator's due diligence procedures.
- Obtain confirmations from the administrator and manager (and any other relevant party deemed appropriate) that they have complied with their duties and obligations with regard to the implementation of AML/CFT policies and procedures to comply with its obligations under the AML Regulations.
- Maintain such logs, including logs with respect to declined business, PEPs, AML training; and requests from competent authorities particularly in relation to investigations; and if not kept by the Administrator an investor complaints log.
- Respond promptly to requests for information by the relevant competent authorities.
- Report to the board periodically, including the highlighting of any issues arising from the above that need to be brought to its attention.

### Money Laundering Reporting Officer

- Receive and investigate/assess internal reports concerning suspicious customers or suspicious activity, acknowledge the same in writing to the submitter; and where it is determined that the activity reported on constitutes a suspicion or knowledge of money laundering and/or terrorist financing, file Suspicious Activity Reports with the Financial Reporting Authority.
- Maintain internal registers including:
  - documents detailing the investigation / assessment of the reports received in relation to money laundering or terrorist financing;
  - details of the determination made as to whether the report should be submitted to the Financial Reporting Authority and the basis of the determination;
  - documentation of money laundering reports made to the Reporting Authority and any communications or instructions received from the Reporting Authority.

### Deputy Money Laundering Reporting Officer

- Deputise for the Money Laundering Reporting Officer in his or her absence.

**For more information, please contact us:**



**Sean Inggs**  
Fund Director  
Tel: +1 (345) 814 2881 or e-mail  
[singgs@ims.ky](mailto:singgs@ims.ky)



**Gary Butler**  
Managing Director  
Tel: +1 (345) 949 4244  
or e-mail [gbutler@ims.ky](mailto:gbutler@ims.ky)

**International Management Services Ltd**  
PO Box 61, Harbour Centre, Grand Cayman KY1-1102, Cayman Islands  
Tel: +1 (345) 949 4244 Web: [www.ims.ky](http://www.ims.ky) Email: [contactus@ims.ky](mailto:contactus@ims.ky)