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Business Process Solutions News

Important amendments to the implementation framework of the Register of Beneficial Owners

The Department of the Registrar of Companies and Intellectual Property (DRCIP) has announced important changes to the provisions concerning the Register of Beneficial Owners, following amendments to the Prevention and Combating of Money Laundering from Illegal Activities (Amendment) (No. 2) Law of 2024, numbered N.141(I)/2024.

Key Amendments

Financial Penalties will target entities: The amended law now specifies
that financial penalties will be imposed solely on companies or other
legal entities that refuse, omit, or neglect to fulfill their obligations in
submitting information on beneficial owners, as required by Law
188(I)/2007 and the associated Directive. Importantly, directors and/or
company secretaries will not be personally fined.

- 2. Liability of Directors: Despite financial penalties not being imposed on directors or company secretaries directly, any director or managing director whose company fails to meet its obligations regarding beneficial owners' information will be jointly and/or severally liable with the company for the financial penalties incurred.
- 3. Revised Financial Penalties: A financial penalty of one hundred euros (€100) will be imposed on the first day of violation, with an additional fifty euros (€50) for each subsequent day the violation continues. The maximum total financial penalty is capped at €5,000 per company or legal entity.
- 4. Administrative Review Procedure: A new provision authorises the DRCIP to issue a Directive to institutionalise the administrative review procedure. This allows for submission and examination of objections against penalties imposed by the DRCIP.
- 5. Deletion from the Register: The DRCIP now has the authority to remove from the business entities registry any company or legal entity that fails to update the beneficial ownership information, in accordance with the company deletion procedures under article 327 of the Companies Law or subsection (5) of article 57 of the Joint and Several Partnerships and Trade Names Law.
- 6. Court Applications for Compliance: The DRCIP is empowered to apply to the Court for an injunction, enforcing compliance of any person with obligations under article 61A of Law 188(I)/2007 and its associated Directives.

Extended Deadlines

Submission of Beneficial Ownership Information: The deadline for the initial submission of beneficial ownership information has been extended to 31 January 2025. Entities failing to meet this deadline will face penalties starting from 1 February 2025.

Annual Review and Confirmation: The deadline for the 2024 annual review and confirmation of beneficial ownership information is now 31 March 2025.

Withdrawal of Financial Penalties

The DRCIP will withdraw financial penalties imposed from 1 April 2024 and refund any amounts paid. The refund procedures are as follows:

- a. Online Payments via JCC: Refunds will be processed directly to the payment card used, with no further action required from the payer.
- b. Payments made to the DRCIP Treasury: Refunds require submission of the <u>KE1</u> form, the authorisation form for payments from <u>FIMAS</u>, a photocopy of the payment receipt, and the International Bank Account Number (IBAN) to be credited.

It is reminded that the Register of Beneficial Owners is electronic, with amendments made exclusively through the online portal at https://ubo.meci.gov.cy.

How can we help?

We are here to offer clarifications and assist you in navigating the procedures and submission requirements of the Register of Beneficial Owners.

Get in touch











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