
STATUTORY INSTRUMENTS

2017 No. 692

**The Money Laundering, Terrorist Financing and Transfer
of Funds (Information on the Payer) Regulations 2017**

PART 2

Money Laundering and Terrorist Financing

CHAPTER 1

Application

Carrying on business in the United Kingdom

9.—(1) For the purposes of these Regulations, a relevant person (“A”) is to be regarded as carrying on business in the United Kingdom in the cases described in this regulation even if A would not otherwise be regarded as doing so.

(2) The first case is where—

- (a) A’s registered office (or if A does not have a registered office, A’s head office) is in the United Kingdom;
- (b) A is entitled to exercise rights under a single market directive as a UK firm (within the meaning of paragraph 10 of Schedule 3 to FSMA (EEA passport rights)); and
- (c) A is carrying on business in an EEA state other than the United Kingdom in the exercise of those rights.

(3) The second case is where—

- (a) A’s registered office (or if A does not have a registered office, A’s head office) is in the United Kingdom; and
- (b) the day-to-day management of the carrying on of A’s business is the responsibility of—
 - (i) that office, or
 - (ii) another establishment maintained by A in the United Kingdom.

(4) The third case is where—

- (a) A is a casino which provides facilities for remote gambling (within the meaning of section 4 of the Gambling Act 2005 (remote gambling)(1)) and—
- (b) either—
 - (i) at least one piece of remote gambling equipment (within the meaning of section 36(4) of the Gambling Act 2005 (territorial application)) is situated in Great Britain, or
 - (ii) no such equipment is situated in Great Britain but the facilities provided by A are used there.

(5) For the purposes of paragraphs (2) and (3)—

- (a) “single market directive” means—
- (i) a directive referred to in paragraph 1 of Schedule 3 to FSMA⁽²⁾;
 - (ii) [Directive 2009/110/EC](#) of the European Parliament and of the Council of 16th September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions⁽³⁾;
 - (iii) [Directive 2015/2366/EU](#) of the European Parliament and of the Council of 25th November 2015 on payment services in the internal market⁽⁴⁾;
- (b) it is irrelevant where the person with whom the business is carried on is situated.

(2) Paragraph 1 of Schedule 3 was amended by [S.I. 2000/2952](#); [2003/1473](#); [2003/2066](#); [2007/126](#); [2013/1773](#); [2013/3115](#); [2015/575](#) and [2015/910](#).

(3) OJ L 267, 10.10.2009, p.7.

(4) OJ L 337, 23.12.2015, p.35.