

GUERNSEY STATUTORY INSTRUMENT
2015 No. 119



**The Registration of Non-Regulated Financial Services
Businesses (Bailiwick of Guernsey) (Fees)
Regulations, 2015**

<i>Made</i>	<i>21st December, 2015</i>
<i>Coming into operation</i>	<i>1st January, 2016</i>
<i>Laid before the States</i>	<i>, 2016</i>

THE POLICY COUNCIL, in exercise of the powers conferred on it by sections 4(2)(c), 7(2) and 31 of the Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008^a and all other powers enabling it in that behalf, and with regard to, and in accordance with, sections 3 and 6 of the Guernsey Financial Services Commission (Transfer of Functions) (Fees) (Bailiwick of Guernsey) Ordinance, 2015, and after consultation with the Guernsey Financial Services Commission, and with the agreement of the Guernsey Financial Services Commission, the Policy and Finance Committee of the States of Alderney and the Policy and Performance Committee of the Chief Pleas of Sark, hereby makes the following Regulations:-

Application fee.

1. Subject to regulation 3, the application fee for the purposes of section 4(2)(c) of the Law is £3,748.

Annual fee.

2. (1) Subject to paragraph (3) and regulation 3, the annual fee for the purposes of section 7(2) of the Law is £1,225.

^a Order in Council No. of XV of 2008; amended by Order in Council No. XIII of 2010; Ordinance No. XXXII of 2008; No. XII of 2015; G.S.I. No. 75 of 2008; G.S.I. No's. 17 and 83 of 2010; G.S.I. No. 16 of 2013.

(2) The annual fee is payable, subject to the provisions of paragraph (3), on or before the 31st January in each year.

(3) In respect of the period from the date of first registration of a financial services business under the Law until the 31st December in the same year, the annual fee payable for that period shall be calculated in accordance with the formula -

$$A = \frac{B \times C}{12},$$

where -

A is the fee payable,

B is the fee which would otherwise be payable under paragraph (1), and

C is the number of calendar months or part thereof between the date of first registration and the 31st December in that same year (both dates inclusive),

and in this case the annual fee is payable within a period of 28 days immediately following the date of first registration of the financial services business.

Reduction of fees under regulation 1 or 2.

3. Any fee payable under regulation 1 or 2 shall be reduced -

(a) by 50% where the registration relates to a business -

(i) which is registered as a prescribed business under regulation 16 of the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of

Guernsey) Regulations, 2008^b, or

(ii) which is a member of a group of companies where one or more other members of that group are also under an obligation to pay a fee to the Commission under these Regulations, or

(b) by 75% where the registration relates to a business -

(i) which is registered as a prescribed business under regulation 16 of the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) Regulations, 2008, and

(ii) which is a member of a group of companies where one or more other members of that group are also under an obligation to pay a registration fee to the Commission under these Regulations.

Interpretation.

4. (1) In these Regulations, "the Law" means the Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008, and other expressions have the same meanings as in the Law.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations.

^b G.S.I. No. 49 of 2008; as amended by G.S.I. No. 113 of 2010; the monetary amounts were substituted by G.S.I. No. 95 of 2014 and the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) Regulations, 2015. There are other amendments not material to these Regulations.

^c Ordres en Conseil Vol. XIII, p. 355.

(3) Any reference in these Regulations to an enactment or statutory instrument is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Repeals

5. The Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) (Fees) Regulations, 2014^d are repealed.

Citation.

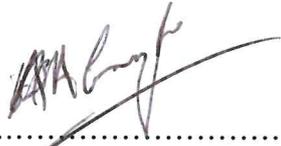
6. These Regulations may be cited as the Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) (Fees) Regulations, 2015.

Commencement.

7. These Regulations shall come into force on the 1st January, 2016.

^d G.S.I. No. 92 of 2014.

Dated this 21st day of December, 2015



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DEPUTY A. H. LANGLOIS
Deputy Chief Minister
For and on behalf of the Policy Council

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in respect of the payment of an application fee and an annual fee for the purposes of the Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008.

