

# Summary of Financial Crime Compliance

A helpful guide for banks, EMIs and payment institutions in a single place.

	Banks	E-Money Institutions	Payments Institutions
<b>Primary legislative framework</b>  <i>[See also PERG 3A and PERG 15 of the FCA Handbook to see whether a business falls within the scope of the EMRs and PSRs]</i>	Financial Services and Markets Act 2000	Electronic Money Regulations 2011 Payment Services Regulations 2017	Payment Services Regulations 2017
<b>Regulatory body</b>	PRA / FCA	FCA	FCA
<b>Applicable parts of the FCA Handbook relevant to financial crime</b>  <i>[See the Application sections of each part of the Handbook to determine which provisions apply]</i>	<ul style="list-style-type: none"> <li>&gt; Threshold Conditions (COND)</li> <li>&gt; Principles for Businesses (PRIN)</li> <li>&gt; Supervision (SUP)</li> <li>&gt; Senior Management Arrangements, Systems and Controls (SYSC)</li> <li>&gt; Statements of Principle and Code of Practice for Approved Persons) APER</li> <li>&gt; Code of Conduct (COCON)</li> <li>&gt; Decision Procedure and Penalties Manual (DEPP)</li> <li>&gt; Financial Crime Guide (FCG)</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Supervision (SUP)</li> <li>&gt; Senior Management Arrangements, Systems and Controls (SYSC)</li> <li>&gt; Decision Procedure and Penalties Manual (DEPP)</li> <li>&gt; Financial Crime Guide (FCG)</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Supervision (SUP)</li> <li>&gt; Senior Management Arrangements, Systems and Controls (SYSC)</li> <li>&gt; Decision Procedure and Penalties Manual (DEPP)</li> <li>&gt; Financial Crime Guide (FCG)</li> </ul>

Accept deposits?	✓	✗ <i>NB. Although EMIs can hold money for customers, it does not fall within the definition of 'accepting deposits' under article 5 of the FSMA Regulated Activities Order 2001</i>	✗
Lend money?	✓	✗	✗
Make investments?	✓	✗	✗
Pay interest?	✓	✗	✗
Issue e-money?	✓	✓	✗
Provide payment services?	✓	✓	✓
FSCS protection for customers' money?	✓	✗	✗

**Example of Activities**

- Authorised for:**
- > Accepting deposits
  - > Issuing e-money
  - > Consumer credit
  - > Lending secured by a mortgage

- Authorised or registered to issue e-money as a digital equivalent of cash:**
- > Prepaid cards that can be used to pay for goods
  - > Virtual wallets that can be used to pay for goods or services online

- Authorised or registered to provide payment services:**
- > Direct debits
  - > Debit and credit card payments
  - > Transferring e-money
  - > Credit transfers, such as BACS and CHAPS
  - > Foreign exchange services

<p>Example organisations</p>	<p>Barclays HSBC Monzo Zopa Charter</p>	<p>Ziglu Privalgo Azimo Chip TransferWise</p>	<p>GoCardless Xe GPUK LLP Payescape Smart Currency Exchange</p>
<p>Do the Money Laundering Regulations 2017 apply?</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>
<p>Does the Proceeds of Crime Act 2002 apply?  <i>[Part 7 – Money Laundering]</i></p>	<p>✓</p>	<p>✓  NB. s339A does not apply, so EMIs will need to submit a DAML before proceeding with any transaction involving criminal property (even if it is below £250)*subject to change once the Financial Services Bill receives Royal Assent</p>	<p>✓  NB. s339A does not apply, so EMIs will need to submit a DAML before proceeding with any transaction involving criminal property (even if it is below £250)*subject to change once the Financial Services Bill receives Royal Assent</p>
<p>Does the Terrorism Act 2000 apply?  <i>[Part 3 – Terrorist Property]</i></p>	<p>✓</p>	<p>✓</p>	<p>✓</p>