



SHIMODA CAPITAL PARTNERS

Alternative Investment and Emerging Markets

---

PO Box 204, George Town, KY1-1104, Grand Cayman

## **CAYMAN ANTI-MONEY LAUNDERING REGULATIONS**

- Are you a Cayman regulated or unregulated investment fund?
- Are you aware of the 2017 changes to the Anti-Money Laundering regulations?
- Were you structured for tax efficiency under a globally recognized jurisdiction?
- Are you in compliance with “Centre of Main Interest” or COMI conditions?

**If you answered “YES” to the questions above, the recent updated regulations on money-laundering and counter-terrorism financing impact on your Cayman operations in preserving your Cayman COMI status. December 31, 2018 is the deadline for compliance.**

The Cayman Islands, being one of the leading international financial centres, has framed its regulatory system around international standards of supervision and co-operation with overseas regulatory authorities in the fight against financial crime. The Islands seek to maintain their position as a premier jurisdiction, while at the same time ensuring that their institutions can operate in a competitive manner.

Guidelines were recently updated and should be adopted by Financial Services Providers in order to maintain the integrity of the Cayman Islands’ financial sector in respect of preventing and combating money laundering (“AML”) and countering the financing of terrorism (“CFT”). These Guidance Notes are based on the AML/CFT legislation of the Cayman Islands and reflect, so far as applicable, the 40 Recommendations and guidance papers issued by the Financial Action Task Force (“FATF”).

Pursuant to regulations 3(1) and 33 of the Anti-Money Laundering Regulations, a fund (regulated or un-regulated) doing business within or from the Cayman Islands must designate a natural person, at managerial level, to act as its Anti-Money Laundering Compliance Officer (“AMLCO”), a Money Laundering Reporting Officer (“MLRO”), and a Deputy Money Laundering Reporting Officer (“DMLRO”). The same natural person may act as both the AMLCO and MLRO (or DMLRO). However, the MLRO and DMLRO must be two different natural persons. **Shimoda can provide an experienced, independent AMLCO, MLRO and/or DMLRO for Cayman fund clients. Please note, the Cayman Island Monetary Authority expects funds to disclose in their offering document the fact that the fund has designated an AMLCO, MLRO and DMLRO and details as to how investors may obtain further information in respect of such persons.**

Shimoda also provides Cayman-knowledgeable, corporate & fund-experienced, independent directors, who’s involvement, financial expertise and advice can assist in minimizing the possibility of a company or investment fund being deemed a non-Cayman entity for legal, bankruptcy protection or even taxation purposes. Brass-plate appointments are no longer deemed robust in supporting the Cayman Islands as COMI, and you need to consider independent director whos’ credentials and actions support a Cayman-administered business.

Please consider and contact Shimoda Capital to discuss interest you may have for AML compliance or to re-inforce Cayman COMI for your investment fund or corporate entities.

**Shimoda Capital Partners**

PO Box 204, George Town,

KY 1-1104, Grand Cayman

[www.shimoda-ltd.com](http://www.shimoda-ltd.com)

[mapley@shimoda-ltd.com](mailto:mapley@shimoda-ltd.com)