**AML Certificate 2023**

**Please complete the questions in light of the information contained within the accompanying guidance document.**

**For further support, answers to Frequently Asked Questions (FAQs), short video tutorials and a guidance booklet are also available on our website -** [**LSS AML Certificate Website**](https://www.lawscot.org.uk/members/business-support/financial-compliance/anti-money-laundering/amlcertificate) **Important Information**

* You should answer the questions with respect to include regulated business only. You can find details of the types of regulated business on the portal landing page. For clarity, other work out with the scope of the AML Regulations such as criminal defence, litigation, and family law, should not be included in your numbers.
* Please do not include executry matters in the Trust and Company Services Provision (TCSP) section. See the guidance booklet for more information on executry work.
* The relevant period covered by questions in this Certificate is **1 January 2023 – 31 December 2023**. However, you can answer the questions on gross fees, with the figures from your last reported financial year end.
* If you are exempt from AML supervision you should not complete this certificate. Email us at aml@lawscot.org.uk if you believe you’ve been asked to complete this in error. Please see information at [AML Certificate | Law Society of Scotland (lawscot.org.uk)](https://www.lawscot.org.uk/members/regulation-and-compliance/financial-compliance/anti-money-laundering/amlcertificate/) for further details
* If an employee/fee earner/partner who undertook AML-regulated business within the relevant period has now left your practice, you must still capture their business within this AML Certificate return.
* If your practice is part of a multi-domiciliary/multinational with a separate legal entity outside of Scotland, you should answer the questions only insofar as they pertain to the Scottish legal entity. However, where your practice is a parent to any subsidiary with relevant business, you must capture that subsidiary business in this AML Certificate if the fee for work undertaken by the subsidiary goes through the parent entity.
* Please read and ensure you understand the information presented before each section, review the information boxes where they appear as an ***(i)*** next to questions, as well as our AML Certificate guidance booklet and FAQs, before submitting any queries to aml@lawscot.org.uk.
* We cannot accept hard or paper copy submissions. All submissions must be made via the online portal.
* We are aware that some technology/case management providers may have adapted their platforms to make it easier for you to collate and deliver the required information for the AML Certificate. Please contact your provider directly for further information.

**Please read this guidance before moving to the next page within the submission and submitting your information.**

**Confirm you have read the information above**



**Section 1. Practice Information and Section 2. Confirmations**

**After you click ‘Begin Form’ it is crucial that you tell us on behalf of which firm you are completing the form.** **You should do this by clicking the ‘Find Practice’ button and selecting your practice name from the list provided. Failure to do this may result in your losing the information you have entered.**

The first two sections of the AML Certificate ask for basic information about your practice. Please note the following points and make use of any information ***(i)*** boxes next to questions, along with the accompanying guidance and FAQs for further information.

* **Number of directors or partners** - If your practice has no board, partnership, or similar managing committee, consider whether your practice has any other senior or equivalent positions and answer accordingly.
* **Gross fees** – Although the certificate period runs **1 January 2023 – 31 December 2023**, you may report your gross fees as at your last financial year end.
* **Gross fees for AML regulated work** – Please only report gross fees for AML regulated work captured in the certificate. AML regulated work is defined on page one of the AML Certificate Guidance booklet.
* **MLCO (Previously known as Board Level Person)** - The MLCO is a different position from the MLRO, though may be the same person. Not all practices require an MLCO, you should consider the size and nature of your practice when deciding whether or not to appoint one. Please see [LSAG Guidance Section 4.4 Money Laundering Compliance Officer (MLCO)](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) for further information.
* **Inherent risk level of your practice** – This should mirror your Practice Wide Risk Assessment (PWRA) ([**r.18**](https://www.legislation.gov.uk/uksi/2017/692/regulation/18)) which should conclude with a statement on your overall risk profile. Please see [LSAG Guidance Section 5.7 Conclusions of a risk assessment](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) for further detail.

**Please read this guidance before moving to the next page within the submission and submitting your information.**

**Confirm you have read the information above**

**1. Practice Information**

**Practice name:**

**Has the practice appointed a Money Laundering Reporting Officer (MLRO)?:** *Yes/No* **MLRO name:**

**MLRO email address:**

**Was the MLRO appointed during the relevant period (1st January 2023 – 31st December 2023)** Yes/No

**If yes, when was the MLRO appointed?** Date

**What is the MLRO position within the practice?: Board (or equivalent) Level Partner, Non-Board Level Partner, Other Solicitor, Other Non-Solicitor** *(Delete as appropriate)* **Has the practice appointed a Money Laundering Compliance Officer (MLCO)?*(i)*:** *Yes/No*

**MLCO name:**

**MLCO email address:**

**What is the MLCO position within the practice?: Board Level Person (or equivalent), Member of Senior Management** *(Delete as appropriate)*

**Type of practice: Sole Practitioner, Other, Please State *(i):*

If other, please state the number of Partners/Directors at the Practice:

Total number of Law Society of Scotland member staff, including partners: Sole Practitioner, Other, Please State:

Did your Practice start trading after 2nd July 2023:** *Yes/No* **If yes what date did your Practice begin trading *(i)*:**

**Gross total fees at your last reported financial year end *(i)*:**

**Gross fees from AML-relevant work at your last reported financial year end *(i)*:**

**What do you consider the inherent level of AML risk of your practice to be? *(i)*: High, Medium, Low** *(Delete as appropriate)*

**2. Confirmations**

**Please refer to the following documents where required:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **&** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

 **For the relevant period, please indicate whether your practice has:**

**A documented Practice-Wide Risk Assessment (PWRA) which meets the requirements of** [**r.18**](https://www.legislation.gov.uk/uksi/2017/692/regulation/18) ***(i)***: *Yes/No*

**A documented Risk Assessment in relation to Proliferation Financing which meets the requirements of** [**r.18A**](https://www.legislation.gov.uk/uksi/2017/692/regulation/18A) ***(i):*** *Yes/No*

**Clear and adequate AML Policies, Controls and Procedures (PCPs) covering the requirements of** [**r.19**](https://www.legislation.gov.uk/uksi/2017/692/regulation/19) ***(i)***: *Yes/No*

**Reviewed, updated, and signed off (By Senior Management) the practices AML Policies, Controls and Procedures (PCPs):** *Date*

1. **Provided and documented AML training to staff in line with the requirements of** [**r.24**](https://www.legislation.gov.uk/uksi/2017/692/regulation/24) ***(i)***:*Yes/No***If yes, provide date:** *Date*

 **Applied due diligence measures across all relevant business matters as required and set out in** [**r.28 – 35**](https://www.legislation.gov.uk/uksi/2017/692/regulation/28) ***(i)*:** *Yes/No*

1. **Kept the Law Society AML Registration portal updated with relevant Beneficial Owners, Officers, and Managers of the practice, in line with** [**r.26**](https://www.legislation.gov.uk/uksi/2017/692/regulation/26)**?** *Yes/No*

**Reported any discrepancies to Companies House relating to the beneficial ownership in line with** [**r.30A(3)**](https://www.legislation.gov.uk/uksi/2017/692/regulation/30A) ***(i):***

**Considered itself to be a Trust or Company Service Provider pursuant to** [**r.12(2)**](https://www.legislation.gov.uk/uksi/2017/692/regulation/12)**:** *Yes/No*

**Had any notable changes to the practice’s client, geographical, product/service, delivery channel or transactional risk? *(i)*:** *Yes/No***If yes:***please give detail:*



**Section 3. Residential Conveyancing – £100k to £1m**

**Please refer to the following documents where required:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **&** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires you to provide information relating to residential conveyancing for amounts between £100k to £1m undertaken by your practice during the relevant period. Please note the following points and make use of any ***(i)*** boxes next to certain questions for further information.

*(Conveyancing in this section should be taken to* ***exclude*** *crofting, discharge of securities, re-mortgaging, aborted transactions, leasing, and any conveyance under £100k. It should include transfers of title, and purchases and sales where the price paid was £100k - £1million).*

* **Non-UK resident person(s) (private individuals)** – Private individuals are defined as ‘non-UK’ on the basis of their country of residency. Please also note that ‘non-UK’ also includes crown dependencies and any offshore UK territory.
* **Non-UK resident (corporate or trust)** – Corporates are defined as ‘non-UK’ on the basis of the country in which they are registered. A trust should be considered ‘UK’ if the majority of trustees are UK residents and the settlor is/was UK resident. A trust should be considered ‘Non-UK’ if either the majority of trustees are non-UK resident, or the settlor is/was a non-UK resident (or both).
* **Beneficial owners** – Beneficial owner is defined in **r.5** or **r.6** as appropriate. If you require further information, please refer to the [Money Laundering Regulations](https://www.legislation.gov.uk/uksi/2017/692) and [LSAG Guidance - Section6.15 Beneficial ownership requirements](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf).
* **Politically Exposed Persons (PEPs)** - PEP is defined in **r.35** and includes family or close associates of PEPs. If you require further information, please refer to the [Money Laundering Regulations](https://www.legislation.gov.uk/uksi/2017/692) and [LSAG Guidance section 6.19.3 Screening, Due Diligence & Other Control Measures - Politically-Exposed Persons](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) for further information.
* **Funding >£100k of the transaction using private funds** - consider matters where the clients have included over £100k of private funds (i.e., not from a regulated lender) such as personal savings, family loans or gifts and prior sale settlements. You may exclude any purchase where the funds came from a sale which settled within the preceding seven days).

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

**Confirm you have read the information above**

**3. Residential Conveyancing - £100k to £1m**

*(Conveyancing in this section should be taken to* ***exclude*** *crofting, discharge of securities, re-mortgaging, aborted transactions, leasing, It should include any transfers of title, and any purchases and sales where the price paid was amounts between £100k to £1m)*

**Please answer the following questions giving total numbers of your practice’s matters (not percentages of total matters) within the relevant period (1 January 2023 – 31 December 2023).**

**Have you undertaken any Residential Conveyancing between £100k to £1m during the relevant period (1st January 2023 – 31st December 2023):** *Yes/No*

**Where your client was a UK resident individual(s)?:**

**Where your client was a non-UK resident individual(s)? *(i):***

*Please list the relevant jurisdiction(s):*

 **Where your client was a UK body corporate or trust arrangement?:**

**Where your client was a non-UK corporate or trust arrangement? *(i):***

*Please list the relevant jurisdiction(s):*

**Where the ownership structure of a corporate or trust client, involve any non-UK ownership? *(i):***

*Please list the relevant jurisdiction(s):*

**Where your client or their beneficial owner, was a UK Politically Exposed Person (PEP)? *(i):***

**Where your client or their beneficial owner, was a Non-UK Politically Exposed Person (PEP)? *(i):***

*Please give jurisdictions:*

**Where your client funded >£100k of the transaction using private funds (e.g., savings, prior sale settlement, family loan etc.) *You may exclude any purchase where the funds came from a sale which settled within the preceding seven days? (i):***

*Please give the jurisdiction if a non-UK jurisdiction is involved:*

**What is the total number of Residential Conveyancing Matters between £100k to £1m undertaken in the relevant period (1st January 2023 – 31st December 2023)?:**



**Section 4. Residential Conveyancing - >£1m

In completing the following section, you may find it helpful to refer to the:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **and** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires you to provide information relating to residential conveyancing for amounts over £1m undertaken by your practice during the relevant period (1 January 2023 – 31 December 2023. Please note the following points and make use of any ***(i)*** boxes next to certain questions for further information.

*(Conveyancing in this section should be taken to* ***exclude*** *crofting, discharge of securities, re-mortgaging, aborted transactions, leasing, and any conveyance under £1million. It should include any transfers of title, and any purchases and sales where the price paid was > £1million.)*

* **Non-UK resident person(s) (private individuals)** – Private individuals are defined as ‘non-UK’ on the basis of their country of residency. Please also note that ‘non-UK’ also includes crown dependencies and any offshore UK territory.
* **Non-UK residents (corporate or trust)** – Corporates are defined as ‘non-UK’ on the basis of the country in which they are registered. A trust should be considered ‘UK’ if the majority of trustees are UK residents and the settlor is/was UK resident. A trust should be considered ‘Non-UK’ if either the majority of trustees are non-UK resident, or the settlor is/was a non-UK resident (or both).
* **Ownership structure of a corporate or trust client involves any non-UK ownership** – references to non-UK ‘ownership’ or ‘ownership structure’ should be taken to include any layer of the direct beneficial ownership chain which is non-UK – i.e., non-UK in this context, does not solely refer to the jurisdiction in which the ultimate beneficial owner is resident.
* **Beneficial owners** – Beneficial owner is defined in **r.5** or **r.6** as appropriate. If you require further information, please refer to the [Money Laundering Regulations](https://www.legislation.gov.uk/uksi/2017/692) and [LSAG Guidance - Section6.15 Beneficial ownership requirements](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf).
* **Politically Exposed Persons (PEPs)** - PEP is defined in r.35 and includes family or close associates of PEPs. If you require further information, please refer to the [Money Laundering Regulations](https://www.legislation.gov.uk/uksi/2017/692) and [LSAG Guidance section 6.19.3 Screening, Due Diligence & Other Control Measures - Politically-Exposed Persons](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) for further information.
* **Funding >£100k of the transaction using private funds** - consider matters where the clients have included over £100k of private funds (i.e., not from a regulated lender) such as personal savings, family loans or gifts and prior sale settlements. You may exclude any purchase where the funds came from a sale which settled within the preceding seven days).

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

**Confirm you have read the information above**

**4. Residential Conveyancing - >£1m**

*(Conveyancing in this section should be taken to* ***exclude*** *crofting, discharge of securities, re-mortgaging, aborted transactions, leasing, and any conveyance under £1million. It should include any transfers of title, and any purchases and sales where the price paid was > £1million.)*

**Please answer the following questions giving the total numbers of your practice’s matters (not percentages of total matters) within the relevant period (1 January 2023 – 31 December 2023):**

**Have you undertaken any Residential Conveyancing >£1m during the relevant period (1st January 2023 – 31st December 2023):** *Yes/No*

**Where your client was a UK resident individual(s)?:**

**Where your client was a non-UK resident individual(s)? *(i):***

*Please list the relevant jurisdiction(s):*

 **Where your client was a UK body corporate or trust arrangement?:**

**Where your client was a non-UK corporate or trust arrangement? *(i):***

*Please list the relevant jurisdiction(s):*

**Where the ownership structure of a corporate or trust client involved any non-UK ownership element? *(i):***

*Please list the relevant jurisdiction(s):*

**Where your client or their beneficial owner, was a UK Politically Exposed Person (PEP)? *(i):***

**Where your client or their beneficial owner, was a Non-UK Politically Exposed Person (PEP)? *(i):***

*Please give jurisdictions:*

**Where your client funded >£100k of the transaction using private funds (e.g., savings, prior sale settlement, family loan etc.) *You may exclude any purchase where the funds came from a sale which settled within the preceding 7 days******(i)*:**

*Please list the jurisdiction of residence/registry if a non-UK jurisdiction is involved:*

**What is the total number of Residential Conveyancing Matters >£1m you undertook in the relevant period (1st January 2023 – 31st December 2023)?:**



**Section 5. Commercial Conveyancing**

**In completing the following section, you may find it helpful to refer to the:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **and** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires you to provide information relating to commercial conveyancing undertaken by your practice. Please note the following points and make use of any ***(i)*** boxes next to certain questions for further information.

* **Non-UK resident person(s) (private individuals)** – Private individuals are defined as ‘non-UK’ on the basis of their country of residency. Please also note that ‘non-UK’ also includes crown dependencies and any offshore UK territory.
* **Non-UK residents (corporate or trust)** – Corporates are defined as ‘non-UK’ on the basis of the country in which they are registered. A trust should be considered ‘UK’ if the majority of trustees are UK residents and the settlor is/was UK resident. A trust should be considered ‘Non-UK’ if either the majority of trustees are non-UK resident, or the settlor is/was a non-UK resident (or both).
* **Ownership structure of a corporate or trust client involves any non-UK ownership** – references to non-UK ‘ownership’ or ‘ownership structure’ should be taken to include any layer of the direct beneficial ownership chain which is non-UK – i.e., non-UK in this context, does not solely refer to the jurisdiction in which the ultimate beneficial owner is resident.
* **Beneficial owners** – Beneficial owner is defined in **r.5** or **r.6** as appropriate. If you require further information, please refer to the [Money Laundering Regulations](https://www.legislation.gov.uk/uksi/2017/692) and [LSAG Guidance - Section6.15 Beneficial ownership requirements](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf).
* **Politically Exposed Persons (PEPs)** - PEP is defined in **r.35** and includes family or close associates of PEPs. If you require further information, please refer to the [Money Laundering Regulations](https://www.legislation.gov.uk/uksi/2017/692) and [LSAG Guidance section 6.19.3 Screening, Due Diligence & Other Control Measures - Politically-Exposed Persons](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) for further information.
* **Funding >£100k of the transaction using private funds** - consider matters where the clients have included over £100k of private funds (i.e., not from a regulated lender) such as personal savings, family loans or gifts and prior sale settlements. You may exclude any purchase where the funds came from a sale which settled within the preceding seven days).

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

**Confirm you have read the information above**

**5. Commercial Conveyancing**

 *5.1 (Conveyancing should be taken to* ***exclude*** *crofting, discharge of securities, re-mortgaging, aborted transactions, and leasing. It should include purchases, sales, and transfers of title.)*

**Please answer the following questions giving the total numbers of your practice’s matters (not percentages of total matters) within the relevant period (1 January 2023 – 31 December 2023):**

**Have you undertaken any Commercial Conveyancing during the relevant period (1st January 2023 – 31st December 2023):** *Yes/No*

**Where your client was a UK resident individual(s)?:**

**Where your client was a non-UK resident individual(s)? *(i):***

*Please list the relevant jurisdiction(s):*

 **Where your client was a UK body corporate or trust arrangement?:**

**Where your client was a non-UK corporate or trust arrangement? *(i):***

*Please list the relevant jurisdiction(s):*

**Where the ownership structure of a corporate or trust client involved any non-UK ownership *(i)*:**

*Please list the relevant jurisdiction(s):*

**Where your client or their beneficial owner, was a UK Politically Exposed Person (PEP)? *(i):***

**Where your client or their beneficial owner, was a Non-UK Politically Exposed Person (PEP)? *(i):***

*Please give jurisdictions:*

**Where your client funded >£100k of the transaction using private funds (e.g., savings, prior sale settlement, family loan etc.) *You may exclude any purchase where funds came from a sale which settled in the preceding seven days (i):***
*Please list the jurisdiction if a non-UK jurisdiction is involved:*

**What is the total number of Commercial Conveyancing matters undertaken in the relevant period (1st January 2023 – 31st December 2023)?:**



**Section 6. Other Conveyancing**

**In completing the following section, you may find it helpful to refer to the:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **and** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires information relating to other conveyancing elements not covered by the previous conveyancing sections. Please note the points below and make use of the accompanying guidance booklet, FAQs, and the information ***(i)*** boxes next to questions for further information and assistance.

* **High risk industries** – Designated higher risk industries are outlined in the LSAG Guidance and include:
- domestic and international public work contracts and construction (including post-conflict reconstruction),
- businesses utilising new or unproven technology, that might make them vulnerable to being used for money laundering,
- high value goods businesses, Items of archaeological, historical, cultural and religious significance or of rare scientific value (this may be of particularly high risk in jurisdictions with exposure to terrorism or terrorist financing activities),
- aspects of the nuclear industry with vulnerability to proliferation risk, mining (including precious metals, diamonds or other gemstones and trading of these materials),
- arms manufacturing/supply and the defence industry,
- tobacco products,
- gambling,
- crypto-asset wallet providers and exchanges,
- Unregulated charities (particularly those operating in higher risk jurisdictions),
- money transfer businesses,
- ivory and other items and materials related to protected species,
- real estate and property development
- oil and gas industry (with the exception of the buying and selling of fuel for domestic consumption or retail)
* **Three or more conveyances with >£50k private funding.** For the purposes of the AML Certificate, we are seeking to understand where you may have conducted three or more conveyances for the same client where they funded >£50k from sources other than regulated lending in each of the three transactions (i.e., not £50K above in total across all three)

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

**Confirm you have read the information above**

**6. Other Conveyancing**

**Number of conveyances of any type above (commercial, residential etc.), where the business interest of the client was/is known to be a higher risk industry *(See (i) box and guidance for list of higher risk industries) (i):***

**Number of clients for whom you carried out three or more conveyancing transactions where they funded >£50k from sources other than regulated lending, regardless of the price paid. *You may exclude any purchase where the funds came from a sale which settled within the preceding seven days* *(i)*:**

*Please list the jurisdiction if a non-UK jurisdiction is involved:*



**Section 7. Trust or Company Service Provision (TCSP)**

**In completing the following section, you may find it helpful to refer to the:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **and** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires information relating to Trust or Company Service Provision (TCSP) work undertaken by your practice. Please note the following points and make use the accompanying guidance, FAQs, and any ***(i)*** boxes next to certain questions for further information.

**Overview:** Trust or Company Service Provision is detailed in the Money Laundering Regulations as:

* Forming companies or other legal persons as per [**r.12(2)**](https://www.legislation.gov.uk/uksi/2017/692/regulation/12)
* Acting, or arranging for another person to act as a director or secretary of a company, or as a partner of partnership, or in a similar capacity in relation to other legal person
* Providing a registered office, business address, correspondence or administrative address or other related services for a company, partnership or any other legal person or legal arrangement
* Acting, or arranging for another person to act as a trustee of an express trust or similar legal arrangement or nominee shareholder for a person other than a company whose securities are listed on a regulated market
* **Formation of Scottish Limited Partnerships (SLPs)** - A Scottish Limited Partnership is a distinct legal entity type in the UK and can be ascertained by its registration number beginning with the prefix ‘SL’
* **UK vs Non-UK ownership** - A trust should be considered ‘UK’ if the majority of trustees are UK resident and the settlor is/was UK resident. A trust should be considered ‘non-UK’ if either the majority of trustees are non-UK resident, or the settlor is/was a non-UK resident (or both)
* **High risk industries** – Designated higher risk industries are outlined in the LSAG Guidance and include:
- domestic and international public work contracts and construction (including post-conflict reconstruction),
- businesses utilising new or unproven technology, that might make them vulnerable to being used for money laundering,
- high value goods businesses, Items of archaeological, historical, cultural and religious significance or of rare scientific value (this may be of particularly high risk in jurisdictions with exposure to terrorism or terrorist financing activities),
- aspects of the nuclear industry with vulnerability to proliferation risk, mining (including precious metals, diamonds or other gemstones and trading of these materials),
- arms manufacturing/supply and the defence industry,
- tobacco products,
- gambling,
- crypto-asset wallet providers and exchanges,
- Unregulated charities (particularly those operating in higher risk jurisdictions),
- money transfer businesses,
- ivory and other items and materials related to protected species,
- real estate and property development
- oil and gas industry (with the exception of the buying and selling of fuel for domestic consumption or retail)

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

**Confirm you have read the information above**

**7. Trust or Company Service Provision (TCSP)**

*Please give the number of your practice’s matters (not as a percentage) for the relevant period, (*1 January 2023 – 31 December 2023) *for the following services:*
*(Please do not report any numbers relating to trust work pertaining directly to executry work. See Guidance Booklet for detail.)* ***(i)***

**Have you undertaken any Trust of Company Service Provision (TCSP) work during the relevant period (1st January 2023 – 31st December 2023):** *Yes/No*

**Does your practice offer any of its TCSP services through one or more subsidiary? Please list their names:-**

**Does your practice operate as a TCSP in any non-UK jurisdiction?:** *Yes/No*

*If yes, please list the jurisdiction(s):*

**UK company formation with UK-only ownership:**

**UK company formation with any non-UK ownership:**

*Please list the relevant jurisdictions of ownership:*

**Non-UK company formation:**

*Please list the relevant jurisdiction(s) of company registry:*

*Please list the relevant jurisdictions of ownership:*

**Formation or management of a Scottish Limited Partnership with UK-only ownership *(i)*:**

**Formation or management of a Scottish Limited Partnership with any non-UK ownership *(i)*:**

*Please list the relevant jurisdictions of ownership:*

**Formation or management of a UK Limited Liability Partnership with UK-only ownership:**

**Formation or management of a UK Limited Liability Partnership with any non-UK ownership:***Please list the relevant jurisdictions of ownership:*

**Provision of a director to a UK company with UK-only ownership:**

**Provision of a director to a UK company with any non-UK ownership:**

*Please list the relevant jurisdictions of ownership:*

**Provision of a director to a non-UK company:**

*Please list the relevant jurisdiction(s) of company registry:*

*Please list the relevant jurisdictions of ownership:*

**Provision of a Secretary to a UK company with UK-only ownership:**

**Provision of a Secretary to a UK company with any non-UK ownership:**
*Please list the relevant jurisdictions of ownership:*

**Provision of a Secretary to a non-UK registered company:**

*Please list the relevant jurisdiction(s) of company registry:*

*Please list the relevant jurisdictions of ownership:*

**Provision of a nominee shareholder for UK company with a UK only ownership:**

**Provision of a nominee shareholder for UK company with any non-UK ownership:**

*Please list the relevant jurisdictions of ownership:*

**Provision of a nominee shareholder for a non-UK company:**

*Please list the relevant jurisdiction(s) of company registry:*

*Please list the relevant jurisdictions of ownership:*

**Number of trusts formed (UK and non-UK (exc. Executry):**

*Please list the relevant jurisdictions of ownership if a non-UK jurisdiction is involved:*

**Provision of a trustee, or other controlling position, to a UK trust with UK-only ownership *(i)*:**

**Provision of a trustee, or other controlling position, to a UK trust with any non-UK ownership *(i)*:**

*Please list the relevant jurisdiction(s) of ownership:*

**Provision of a trustee, or other controlling position, to a non-UK trust (or similar arrangement) *(i)*:**

*Please list the relevant jurisdiction(s) of ownership:*

**Provision of a registered office for a UK company with UK only ownership:**

**Provision of a registered office for a UK company with any non-UK ownership:**

*Please list the relevant jurisdictions of ownership:*

**Number of TCSP clients where the business interest of the client was/is known to be a higher risk industry *(i)*:**

**Have you undertaken any TCSP work where your client or their beneficial owner, was a UK Politically Exposed Person (PEP)? *(i):***

**Have you undertaken any TCSP work where your client or their beneficial owner, was a Non-UK Politically Exposed Person (PEP)? *(i):***

*Please give jurisdictions:*

**What is the total number of Trust of Company Service Provision (TCSP) matters undertaken in the relevant period (1st January 2023 – 31st December 2023)?:**



**Section 8. Additional Considerations**

**In completing the following section, you may find it helpful to refer to the:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **and** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires you to provide information relating to additional considerations across a variety of work undertaken and captured within the previous sections. Please note the following points and make use of any ***(i)*** boxes next to certain questions for further information.

* **Not meeting face to face** – For the purposes of the AML Certificate, this should be taken to mean matters where you have not had any live face to face contact with the client. Where you have, for example, conducted a video call with the client as part of the identification and verification process, you may consider this face to face, in line with [Non face-to-face identification and verification | Law Society of Scotland (lawscot.org.uk)](https://www.lawscot.org.uk/members/regulation-and-compliance/financial-compliance/anti-money-laundering/idandverification/)
* **Aborted transactions** - For the purposes of the AML Certificate, consider any matters where client funds were transferred to your client account, but the matter subsequently did not complete, and funds were returned, as aborted transactions
* **Physical cash** - Physical cash payments mean actual physical cash (bank notes and coins) brought to your practice for deposit into your client account. You do not need to include funds which have been transferred from Bank or Building society accounts.

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

**Confirm you have read the information above**

**8. Additional considerations**

**Number of conveyances of any type listed in parts 3-6 of this certificate (commercial, residential etc.) where you have not met the client face to face *(i)*:**

*Please list the jurisdiction if a non-UK jurisdiction is involved:*

**Number of matters concerning any of the previous trust or company service provisions listed in Part 7 where you have not met the client face to face *(i)*:**

*Please list the jurisdiction if a non-UK jurisdiction is involved:*

**Has your practice conducted any AML regulated matters with a nexus to countries subject to sanctions, embargos or similar measures issued by, for example, the U.S, U.K or the United Nations *(i)*;** *Yes/No*

*Please list the jurisdiction(s) involved:*

**What is the total number of AML regulated Transactions/Matters listed in parts 3 – 8 of this certificate completed by the practice in the relevant period?**

**Does your practice use electronic software to support or aid AML compliance?** *Yes/No*

**If yes, what is the software used for?***ID&V/SANCTIONS/ PEP/Adverse Media Checks/Company Registry information checking/All*

 **If yes, what system is used?***please give detail:*

**Number of clients for whom the practice provided a mixture of any conveyancing and trust or company services, UK, or non-UK (excluding executry work):***Where non-UK, please list the jurisdiction(s) involved, whether relevant to the client or ownership structure:*

**Number of aborted matters/transactions where client funds had been transferred to your account and returned without completion of the underlying transaction *(i)*:**

*Please list the jurisdiction(s) if a non-UK client or ownership was involved:*

**Number of physical cash payments over £5k *(i)*:**

*Please list the jurisdiction(s) of origins of the funds if non-UK:*

**Number of transactions which involved the exchange or investment of cryptocurrency as part/all of the funding:**



**Section 9. PEPs**

**In completing the following section, you may find it helpful to refer to the:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **and** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires you to provide information relating to Politically Exposed Persons (PEPs) and any work undertaken on their behalf by your practice. Please note the following points and make use of any ***(i)*** boxes next to certain questions for further information.

* **Politically Exposed Persons (PEPs)** - PEP has the meaning given in **r.35** and includes family or close associates of PEPs. Please refer to the Money Laundering Regulations and [LSAG Guidance section 6.19.3 Screening, Due Diligence & Other Control Measures - Politically-Exposed Persons](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) for further information if required.
* **PEP register** - Practices undertaking work on behalf of PEPs may wish to keep a PEP register which details the clients known to be PEPs - this may allow for ongoing monitoring or screening of such clients and any associated risks.

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

 **Confirm you have read the information above**

**9. PEPs**

**Total number of UK PEPs in line with regulated work listed in sections 3-7 of this certificate *(i)*:**

**Total number of non-UK PEPs in line with regulated work listed in sections 3-7 of this certificate *(i)*:**

*Please list the jurisdictions involved:*

**Do you maintain a PEPs register?** *Yes/No*

**How often is this reviewed by the practice?**
*Monthly/Annually/Never/Other*

*Other – please give detail:*



**Section 10. Suspicious Activity Reports**

**In completing the following section, you may find it helpful to refer to the:** [**LSAG Guidance**](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf) **and** [**Money Laundering Regulations 2017**](https://www.legislation.gov.uk/uksi/2017/692)

This section requires you to provide information relating to any Suspicious Activity Reports (SARs) the practice may have raised throughout the relevant period (1 January 2023 – 31 December 2023. Please note the following points and make use of any ***(i)*** boxes next to certain questions for further information.

**Overview:**

A Suspicious Activity Report (SAR) is a piece of information which alerts law enforcement that certain client/customer activity is in some way suspicious and might indicate money laundering or terrorist financing. The suspicious activity reporting regime for money laundering and terrorist financing is administered by the United Kingdom Financial Intelligence Unit (UKFIU) which sits within the National Crime Agency (NCA). The UKFIU receives, processes and, where necessary, triages SARs within law enforcement. Further information on SARs can be found on the [SARs page of the Law Society of Scotland Website](https://www.lawscot.org.uk/members/regulation-and-compliance/financial-compliance/anti-money-laundering/suspiciousactivityreports/) as well as in the [LSAG Guidance section 11. Suspicious Activity Reporting](https://www.lawscot.org.uk/media/370253/lsag-aml-guidance-20-january-2021-2.pdf).

**Total number of SARs** – This relates to ALL SARs raised to the MLRO/nominated officer in your practice within the relevant period. This includes general SARs, SARs raised as Defence Against Money Laundering (DAML) SARs, and any submitted relating to terrorist financing.

* **When we ask for numbers of general SARs** – you should provide the number of general SARs which were submitted to the NCA by your practice
* **When we ask for numbers of DAML SARs** – you should provide the number of Defence Against Money Laundering (DAML) SARs which were submitted to the NCA by your practice
* **When we ask for numbers of terrorist financing SARs**– you should provide the number of SARs raised relating to Terrorist Financing which were submitted to the NCA by your practice

**Please read this guidance before moving to the next page within the certificate and submitting your information.**

**Confirm you have read the information above**

**10. Suspicious Activity Reports (SARS)**

**Do you hold a current and up to date NCA log on for SAR reporting?:** *Yes/No*

**In total within the last year, how many internal SARs were raised by staff to the nominated officer/MLRO? *(i)*:**

**In total within the last year, how many information Suspicious Activity Reports (SARs) have you made to the National Crime Agency (NCA)? *(i)*:**

**In total within the last year, how many Defence Against Money Laundering (DAML) SARs have you made to the NCA? *(i)*:**

**In total within the last year, how many Terrorist Financing-related SARs have you made to the NCA? *(i)*:**

**How many of your SARS were in each of the following areas?**

*Sales (Conveyancing):*

*Purchases (Conveyancing):*

*Trust or Company Service Provision
Other (please give detail):*

***Contribution***

*We welcome the sharing of relevant information or ‘intelligence’ in order that we can review and investigate further as appropriate. This allows us to fulfil our responsibilities more efficiently and effectively as an AML Supervisor and helps us protect both the profession and the general public in the fight against economic crime and money laundering. Please use this space to provide information you think should be brought to our attention. Any information will be used appropriately and held in the strictest confidence (If you'd prefer to report anonymously, you may also report this through the Reporting Concerns hotline or* [*webform*](https://www.ukciu.gov.uk/%28ric2rnqi2ysgx0bxiwbxl5mq%29/saronline.aspx)*)*

***Further comment***

*Please use this space if you wish to provide explanatory notes to any answer(s), or provide any other comment*