



# UK Criminal Finances Act – the offshore implications

As of 30 September, two new criminal offences relevant to the offshore world are in force under the UK Criminal Finances Act 2017

- Failure to prevent the facilitation of UK tax evasion
- Failure to prevent the facilitation of foreign tax evasion

## Five things you need to know...



**Global reach** – the law covers offshore and international firms as well as those in the UK



**Risk** – all offshore financial services providers will automatically be considered “high risk”



**Extra** – new procedures may be needed beyond existing measures



**Unlimited** – fines for breaking the law are unlimited, as is the potential reputational damage



**Responsibility** – liability not just for actions of employees but contractors/subsidiaries as well

## Five things you need to do...



**Assessment** – consider additional financial crime prevention procedures, resources and skills



**Review** – periodic review of new measures and how well they are understood by your teams



**Document** – all steps needed to demonstrate that “reasonable prevention procedures” exist



**Culture** – a demonstrable culture of compliance in this area is critical



**Seniority** – directors and partners must demonstrate practical engagement on prevention in this area



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