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# Regulatory Update

Caribbean – Q4 2025

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# Quick Fire Updates

## BVI UPDATES

### 1. Trust and corporate service provider annual return

The [Financial Services \(Prudential and Statistical Returns\) \(Amendment\) Order, 2025](#) was published in the BVI Gazette on 30 September 2025 and came into force on 1 October 2025. The Order replaces the Fiduciary Services Business Annual Return with a new Trust and Corporate Services Provider Annual Return which is to be completed and filed with the BVI FSC by the following regulated persons by 31 January each year:

- a person holding any of the following licences issued pursuant to the Banks and Trust Companies Act, Revised Edition 2020:
  - Class I Trust licence
  - Class II Trust licence
  - Class III licence
  - Class IV Trust licence
  - Class V licence
  - Restricted Class II Trust licence
  - Restricted Class III licence; and
- a person holding a licence issued pursuant to section 4(3) of the Company Management Act, Revised Edition 2020.

### 2. Transition to filing SARs/STRs through AMLive

The Financial Investigation Agency (FIA) has advised that effective 1 January 2026, all reporting entities will be required to file suspicious activity/suspicious transaction reports (SARs/STRs) through the [AMLive Portal](#).

To be able to file through AMLive, a reporting entity must have the requisite licences to do so. From 1 January 2026, the FIA will only be offering one complimentary licence for each reporting entity to make filings through AMLive. A one-off fee of \$150 per licence will be payable to the FIA for any additional licences required by a reporting entity. The licences are one per user.

### 3. BVI FSC Industry Circular - Updated Guidance on Batch/Bulk Filing for BO Information

The BVI FSC issued an [Industry Circular](#) on 12 September 2025, providing updated guidance on using the batch/bulk filing template for beneficial ownership information.

The Circular reminds registered agents and practitioners:

- to use an updated or recent version of Excel for the template format
- not to modify the template's format or structure to match internal templates
- that column headings must remain exactly as provided
- that the order of columns must not be altered
- of the fields which are mandatory
- of the fields which must be formatted as dates and in DD/MM/YYYY format
- that all non-date fields must be formatted as text and such columns are case sensitive.

The Circular also flags some common errors in batch/bulk filing, noting that failure to follow the relevant formatting requirements will result in VIRRGIN automatically rejecting batch files.

### 4. Mutual Legal Assistance (Tax Matters) (Amendment) Act, 2025

The [Mutual Legal Assistance \(Tax Matters\) \(Amendment\) Act, 2025](#) was published in the BVI gazette on 28 August 2025 and came immediately into force. The Mutual Legal Assistance (Tax Matters) Act, Revised Edition 2020 (the Principal Act) is amended to:

- clarify that a Reporting BVI Financial Institution must notify the Competent Authority immediately of any changes to the tax identification number (TIN) information provided for Specified US Persons who are the account holder of a US Reportable account, including any changes to the details of the primary point of contact
- broaden the category of offences for a reporting BVI financial institution to include making a report which contains inaccurate or incomplete information where:
  - the inaccuracy or incompleteness is deliberate or due to a failure to take reasonable care; or
  - the Reporting BVI Financial Institution discovers the inaccuracy or incompleteness sometime later and fails to take reasonable steps to inform the Competent Authority
- provide that where a Reporting BVI Financial Institution which is a limited partnership or trust commits an offence under the principal Act, the liability falls upon a 'liable person' being:
  - for a limited partnership with legal personality, the limited partnership and any of its general partners;
  - for a limited partnership without legal personality, the general partners; and
  - for a trust, a trustee of the trust, and anyone else, who otherwise is a *de facto* decision maker for the entity
- provide that a BVI Financial Institution which files a return containing inaccurate or incomplete information, commits an offence, where:
  - the inaccuracy or incompleteness is deliberate or due to a failure to take reasonable care; or
  - the BVI Financial Institution discovers the inaccuracy or incompleteness sometime later and fails to take reasonable steps to inform the Competent Authority
- provide that persons who wilfully, knowingly, fraudulently, recklessly or negligently provides any false, inaccurate, incomplete or incorrect information to the Competent Authority, or who discovers the false, inaccurate, incomplete or incorrect information, but without reasonable excuse, fails to notify the Competent Authority as soon as practicable after making the discovery commits an offence
- provide that where an obligation created under the Principal Act or an inter-Governmental Agreement falls upon a limited

partnership or trust, for which a penalty is not imposed, then a failure to comply with such obligation will constitute an offence.

## 5. BVI FSC Quarterly Newsletter Q3 2025

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The [BVI FSC Newsletter Q3 2025](#) was published on 1 October 2025. This edition covers:

- Key BVI FSC leadership appointments
- Summer 2025 Meet the Regulator series recap
- Legislative and regulatory updates including:
  - a summary of the BVI Business Companies and Limited Partnership (Beneficial Ownership) (Amendment) Regulations 2025 and a timeline setting out the key dates and regulatory changes of the BVI beneficial ownership regime
  - a summary of amendments to the Fiduciary Services Business Annual Return which was renamed to Trust and Corporate Services Provider Annual Return
  - a useful guide to how an effective ongoing monitoring system assists in producing quality SARs
  - an article on unpacking anti-money laundering (AML), countering the financing of terrorism (CFT) and countering proliferation financing (CPF) risk: BVI business companies
  - summary of the FSC 2025 AML/CFT/CPF Policy and 2025-2027 AML/CFT/CPF Strategy
- Registry corner
  - Filing BO information – general queries
  - Annual fee, penalty and strike-off dates
  - Requests to have submitted transactions rejected
  - Queries related to filing of beneficial ownership
- Authorisation and supervision division - calendar of upcoming filing deadlines.

## 6. BVI FSC Quarterly Newsletter Q2 2025

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The [BVI FSC Newsletter Q2 2025](#) was published on 4 July 2025 and covered the following items:

- Meet the Regulator Forums
- Legislative update on the Proliferation Financing Act
- A Chronicle of BVI Corporate Registrars
- Extension granted on the date to file beneficial ownership information
- Authorisation and Supervision Division: calendar of upcoming filing requirement deadlines
- Consumer awareness engagement events
- Registry contacts/updates, including in relation to:
  - Certificates of Good Standing - the expiration date of the certificate of good standing for existing entities that have *not yet* filed, has been extended to 2 January 2026. This does not apply to certificates issued prior to 30 May 2025. Certificates with the expiration date of 2 July 2025 are being regenerated to show the new expiration date of 2 January 2026

- Six-month extension of the filing period - for register of members, register of directors and register of beneficial ownership from 2 July 2025 to 1 January 2026
- Register of Members - Transactions are now available for changes to the number of shares (allows numbers less than 1 and up to four decimal places) or to remove the nominator information. A register is created to display the nominator information of the ROM Filing
- Register of Directors - Transactions are now available for corrections to add director services, corrections to single filings and changes to registration for batch filings
- Requests to have transactions rejected - When submitting a request for a transaction to be rejected, please email: [support@bvifsc.vg](mailto:support@bvifsc.vg) with a copy to [cregistrars@bvifsc.vg](mailto:cregistrars@bvifsc.vg)
- Filings outside of normal business hours - Certificates relating to transactions submitted on weekends and public holidays will receive the date of the *next business day*. For consistency, associated documents such as memoranda and articles submitted on holidays should contain the date of the next business day.

## 7. Q2 2025 FSC Statistical Bulletin

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The FSC published the [Q2 2025 Statistical Bulletin](#) on 13 August 2025, providing key statistics, information and analysis on financial services activities within the second quarter of 2025.

## 8. List of jurisdictions eligible for BVI vessel registration

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The Virgin Islands Shipping and Maritime Authority published a [List of jurisdictions eligible for BVI vessel registration](#) according to the Merchant Shipping (Amendment) Act, 2025 on 19 July 2025.

The Virgin Islands Shipping and Maritime Authority can conduct business with citizens, bodies corporate or foreign companies incorporated, established or registered in the listed jurisdictions.

## 9. Mourant Guides and Updates

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Mourant has uploaded the following BVI Updates and Guides to our website over the last quarter:

- [Taking security over shares in a BVI company](#)
- [Enforcing security over shares in a BVI company](#)
- [BVI limited partnerships](#)
- [Amendments to the BVI beneficial ownership regime in force](#)
- [The BVI beneficial ownership regime](#)
- [BVI Key Filing Dates 2025](#)
- [BVI closed-ended funds](#)
- [BVI open-ended funds](#)
- [BVI Approved Managers Regime](#)
- [Continuing obligations for BVI private and professional funds](#)
- [Continuing obligations for BVI incubator funds](#)
- [Continuing obligations for BVI approved funds](#)
- [Documents and information that can be obtained in respect of a BVI company](#)

## CAYMAN UPDATES

### 10. CIMA Notice - Update to VASP Application Form

The Cayman Islands Monetary Authority (CIMA) issued an [Industry Notice](#) on 14 July 2025 advising that the Virtual Asset Service Providers (VASPs) application form has been updated on the REEFS portal. The amendments further streamline the application process for registration, licensing and waivers by incorporating additional questions and clarifying document requirements for all applicants.

All VASP applications submitted on or after 14 July 2025 must be completed using the updated APP 101-84-05 form via the REEFS portal. A [Completion Guide](#) is available to assist with the VASP application process.

### 11. CIMA Notice - Withdrawal of operator letters in lieu of notarised affidavits

On 18 July 2025, CIMA issued an [Industry Notice](#) providing that it will no longer accept operator letters as a substitute for notarised affidavits. All applications for registration or licensing under the Mutual Funds Act (2025 Revision) and the Private Funds Act (2025 Revision) must be accompanied by duly notarised affidavits.

### 12. Country-by-Country Reporting on DITC Portal

The Department for International Tax Cooperation (DITC) has issued an [Industry Advisory](#) providing that, with effect from 29 August 2025, functions related to the Cayman Islands Country-by-Country Reporting framework are available on the DITC's portal. All multinational enterprise (MNE) groups with Cayman Islands constituent entities must re-register with the Tax Information Authority via the DITC Portal. To support users through this transition, updated guidelines and resources are available on the [DITC Website](#).

### 13. New Office for Strategic Action on Illicit Finance

On 12 August 2025, the Cayman Islands Government [announced](#) the establishment of the Office for Strategic Action on Illicit Finance (OSAIF), a new centralised authority which reinforces the jurisdiction's alignment with international standards.

OSAIF is housed within the Ministry of Financial Services and Commerce and will consolidate interagency coordination and operational delivery in anti-money laundering, counter-terrorist financing, and counter-proliferation financing (AML/CFT/CPF). The creation of OSAIF aims to provide demonstrable effectiveness in AML/CFT/CPF which is an essential benchmark under the Financial Action Task Force (FATF) framework. As such, OSAIF will oversee the national coordination team in preparing for the next Caribbean Financial Action Task Force (CFATF) evaluation in December 2027.

### 14. 2025-26 National Risk Assessment launched

On 21 August 2025, the Cayman Islands Government announced the [launch](#) of the 2025-2026 National Risk Assessment (NRA) in

order to strengthen the country's framework against money laundering, terrorist financing, and proliferation financing. The NRA is being coordinated by OSAIF, with participation from government agencies, regulators and private sector stakeholders.

Completion of the NRA is a key element in preparing for the upcoming 5th Round CFATF Mutual Evaluation (which is scheduled for December 2027) and the results will be used to determine risk-based policies and decide regulatory and supervisory priorities.

A related [NRA Factsheet](#) was published on 15 September 2025, providing an overview of the objectives of the NRA, stakeholder roles and participation, process and timeline, strategic importance, anticipated outcomes and next steps, along with some FAQs.

### 15. One-time non-compliant directors amnesty scheme

CIMA published an [Industry Notice](#) on 3 September 2025 announcing a one-time non-compliant directors amnesty scheme which provides a limited opportunity for eligible directors to voluntarily settle outstanding annual fees and accrued penalties at a discounted rate.

From 16 September to 15 October 2025, the scheme will be open to registered directors within the 1–19 covered entities category, who as of 31 August 2025, have more than two years of unpaid annual fees. Directors who are currently under investigation or subject to enforcement action by CIMA or another regulatory body are not eligible for the scheme.

Any directors who meet the criteria for the scheme have been contacted directly via email with the relevant participation instructions. Applications under the scheme will only be accepted through the [Directors' Gateway Portal](#).

CIMA strongly encourages directors wishing to return to good regulatory standing to take advantage of this 30-day window. After the scheme ends, full fees and penalties will apply without exception.

### 16. Regulatory measures - cancellation of VASP licences, registrations or waivers

The following regulatory measures for VASPs were gazetted on 10 September 2025 and came immediately into effect:

- [Rule - Cancellation of Licences, Registrations, or Waivers for VASPs](#) (the [Rule](#))
- [Regulatory Procedure - Cancellation of Licences, Registrations, or Waivers for VASPs](#) (the [Regulatory Procedure](#)).

The Rule applies to all CIMA-regulated VASPs that:

- have chosen to cease providing virtual asset services permanently and/or are winding down operations in the Cayman Islands;
- have been registered, licensed or granted a waiver by CIMA but never initiated virtual asset service business activities or client interactions/transactions;



- are discontinuing business in the Cayman Islands or relocating operations to another jurisdiction; or
- are voluntarily seeking to cancel their licence, registration or waiver pursuant to the Virtual Assets (Service Providers) Act (as amended, the **VASP Act**).

Involuntary cancellations (including those resulting from regulatory breaches or enforcement actions) are not covered by the Rule or the Regulatory Procedure.

The Rule provides that:

- a VASP intending to cease its virtual asset service operations must notify CIMA in writing within 15 days of the date on which the decision to cease operations is made; and
- a VASP which has not commenced virtual asset service business within one year of the date of the grant of the licence, registration or waiver, must notify CIMA in writing at least 15 days prior to the expiration of the one-year period if it anticipates it will not commence business within that timeframe.

In addition, a VASP must:

- ensure compliance with the VASP Act and other applicable legislation, and provide any information reasonably required by CIMA to evaluate its compliance;
- ensure that all stakeholders are accurately informed of the cancellation in accordance with the Regulatory Procedure;
- take all necessary steps to protect and secure its clients' data and assets in accordance with the relevant Acts and regulatory measures;
- comply with any conditions or restrictions imposed by CIMA to safeguard client interests (including data and assets); and
- notify CIMA within 15 days of the VASP becoming aware of a material change, including those that may impact regulatory good standing during the cancellation process.

The Regulatory Procedure sets out the required documentation and procedural steps for cancellation, including the general conditions, core information and specific requirements based on the reason for cancellation.

## 17. AML/CFT supervision of VASPs

On 18 September 2025, CIMA issued a **Supervisory Information Circular** in relation to AML/CFT on-site and off-site supervision of virtual asset service providers (**VASPs**).

The Circular provides that CIMA takes a risk-based approach (**RBA**) in determining the frequency and focus of AML/CFT supervision of VASPs, which includes on-site inspections and desk-based reviews. This is supported by the requirement for VASPs to submit annual AML returns (known as the AML Survey) and quarterly Travel Rule Returns.

The Circular notes the key findings and observations from both off-site and on-site AML/CFT compliance monitoring, including as relates to:

- assessing risk and applying an RBA
- reliance on technology solutions for AML/CFT compliance

- customer due diligence and ongoing monitoring programmes
- sanctions compliance
- oversight of the compliance function
- outsourced AML/CFT compliance functions
- independent AML/CFT audit function
- employee training and awareness
- record keeping and travel rule compliance.

Although CIMA noted good compliance levels in many areas following the first round of inspections, there were notable deficiencies particularly as regards customer risk assessment, sanctions screening, due diligence, transaction monitoring and record keeping.

## 18. CIMA deregistration timeline reminder for funds

As a reminder, a Cayman Islands regulated mutual fund or registered private fund intending to cease to carry on business and deregister with CIMA needs to notify CIMA within 21 days of ceasing, or formally intending to cease, to carry on business as a fund. The deregistering fund must then complete and file its final audit before deregistration documents can be filed.

In general, a fund is considered to cease carrying on business on the date stated within the relevant resolution or decision of the fund's operators or upon the appointment of a liquidator. A fund will be liable for registration fees until it is deregistered by CIMA. Failure to notify CIMA within the 21-day period may result in an administrative fine.

If a fund wants to avoid incurring the annual registration fees for 2026 after deregistration with CIMA, it should therefore start planning early. This includes making arrangements for the fund's final audit to be ready and filed with CIMA by 31 December 2025 (if not earlier) such that it can file the deregistration documents by 31 December 2025 and avoid incurring unnecessary registration fees for 2026.

## 19. Mourant Guides and Updates

Mourant has uploaded the following Cayman Updates and Guides to our website over the last quarter:

- [Taking security over shares in a Cayman Islands exempted company](#)
- [Creation of security by a Cayman Islands exempted company](#)
- [Enforcing security over shares in a Cayman Islands exempted company](#)
- [The director registration and licensing regime in the Cayman Islands.](#)
- [Transfer by way of Continuation into the Cayman Islands - Exempted companies](#)
- [Transfer by way of Continuation into the Cayman Islands - Limited liability companies](#)
- [Re-registration of a foreign partnership as a Cayman Islands exempted limited partnership](#)



## 20. Mourant online AML and AEOI compliance training

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Mourant offers specialised online [Cayman AML Training](#) and [BVI/Cayman AEOI compliance training](#) programmes for financial institutions, their directors and service providers to assist them in understanding their obligations and demonstrating compliance. Please contact [ClientTraining@Mourant.com](mailto:ClientTraining@Mourant.com) for further information.

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