



STATUTORY INSTRUMENTS.

**S.I. No. 347 of 2010**

---

EUROPEAN COMMUNITIES (TRUST OR COMPANY SERVICE  
PROVIDERS) (TEMPORARY AUTHORISATION) REGULATIONS 2010

**(Prn. A10/1021)**

## EUROPEAN COMMUNITIES (TRUST OR COMPANY SERVICE PROVIDERS) (TEMPORARY AUTHORISATION) REGULATIONS 2010

I, DERMOT AHERN, Minister for Justice and Law Reform, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005<sup>1</sup>, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Trust or Company Service Providers) (Temporary Authorisation) Regulations 2010.

2. These Regulations come into operation on 15 July 2010.

3. (1) In these Regulations—

“Act of 2010” means the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (No. 6 of 2010);

“Minister” means the Minister for Justice and Law Reform.

(2) A word or expression used in these Regulations has the same meaning as it has in the Act of 2010 unless the context otherwise requires.

(3) For the purposes of these Regulations an application made under section 88 of the Act of 2010 shall be regarded as having been determined—

(a) upon the refusal of the application for an authorisation by the Minister, or

(b) upon the granting of an authorisation by the Minister,

whether or not such refusal or the conditions subject to which an authorisation is granted are under appeal.

4. These Regulations apply to a person who is a trust or company service provider.

5. A person to whom these Regulations apply who makes an application for an authorisation under section 88 of the Act of 2010 shall, subject to the provisions of these Regulations, be deemed to be the holder of an authorisation under Chapter 9 of Part 4 of the Act of 2010 and any such authorisation deemed to have been so granted is in these Regulations referred to as a “temporary authorisation”.

<sup>1</sup>OJ No. L 309, 25.11.2005, p. 15

6. A person who has made an application under section 88 of the Act of 2010 and which application has been determined shall not by reason of making a further application under that section be deemed to be the holder of a temporary authorisation.

7. A temporary authorisation shall come into effect on the day which is the later of—

- (a) the day on which the application concerned under section 88 of the Act of 2010 is received by the Minister, or
- (b) 15 July 2010.

8. A temporary authorisation shall cease to have effect on the day which is the earlier of—

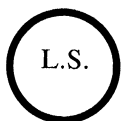
- (a) the day on which the application concerned under section 88 of the Act of 2010 is determined, or
- (b) 30 November 2010.

9. The holder of a temporary authorisation shall be subject to and comply with the provisions of Chapter 9 of Part 4 of the Act of 2010 as if such authorisation had been granted under that Chapter and without prejudice to the generality of the foregoing—

- (a) a temporary authorisation may be amended under section 93 of the Act of 2010,
- (b) a temporary authorisation may be revoked in accordance with sections 96 and 97 of the Act of 2010,
- (c) the Minister may as respects the holder of a temporary authorisation give a direction under section 98 of the Act of 2010.

10. A temporary authorisation shall be subject to any prescribed requirements referred to in section 94 of the Act of 2010.

11. The Minister may establish and maintain a register of temporary authorisations in force pursuant to these Regulations, and may publish such register and make it available to the public on such conditions as the Minister considers appropriate.



GIVEN under my Official Seal,  
13 July 2010.

DERMOT AHERN,  
Minister for Justice and Law Reform.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHAIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,  
or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,  
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)  
or through any bookseller.

---

€1.27



Wt. (B27790). 290. 7/10. Cahill. Gr. 30-15.