



Re: Registration of persons directing Private Members' Clubs

Dear Sir/Madam

I refer to your requirement to register with the Minister for Justice under s.109 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 as amended, as a person who effectively directs or is the beneficial owner of a private members' club.

In addition to registering with the Minister for Justice, an individual who effectively directs a private members club at which gambling activities are carried on, or, is a beneficial owner of a private members club at which gambling activities are carried on, is also required to hold a certificate of fitness and probity (certificate of fitness).

On the 1 June 2022, the Minister for Justice enacted statutory instrument No. 272 of 2022, entitled "Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (Section 109B) (Certificate of Fitness) Regulations 2022"

These regulations set out, inter alia, that:

- An individual who is **Ordinarily Resident** in the State must apply to their local Superintendent in An Garda Síochána for a certificate of fitness.
- An individual who is **Not Ordinarily Resident** in the State must apply to the Minister for Justice for a certificate of fitness.

All individuals who effectively direct a private members club at which gambling activities are carried on, or, who are beneficial owners of a private members club at which gambling activities are carried on, are legally required to hold a valid certificate of fitness. Under s.109A(2) a relevant individual who fails to comply with this requirement commits an offence and is liable –

- (a) On summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, or
- (b) On conviction on indictment to a fine or imprisonment for a term not exceeding 5 years, or both.

If you are already in possession of valid certificates of fitness for the directors/beneficial owners of the private members' club, please provide the AMLCU with a copy of same in order to be included on the register and return the attached form.

This can be scanned and emailed to antimoneylaundering@justice.ie or posted to

Annette Cummins,
Anti-Money Laundering Compliance Unit,
Department of Justice,
51 Stephens Green, Dublin 2 D02HK52.



Only those private members clubs at which gambling is carried on that submit certificates of fitness to the AMLCU in respect of the directors/beneficial owners of private members' clubs as required by the law will be included on the updated register of private members clubs which will be published on www.amlcompliance.ie.

For convenience I enclose hard copies of the statutory instrument (SI 272 of 2022) and the registration form to be submitted. A copy of the forms to be used for the certificate of fitness application and registration can be found here: [Forms & Guides – Anti-Money Laundering Compliance Unit \(amlcompliance.ie\)](#).

Please note that where issued a certificate of fitness shall remain in force until the expiration of 3 years after the date on which the certificate was issued.

Persons that hold a directional function and the beneficial owners of such clubs are required to reapply to An Garda Síochána or the Minister for Justice for a certificate of fitness **before** the end of this period.

Please email the AMLCU at antimoneylaundering@justice.ie if you have any queries

It is intended to publish the updated register on 1 November 2022.

Yours sincerely

James Good
Anti-Money Laundering Compliance Unit
(For and on behalf of the Competent Authority)