



*Financial Crimes Enforcement Network*

## **Registration of Money Services Business (RMSB) Electronic Filing Instructions**

Release Date July 2014 – Version 1.0

**DEPARTMENT OF THE TREASURY**  
**Financial Crimes Enforcement Network (FinCEN)**

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## *Revision History*

Version Number	Date	Reason for Change
1.0	July 2014	Initial version.

# *RMSB Electronic Filing Instructions*

The following instructions apply only to the electronic filing of the Registration of Money Services Business (RMSB), through FinCEN's BSA E-Filing System. Unless specifically mentioned in the text, these instructions do not apply to any other current or prior Bank Secrecy Act reports.

## **General Information**

### **Who Must Register**

Generally money services businesses (MSBs) must register with the Department of the Treasury, using this report, Registration of Money Services Business (RMSB). However, not all MSBs are required to register. For example, if you are an MSB solely because you are an agent of another MSB, you are not required to register. The discussion below will help you determine whether or not you are an MSB that is required to register. For more information, visit [http://www.fincen.gov/financial\\_institutions/msb/](http://www.fincen.gov/financial_institutions/msb/).

The term "money services business" includes:

1. Dealer in foreign exchange who transacts in an amount greater than \$1,000 for any one customer on any day, whether or not for same day delivery.
2. Check cashier who accepts checks or other monetary instruments in an amount greater than \$1,000 in return for currency or a combination of currency and other monetary instruments for any one customer on any day.
3. Issuer or seller of traveler's checks or money orders who issues or sells more than \$1,000 in traveler's checks or money orders for any one customer on any day. "Issuer" is defined or determined by virtue of the amount at which its monetary instruments or traveler's checks are sold, as opposed to the amounts at which they are issued. For example, the amount of the sale includes the face value of the monetary instruments plus any fees.
4. Provider of prepaid access who agrees to be the provider with respect to a prepaid access program or is determined to have principal oversight and control over the prepaid access program. The provider serves as the principal conduit for access to information from its fellow program participants. Considerations for a provider determination include whether a party organizes the program; sets the terms and conditions of the prepaid program and determines that the terms have not been exceeded; determines the other businesses that will participate in the prepaid program, which may include the issuing bank, the payment processor, or the distributor; controls or directs the appropriate party to initiate, freeze, or terminate prepaid access; and engages in activity that demonstrates oversight and control of the prepaid program. Please refer

to the [Frequently Asked Questions Related to Prepaid Access Final Rule](#) or the [Webinar on the Prepaid Access Final Rule](#) for additional guidance.

5. Money transmitter.

6. U.S. Postal Service.

7. Seller of prepaid access. A seller of prepaid access is any person that receives funds or the value of funds in exchange for an initial loading or subsequent loading of prepaid access, if that person: (1) sells prepaid access offered under a prepaid program that can be used before verification of customer identification; or (2) sells prepaid access, including closed loop prepaid access, in excess of \$10,000 to any person on any one day and has not implemented policies and procedures reasonably adapted to prevent such a sale.

Please refer to the [MSB Guidance homepage](#) for additional clarification regarding the definitions of MSBs.

The following are not required to register:

1. A business that is an MSB solely because it serves as an agent of another MSB. An agent is a person authorized to represent the principal and to transact business on its behalf with third parties. See further discussion of “agent” below. For example, a supermarket corporation that sells money orders for an issuer of money orders is not required to register. This is true even if the supermarket corporation serves as an agent for two or more issuers. However, an MSB that serves as an agent of another MSB **and** engages in MSB activities on its own behalf must register. For example, a supermarket corporation must register if, in addition to acting as an agent of the money order issuer, it also provides check cashing or foreign currency exchange services on its own behalf in an amount greater than \$1,000 for any one person on any day. Most sellers of prepaid access will qualify under this exemption from registration. Please refer to the [Frequently Asked Questions Related to Prepaid Access Final Rule](#) or the [Webinar on the Prepaid Access Final Rule](#) for additional guidance.

2. The United States Postal Service, any agency of the United States, of any state, or of any political subdivision of any state.

For the regulatory definition of “money services business” see 31 CFR 1010.100 (ff).

The following terms are used to describe an MSB:

1. An “agent” is a separate business entity from the issuer that the issuer authorizes, through written agreement or otherwise, to sell its instruments, products or services, or, in the case of funds transmission, to sell its money transmission services. A person who is solely an

employee of an MSB is not an agent of that MSB. A branch is not a separate business entity and is therefore not an agent.

2. A “branch” is an owned location of either an issuer or agent at which financial services are provided. An MSB should not separately register each of its branches. A mobile operation owned by an MSB (i.e., conducting MSB services from a vehicle) is considered to be a branch of that MSB. An MSB’s headquarters is not a branch. If an MSB has only one location, that location is not a branch.

3. A “check casher” is a person that accepts checks (as defined in the Uniform Commercial Code), or monetary instruments (as defined at § 1010.100(dd)(1)(ii), (iii), (iv), and (v)) in return for currency or a combination of currency and other monetary instruments or other instruments (e.g., money orders, traveler’s checks), in an amount greater than \$1,000 for any person on any day in one or more transactions.

4. A “dealer in foreign exchange” is a person that accepts the currency, or other monetary instruments, funds, or other instruments denominated in the currency, of one or more countries in exchange for the currency, or other monetary instruments, funds, or other instruments denominated in the currency, of one or more other countries in an amount greater than \$1,000 for any other person on any day in one or more transactions, whether or not for same day delivery.

5. “Informal value transfer system.” See explanation of the term money transmitter.

6. An “issuer” is the business that is ultimately responsible for payment of money orders or traveler’s checks as the drawer of such instruments, or a money transmitter that has the obligation to guarantee payment of a money transfer.

7. A “money transmitter” is (A) a person that provides money transmission services. The term “money transmission services” means the acceptance of currency, funds, or other value that substitutes for currency from one person *and* the transmission of currency, funds, or other value that substitutes for currency to another location or person by any means. “Any means” includes, but is not limited to, through a financial agency or institution; a Federal Reserve Bank or other facility of one or more Federal Reserve Banks, the Board of Governors of the Federal Reserve System, or both; an electronic funds transfer network; or an informal value transfer system; or (B) Any other person engaged in the transfer of funds.

*Facts and circumstances; Limitations.* Whether a person is a money transmitter as described in this section is a matter of facts and circumstances. The term “money transmitter” shall not include a person that only:

(A) Provides the delivery, communication, or network access services used by a money transmitter to support money transmission services;

(B) Acts as a payment processor to facilitate the purchase of, or payment of a bill for, a good or service through a clearance and settlement system by agreement with the creditor or seller;

(C) Operates a clearance and settlement system or otherwise acts as an intermediary solely between BSA regulated institutions. This includes but is not limited to the Fedwire system, electronic funds transfer networks, certain registered clearing agencies regulated by the Securities and Exchange Commission (“SEC”), and derivatives clearing organizations, or other clearinghouse arrangements established by a financial agency or institution;

(D) Physically transports currency, other monetary instruments, other commercial paper, or other value that substitutes for currency as a person primarily engaged in such business, such as an armored car, from one person to the same person at another location or to an account belonging to the same person at a financial institution, provided that the person engaged in physical transportation has no more than a custodial interest in the currency, other monetary instruments, other commercial paper, or other value at any point during the transportation;

(E) Provides prepaid access; or

(F) Accepts and transmits funds only integral to the sale of goods or the provision of services, other than money transmission services, by the person who is accepting and transmitting the funds.

An “informal value transfer system” is a kind of money transmitter. An informal value transfer system includes any person who engages as a business in an informal money transfer system or any network of people who engage as a business in facilitating the transfer of money domestically or internationally outside of the conventional financial institutions system.

8. A “person” is an individual, a corporation, a partnership, a trust or estate, a joint stock company, an association, a syndicate, joint venture, or other unincorporated organization or group, an Indian Tribe (as that term is defined in the Indian Gaming Regulatory Act), and all entities cognizable as legal personalities.

9. A “seller” is a business that issuers or providers authorize, through written agreement or otherwise, to sell their instruments, services, or products or their money transmission services.

10. A “transaction account” is an account on which the accountholder is permitted to make withdrawals by negotiable or transferable instrument, payment orders of withdrawal, telephone transfers, or other similar items for the purpose of making payments or transfers to third persons or others. Such term includes demand deposits, negotiable order of withdrawal accounts, savings deposits subject to automatic transfers, and share draft accounts. See 12 USC 461(b)(1)(c).



## **Where and When to Register**

### **Where to Register:**

### **Mandatory E-filing requires the electronic filing of the Registration of Money Services Businesses (RMSB) using the BSA E-Filing System.**

If you have already enrolled in the BSA E-Filing System, skip to Step 2 below. If you have not enrolled in the BSA E-Filing System, please follow the steps below, starting with Step 1.

**Step 1:** Enroll in BSA E-Filing by visiting <http://bsaefiling.fincen.treas.gov/main.html>.

- a. Click on “Become a BSA E-Filer.”
- b. Enroll as an “Institution.”
- c. Complete the four steps to complete the BSA E-Filing System enrollment process.

**Step 2:** Log into your BSA E-Filing System account and complete the form.

- a. At the “Welcome to the BSA E-Filing System” home page, click on File FinCEN RMSB found under “New Reports” on the left-hand side of the screen.
- b. Click either “Open Existing Form” or “Open New Form” to access the RMSB.  
*NOTE:* “Open Existing Form” is for filers who have previously saved a copy of the RMSB and want to upload the saved copy to the BSA E-Filing System.
- c. Complete the form.
- d. Once the form is complete, click on “Validate” to ensure all required fields are completed. Next, click “Sign with PIN” and enter your assigned PIN. Next, click “Save” and save a copy of the completed RMSB to your computer (or, if using a public computer, save to a disc, flash drive, etc.). MSBs can also “Print” a copy for their own recordkeeping requirements. Lastly, click “Submit.”

**Step 3:** Once a filer clicks “Submit” to file their RMSB, she should receive a Submission Confirmation page that contains a Tracking ID. Institutions may save this page for their internal records.

**Step 4:** Filers are able to track report submissions by clicking “Track Status” under the BSA E-Filing Home page. Refer to the BSA E-Filing System User Manual (Section 6) for information on tracking the status of filings.

**Step 5:** Within approximately two business days, filers should receive an acknowledgement e-mail to the “Secure Messaging Inbox” within their BSA E-Filing System account indicating their registration has been accepted and processed. This acknowledgement e-mail will contain their MSB Registration number (BSA ID) and a link to the [MSB Registrant Search Web page](#).

**Step 6:** Within approximately two weeks of electronically filing the RMSB, certain registration information will be added to FinCEN's [MSB Registrant Search Web page](#). Users can then search for their MSB registration using the assigned MSB Registration number (BSA ID), and print a "MSB Registration Status Information" letter.

**When to Register:**

*Initial registration:* File the report within 180 days after the date the business is established.

*Renewal:* Each MSB must renew its registration every two years, on or before December 31. See 31 CFR 1022.380(b)(2). For example, if an MSB registered on October 15, 2003, it must file a renewal by December 31, 2004, and then every 24 months thereafter (on or before December 31, 2006, then December 31, 2008, etc.). **Renewals must be submitted on a new RMSB.**

**Photocopies of previously submitted forms/reports or facsimiles will not be accepted for renewal purposes**

**Special Actions:**

*Correct/amend a prior report:* Log in to the BSA E-Filing System, and complete all Parts of a new RMSB.

*Re-registration:* Re-file a new registration report when one or more of the following events occurs:

1. A change in ownership requiring re-registration under state registration law.
2. More than 10 percent of voting power or equity interest is transferred (except certain publicly-traded companies).
3. The number of agents increases by more than 50 percent.

*De-registration:* There is no formal process for removing or ceasing the registered status of an MSB (De-Registration). See FinCEN Guidance FIN-2006-G006 (February 3, 2006), titled "Registration and De-Registration of Money Services Businesses"

[http://www.fincen.gov/financial\\_institutions/msb/pdf/msbregistration\\_de\\_registration.pdf](http://www.fincen.gov/financial_institutions/msb/pdf/msbregistration_de_registration.pdf).

If you have general questions about MSB regulatory requirements, please contact FinCEN's Regulatory Helpline at 800-949-2732, Option 1. If you have electronic filing questions, please contact the BSA E-Filing Help Desk at 866-346-9478.

**General Instructions**

**NOTE: All items on the RMSB should be completed fully and accurately. Items marked with an asterisk (\*) must be completed for the registration to be accepted, processed, and recorded.**

1. This report is available on the FinCEN's BSA E-Filing System at <http://bsaefiling.fincen.treas.gov/main.html>.
2. Unless there is a specific instruction to the contrary, leave blank any items that do not apply or for which information is not available.
3. Complete the report by providing as much information as possible.
4. Enter all dates in MM/DD/CCYY format where MM = month, DD = day, CC = century, and YY = year. Precede any single number with a zero, *e.g.*, 01, 02, etc. For example, if the individual's date of birth is June 1, 1948, enter 06/01/1948.
5. Record all telephone numbers, both foreign and domestic, as a single number string without formatting or special characters such as parentheses, spaces, or hyphens. For example, a number in the format (NNN) NNN-NNNN would be recorded as NNNNNNNNNN. If known, provide the telephone extension number in the associated field. Telephone numbers that are part of the North American Numbering Plan used by the U.S., Canada, many Caribbean countries, and present/former U.S. Pacific island protectorates must consist of an area code and seven-digit telephone number. Other foreign telephone numbers should include the country number code.
6. Enter all identifying numbers as a single text string without formatting or special characters such as hyphens or periods. An identifying number in the format NNN-NN-NNNN would be entered as NNNNNNNNN. Such numbers may include letter and number characters. Identifying numbers include social security number (SSN), employer identification number (EIN), individual taxpayer identification number (ITIN), alien registration number, driver's license/state identification, foreign national identification, and passport number.
7. Enter all ZIP Codes from left to right with at least the first five numbers, or with all nine (ZIP + 4) if known. ZIP Codes and foreign postal codes must be entered without formatting or special characters such as spaces or hyphens. For example, the ZIP Code 12354-6120 would be entered as 123546120. The foreign postal code HKW 702 would be entered HKW702.
8. Addresses: For addresses in the U.S., Canada, or Mexico enter the permanent street address, city, two or three letter state/territory/province abbreviation or code, ZIP Code or foreign postal code, and two letter country code. Provide the apartment number or suite number, if known, following the street address. A U.S. city name should match the city name used by the U.S. Postal Service for the associated state and ZIP Code.

A non-location address such as a post office box or rural route number should be used only if no other street address information is available. If a post office box is used for an entity, enter the street name, suite number, and road or route number.

If the address of the individual or entity in Part II or III is in a foreign country (other than Canada and Mexico), enter the street address, city, postal code, and two letter country code or address equivalent. Leave the state item blank. If a foreign address contains address information that does not conform to the RMSB address format, record equivalent address information in the RMSB address items (except state) and ignore non-conforming data. Complete any part of the address that is known, even if the entire address is unknown. No abbreviations are permitted in city names, which must be completely spelled out.

## **Specific Instructions**

### **Part I Filing Information**

See "When to Register" in the General Information part of these instructions.

**Item 1 --** Check either box a, b, or d (only one) for the type of filing. If this report corrects an earlier filing, check box "c" **and** either box a, b, or d to indicate the type of registration being corrected. If 1b, 1c, or 1d is checked, enter the previous RMSB registration or renewal (BSA ID) number in 1e. Enter "00000000000000" in 1e if the registration number is unknown.

**Item 2 --** If you checked box 1d, please indicate the reason by checking boxes 2a, 2b, or 2c (check all that apply).

### **Part II Registrant Information**

Enter information for the main office location of the MSB registrant.

**Items \*3, \*4, and 5 -- Individual's last name, or entity's legal name, First name, and Middle initial.** If the registrant is a sole proprietorship, do not check the "If entity" box in the upper left hand corner, and enter the last name of the proprietor in Item \*3, followed by the first name and middle initial in Items \*4 and 5, respectively. For sole proprietorships doing business under a name other than the personal name of the proprietor, see instructions for Item 6. If the registrant is a business other than a sole proprietorship, check the "If entity" box in the upper left hand corner and enter in Item \*3 the full legal name of the registrant as it is shown on the money services business charter or other document creating the business. For example, if the money services business is incorporated as Good Hope Enterprises, Inc. enter "Good Hope Enterprises, Inc." in Item \*3. Items \*4 and 5 should be grayed out; if not, leave them blank.

**Item 6 -- Alternate name, e.g., AKA - individual or DBA - entity.** If applicable, enter any alternate name of the registrant, such as a separate Doing Business As (DBA) name. For example, if Good Hope Enterprises, Inc. is doing business as "Joe's Check Cashing," enter in Item 6 "Joe's Check Cashing." If a sole proprietorship is doing business under a name other than the personal name of the proprietor, enter the name under which it is doing business in Item 6. If more than one DBA exists, enter as many as the report will allow, and internally document the others. Do not include the acronyms AKA or DBA with the name. Do not enter AKA or DBA names in Items \*3-5.

**Items \*7, \*8, \*9, \*10, and \*11 -- Address.** Enter the permanent address of the registrant. Include any apartment or suite number associated with the address. A non-location address such as a post office box or a rural route number should only be used when the registrant's physical location does not have a street address. If the registrant is a sole proprietorship, and the business of the registrant is conducted from an address other than the personal address of the proprietor, enter the business address in items \*7-\*11. See General Instructions 7 and 8 for additional instructions on entering addresses.

**Item \*12 -- TIN.** Enter the registrant's employer identification number (EIN), if the registrant has an EIN. If the registrant is a sole proprietorship that has an EIN other than any individual TIN of the proprietor, enter the EIN. If the registrant is a sole proprietorship with no EIN other than the proprietor's individual TIN, and the proprietor is a U. S. Citizen or an alien with a social security number, enter his/her SSN. If the registrant is a sole proprietorship with no EIN other than the proprietor's individual TIN, and the proprietor is an individual who is an alien with an individual taxpayer identification number, enter his/her ITIN. If the registrant is a foreign entity, enter the foreign TIN and select "Foreign" in item \*13. See General Instruction 6 for additional instructions on entering identifying numbers.

**Item \*13 -- TIN type.** Indicate what type of identification number was entered into Item \*12, SSN/ITIN or EIN. If the registrant does not have a SSN, ITIN, or EIN and is located outside of the United States, indicate that the registrant is foreign.

**Item 14 -- Date of Birth.** Indicate the date of birth of the individual registrant identified in Item \*3. If Item \*3 is an entity, leave Item 14, Date of Birth, blank. See General Instruction 4 for additional instructions on entering dates.

**Items 15 and 15a -- Telephone number and Extension (if any).** Enter the telephone number of the MSB listed in Item 3, including any extension where applicable. See General Instruction 5 for additional instructions on entering telephone numbers.

**Item 16 -- E-mail address (If available).** If the MSB has an e-mail address please enter it here. An e-mail address may be used to contact the MSB should questions arise regarding its registration.

**Item 17 -- Website address (URL) (If available).** If the MSB has a website, please enter the URL here. The website may be used to confirm any details of the registration that are unclear or incomplete.

**Item 18 -- Name of compliance contact person for this registered MSB.** If the registrant is recorded as an "entity," enter the name of the compliance contact person for the MSB. If the registrant is not recorded as an entity, and the registrant has a compliance contact person different from the individual identified in fields \*3-5, enter his/her full name (e.g. John William

Doe). If the registrant is not recorded as an entity, and the individual identified in fields \*3-5 is also the compliance contact person for the registrant, then leave this field blank.

**Items 19 and 19a -- Compliance telephone number and Extension (if any).** Enter compliance telephone number and extension (if any) if different than Item 15. See General Instruction 5 for additional instructions on entering telephone numbers.

**Part III Owner or Controlling Person**

**General:** Any person who owns or controls an MSB, or the MSB’s authorized agent in the United States, is responsible for registering the MSB. Only one registration report is required for any business in any registration period.

If more than one person owns or controls the business, they may enter into an agreement designating one of them to register the business. The designated owner or controlling person must complete Part III and provide the requested information. In addition, that person must sign and date the form as indicated in Part VII, which is fulfilled by signing with his or her BSA E-Filing PIN when submitting the RMSB. Failure by the designated person to register the business does not relieve any other person who owns or controls the business of the liability for failure to register the business.

An “Owner or Controlling Person” includes the following:

<i>Registrant Business</i>	<i>Owner or Controlling Person</i>
Sole Proprietorship.....	The individual who owns the business (also called the proprietor)
Partnership.....	A general partner
Trust.....	A trustee
Corporation.....	The largest single shareholder

If two or more persons own equal numbers of shares of a corporation, those persons may enter into an agreement as explained above that one of those persons may register the business. If the owner or controlling person is a corporation, a duly authorized officer of the owner-corporation may execute the form on behalf of the owner-corporation.

**Items 20 to 33 --** Enter the applicable information for the owner or controlling person. The individual’s home address and phone number should not be used, unless a business address and phone number are unavailable.

**Items 20, 21, and 22 -- Owner or Controlling Person Name.** If the owner or controlling person is an entity, check “If entity” and in Item 20 enter the entity’s full legal name as shown on the charter or other document creating the entity. If the owner or controlling person is an individual (including the proprietor of a sole proprietorship), enter his/her last name in Item 20, first name in Item 21, and middle name/initial (if applicable) and suffix name (if applicable) in Item 22.



**Items 23, 24, 25, 26, and 27 -- Address.** Enter the permanent address of the owner or controlling person. Include any apartment or suite number associated with the address. A non-location address such as a post office box or rural route number should only be used when the owner or controlling person's physical location does not have a street address. If the registrant is a sole proprietorship, and the business of the registrant is conducted from an address other than the personal address of the proprietor, enter the personal address of the proprietor, not the business address of the registrant, in items 23-27. See General Instructions 7 and 8 for additional instructions on entering addresses.

**Item 28 -- TIN.** If the owner or controlling person is an entity, enter its employer identification number (EIN). If the owner or controlling person is an individual and a U. S. Citizen or an alien with a social security number, enter his/her SSN. If the owner or controlling person is an individual who is an alien and has an individual taxpayer identification number, enter his/her ITIN. If the owner or controlling person is a foreign entity, enter the foreign TIN and select "Foreign" in item 29. See General Instruction 6 for additional instructions on entering identifying numbers.

**Item 29 -- TIN type.** Indicate what type of identification number was entered into Item 28, SSN/ITIN, EIN, or Foreign. If the entity does not have a SSN, ITIN or EIN and is located outside of the United States, indicate that the entity is foreign.

**Item 30 -- Date of Birth.** Indicate the date of birth of the individual or sole proprietor registrant identified in Item 20. If Item 20 is an entity, leave blank. See General Instruction 4 for additional instructions on entering dates.

**Item 31 -- E-mail address (If available).** If the individual or entity listed in Item 20 has an e-mail address, please enter it here. An e-mail address may be used should questions arise regarding this registration.

**Item 32 -- Website address (URL) (If available).** If the individual or entity listed in Item 20 has a website, please enter the URL here. The website may be used to confirm any details of the registration that are unclear or incomplete.

**Items 33 and 33a -- Telephone number and extension (if any).** Enter the telephone number of the individual or entity listed in Item 20, including any extension where applicable. See General Instruction 5 for additional instructions on entering telephone numbers.

#### **Part IV Money Services and Product Information**

**Item 34 -- States and/or territories where the registrant, its agents, or its branches are physically located and/or providing MSB services.** Check the appropriate box(es) to identify the physical location(s) and/or MSB services location(s) provided by the registrant, its agents or

its branches. If all states and territories listed are applicable, check box 34a. If all states listed are applicable, but the territories listed are not applicable, check box 34b. Conversely, if all territories listed are applicable, but the states listed are not applicable, check box 34c. Otherwise, check the appropriate state and/or territory box (check all that apply). If a service is offered on tribal lands, mark the box for the state or territory where the tribal lands are located. Check box 34d if the MSB is physically located in or provides MSB services in a foreign country. *Note: At least one box in Item 34 must be checked.*

**Item 35 -- Enter the number of branches of the registrant.** Enter the number of U.S. branches of the money services business at which one or more MSB activities are offered. A “branch” is an owned location of the registrant at which financial services are provided. If there are no branches, enter “0”. The MSB’s headquarters does not count as a branch, but each additional physical location where the MSB conducts business, as well as each mobile operation (see Item 45) counts as a separate branch. For instance, if you have only one office, enter “0” in Item 35. If you have a main office and own an additional location from which you provide MSB services, enter “1” in Item 35. If you have a main office, and own an additional fixed location, and run a mobile operation out of one vehicle, enter “2” in Item 35. An “agent” (see Item 46) is a separate business entity, and is therefore not a branch. See General Information for an explanation of the term “branch.”

**Item 36 -- MSB activities of the registrant.** Items 36a through 36i are MSB activities. Check the box of each MSB activity conducted by the registrant at its branches. See General Information for an explanation of the terms “issuer,” “seller,” “dealer in foreign exchange,” “check casher,” “provider of prepaid access,” “seller of prepaid access,” and “money transmitter.” An MSB that is a seller of prepaid access, or whose only activity is as a seller of other MSB’s products, is typically an agent of another MSB and has no requirement to register. However, a principal MSB also engaging in selling activities must indicate those activities in this part. Please refer to the [Frequently Asked Questions Related to Prepaid Access Final Rule](#) for additional guidance.

**Item 36i --** A Provider of prepaid access is required to “identify each prepaid program for which it is the provider of prepaid access.” What constitutes a separate prepaid program is left to the business judgment of the provider of prepaid access; however, the information required in Items 37 - 42 is indicative of the factors that should be considered. For example, where programs have distinct names, different issuing banks or Issuer Identification Numbers (IIN), or where one program can be used internationally and another not, the programs should be identified separately. Items 37 to 42 may be repeated up to 999 times.

**Item 37 --** If you are providing financial services in addition to those checked in Item 36 please briefly describe.

**Item 38 -- Prepaid Access Program Identification.** If Item 36i (Provider of prepaid access) is checked, the Provider must “identify each prepaid program for which the registrant is the provider of prepaid access. . . .” Item 38 allows space to identify the name(s) of the program(s)



for which the registrant is a provider. A “program” for Item 38 may be distinguished from other programs by the services offered or geographical areas served or by some other factor determined by the provider. Or, a Provider may want to identify similar prepaid programs with a description such as “payroll programs,” “loyalty/awards/promotion programs,” or “business-to-business programs.”

**Items 39 -- IIN/ BIN.** List the Issuer Identification Number (“IIN”) or the Bank Identification Number (“BIN”), if any (First six digits are mandatory).

**Item 40 -- Name of processor.** Provide the name of the primary transaction processor with whom the Provider contracts for its particular prepaid access program(s). The particular processor sought in this response is the entity capable of reconstructing transactions (e.g., loads, re-loads, transfers, transaction sites, and dollar amounts) and prepaid access activity generally. There is no need to list multiple processors or sub-processors in this item’s response.

**Items 41, 42, and 42a -- Name, telephone number and extension of compliance contact person for this program (complete only if different than PART II Items 18, 19, and 19a).** Provide the name and telephone number of a person with knowledge of the program who can be a meaningful contact for law enforcement. Such a person may be one with day-to-day knowledge of the program. See General Instruction 5 for additional instructions on entering telephone numbers.

**Item 43 -- Is this program useable internationally?** A program may be useable internationally if funds or the value of funds are accessible, by any means, outside of the United States. Accordingly, if for example the program allows for Automated Teller Machine (ATM) usage or point of sale transactions in countries outside of the United States, it is useable internationally.

**Item 44 -- Informal value transfer system (IVTS).** If any part of the registrant’s money services business is an informal value transfer system, check “yes.” An informal value transfer system is a kind of money transmitter; specifically, it is a system, mechanism, or network of people that receives money for the purpose of making the funds or an equivalent value payable to a third party in another geographic location, whether or not in the same form, where value transfers generally take place outside of the conventional banking system through non-bank financial institutions or other business entities whose primary business activity may not be the transmission of money. Specific types of IVTS may have labels such as “hawala,” “hundi,” “fei ch’ien,” “hoe kuan,” and “hui k’aun.” See the General Information explanation of the term “money transmitter.”

**Item 45 -- Mobile operation/conducting MSB services from a vehicle.** If any part of the registrant’s money services business is conducted as a mobile operation, check “yes.” A mobile operation is one based in a vehicle. For example, a check cashing service offered from a truck is a mobile operation. It is NOT an MSB operation whose activities are conducted via mobile

devices. For purposes of Item 35, each mobile operation should be counted as a separate branch.

**Item 46 -- Number of agents.** Enter the number of agents. An “agent” is a separate business entity from the issuer that the issuer authorizes, through written agreement or otherwise, to sell its instruments, products or services, or, in the case of funds transmission, to sell its money transmission services. Do not count the MSB headquarters, branches, or any person who is solely an employee of the MSB. A bank is not an agent for this purpose. To indicate no (i.e. zero) agents, enter “0” where applicable; if unknown, leave blank. See General Information for an explanation of the term “agent.”

#### **Part V Primary Transaction Account for MSB Activities**

*SPECIAL NOTE: Please be advised that Part V of this registration may be left blank for an initial registration when the Primary Transaction Account for MSB Activities is not yet known. Registrants must file a corrected registration when the account data is known.*

**Items 47, 48 and 49 -- Name of the financial institution where the primary transaction account is held, routing number and account number.** Enter the name of the bank or other financial institution where the registrant has its primary transaction account. The primary transaction account is the account with the greatest annual dollar amount of money services business activity (measured in U.S. Dollars). Provide the routing number (the digits on the lower left side of a check) and the account number (the digits centered on the bottom of a check) for the primary transaction account. See General Information for an explanation of the term “transaction account.”

**Item 50 -- Depository financial institution IBAN (International Bank Account Number, if foreign).** If the transaction account is maintained at a financial institution located outside of the United States (if Item 55 is other than U.S.), enter the account’s international bank account number.

**Items 51 to 55 --** Enter the address for the financial institution where the transaction account is maintained. See General Instructions 7 and 8 for additional instructions on entering addresses.

**Item 56 -- Type of financial institution where the primary transaction account is held.** Check box “56a” if the primary account is held at a bank, thrift or credit union. Check box “56b” if the primary account is held at a financial institution other than a bank. In addition to box “56a” or “56b,” check box “56c” if the depository institution or non-depository institution is located outside of the United States. For example, box “56a” and box “56c” may be checked if the primary transaction account is held at a bank located outside of the United States.

#### **Part VI Location of Supporting Documentation/ Address of Agent for Service of Process Designation of Agent for Service of Process**

A foreign-located MSB is required by 31 CFR 1022.380(2) to “designate the name and address of a person who resides in the United States and is authorized, and has agreed, to be an agent to accept service of legal process . . . .” Designation of such an agent is accomplished by entering the agent’s information in Part VI, Location of Supporting Documentation/Address of Agent for Service of Process, and having the agent sign the document on behalf of the MSB in Part VII, Authorized Signature/Signature of Agent for Service of Process.

The agent is required to hold the supporting documentation and agent list described in Part VI at the listed location on behalf of the foreign-located MSB.

The agent signing on behalf of the foreign-located MSB in Part VII certifies as follows: “I am authorized to file this form on behalf of the money services business listed in Part II. I declare that the information provided is true, correct and complete to the best of my knowledge. I understand that the money services business listed in Part II is subject to the Bank Secrecy Act and its implementing regulations. To the best of my knowledge, the money services business listed in Part II maintains a current list of all agents, an estimate of its business volume in the coming year, and all other information required to comply with 31 U.S.C. 5330 and the regulations thereunder.”

**General:** The U.S. located registrant or the foreign-located registrant’s U.S. agent for service of legal process must retain for five (5) years certain information at a location within the United States. That information may include:

1. A copy of the registration form.
2. Annual estimate of the volume of the registrant’s business in the coming year.
3. The following information regarding ownership or control of the business: the name and address of any shareholder holding more than 5% of the registrant’s stock, any general partner, any trustee, and/or any director or officer of the business.
4. An agent list.

If the registrant has agents, it must prepare and maintain a list of its agents. That agent list must be updated annually and retained by the business at the location in the United States reported on this registration form in Part II or Part VI.

The agent list must include all of the following:

- a. Each agent’s name
- b. Each agent’s address
- c. Each agent’s telephone number
- d. The type of service(s) provided by each agent on behalf of the registrant,
- e. A listing of the months in the immediately preceding 12 months in which the gross transaction amount of each agent with respect to financial products/services issued by the registrant exceeds \$100,000

- f. The name and address of any depository institution at which each agent maintains a transaction account for the money services business activities conducted by the agent on behalf of the registrant
- g. The year in which each agent first became an agent of the registrant
- h. The number of branches or subagents of each agent.

**Items 57 to 60 -- Address.** Check the box in Part VI if the supporting documentation is kept at the address recorded in Part II. If the supporting documentation is retained at a U.S. location other than the U.S. address listed in Part II, enter the U.S. location information in Items 57 through 60. If the registrant is a foreign-located MSB, enter the location of the registrant's U.S. agent for service of legal process where the supporting documentation must be maintained. See General Instructions 7 and 8 for additional instructions on entering addresses.

### **Part VII Authorized Signature/Signature of Agent for Service of Process**

**Items 62 to 65 --** The U.S. owner or controlling person listed in Part III, or, in the case of a foreign-located MSB, the U.S. agent for service of legal process, must sign and date the form as indicated in Part VII. If the owner or controlling person is a corporation, a duly authorized officer of the corporation must execute the form on behalf of the corporation. Enter the date this document was signed. The signature of the owner, controlling person, authorized corporate officer, or designated agent for service of process represents that such person declares the information to be true, correct, and complete to the best of his/her knowledge and such person understands the MSB is subject to the Bank Secrecy Act. We understand that an agent providing a U.S. address for service of legal process on behalf of a foreign-located MSB may be relying on representations made to him/her by the foreign-located MSB. Such an agent is only obligated to the best of his/her knowledge based on the representations made.

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**Penalties for failure to comply:** Any person who fails to comply with the requirements to register, keep records, and/or maintain agent lists pursuant to 31 CFR 1022.380 may be liable for civil penalties of up to \$5,000 for each violation. Failure to comply also may subject a person to criminal penalties, which may include imprisonment for up to five (5) years and criminal fines. See 18 USC 1960. **Note: This registration does not satisfy any state or local licensing or registration requirements.**

### **Paperwork Reduction Act Notice.**

The purposes of this form are to provide an effective and consistent means for money services businesses to register with the Financial Crimes Enforcement Network, and to assure maintenance of reports or records where such reports or records have a high degree of usefulness in criminal, tax, or regulatory investigations or proceedings. This report is required by law, pursuant to authority contained in Public Law 103-305; 31 USC 5330; 5 USC 301; 31 CFR Chapter X. The information collected may be provided to those officers and employees of any constituent unit of the Department of the Treasury who have a need for the records in the

performance of their duties. The records may be referred to any other department or agency of the United States, to any State, or Tribal Government. Public reporting and recordkeeping burden for this information collection is estimated to average 45 minutes per response, and includes time to gather and maintain data for the required report, review the instructions, and complete the information collection. Send comments regarding this burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget Paperwork Reduction Project, Washington, DC 20503 *and* to the Paperwork Reduction Act; Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183-0039. The agency may not conduct or sponsor, and an organization (or a person) is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Privacy Act Notice.**

Pursuant to the requirements of Public Law 93-579 (Privacy Act of 1974), notice is hereby given that, in accordance with 5 U.S.C. 552a(e), the authority to collect information on **FinCEN Report 107** is Public Law 103-305; 31 USC 5330; 5 USC 301; 31 CFR Chapter X. The Department of the Treasury may use and share the information with any other department or agency of the United States, to any State, or Tribal Government, or part thereof, upon the request of the head of such department or agency, or authorized State or Tribal Government official for use in a criminal, tax, or regulatory investigation or proceeding, and to foreign governments in accordance with an agreement, or a treaty. Disclosure of this information is mandatory. Civil and criminal penalties, including in certain circumstances a fine of not more than \$5,000 per day and imprisonment of not more than five years, are provided for failure to file the form, supply information requested by the form, and for filing a false or fraudulent form. Disclosure of the social security number or taxpayer identification number is mandatory. The authority to collect is 31 CFR Chapter X. The social security number/taxpayer identification number will be used as a means to identify the individual or entity who files the report.