

REPORTING GUIDE

Bank Secrecy Act (BSA): Registration to the US Financial Crimes Enforcement Network (FinCEN) for Money Services Businesses

FinCEN MSB Registration Reporting Guide

The Bank Secrecy Act (BSA) requires a money services business (MSB) performing certain services to register with FinCEN. The MSB registration is the responsibility of the owner or controlling person, who is either the business owner, a general partner or trustee, or a duly authorized officer.



Who needs to register with FinCEN?

MSBs who provide one or more of the products and services below must register with FinCEN, unless the person or company represents a government agency or the US Postal Service, or serves as an agent of another MSB, a stored value issuer or redeemer, and not doing MSB activities on its own behalf:

- Money transmission*
- Money orders
- Travelers' checks
- Check cashing
- Currency dealing or exchange (including virtual currency)

*Except for money transmission, a person or entity must conduct more than \$1,000 in business with one person, whether in one or more transactions, on any given day to meet the definition of an MSB.



When must an MSB register?

An MSB must initially register with FinCEN within 180 days after the MSB establishment date. A renewal is then filed every two (2) years on or before December 31 of the year preceding the renewal period.



What are the components of the MSB Registration?

The MSB Registration is divided into seven (7) sections:

- Filing Information
- Registrant Information
- Owner or Controlling Person
- Money Services and Product Information
- Primary Transaction Account for MSB Activities
- Location of Supporting Documentation
- Authorized Signature



What other information should be submitted with the MSB Registration?

Aside from the electronic registration, MSBs must provide an estimated business volume, information regarding control or ownership, and the MSB's list of agents, if applicable.

If the MSB maintains agents, it is required to prepare and maintain an Agent List with the following information, which must be retained by the MSB for a period of five years:

- Agent Name, Address and Telephone Number
- Types of services
- Gross Transaction Amount
- Depository Institution
- Start Year of Services
- Branches or Sub-agents



How is the MSB Registration filed?

MSB Registrations can be filed electronically through the [BSA E-Filing System](#).

A copy of the filed registration and other supporting documentation should be retained at a US location for a period of five (5) years.



What if a company fails to register?

If a person or entity fails to comply with the registration requirements, including willfully filing false or incomplete information, may result to a civil penalty of up to \$5,000 for each violation. FinCEN may also file for civil action or impose a criminal fine and/or imprisonment of up to five (5) years.

Reporting Tips

- Re-registration may be required if there is a change in control or ownership with the MSB, if there is a transfer of more than 10% of the voting power or equity interests, and if there is more than a 50% increase in the number of agents.
- FinCEN defines currency as "the coin and paper money of the US or of any other country that [i] is designated as legal tender and that [ii] circulates and [iii] is customarily used and accepted as a medium of exchange in the country of issuance," which means a person or entity who obtains virtual currency and uses it to purchase goods or services ("user"), real or virtual, is not considered an MSB, thus exempt from MSB registration.
- Foreign-located MSBs, whether doing business in the US as an MSB on a regular basis or not, must designate the name and address of a person who resides in the US, authorized and has agreed to be an agent accepting service of legal process to comply to MSB registration requirements. The address of the location where records are maintained must also be declared.



For more information, you can visit FinCEN's MSB Registration page, <https://www.fincen.gov/money-services-business-msb-registration>.