

BVI Financial Services Commission NEWSLETTER



Featured Articles

FSC Summer MTR Series Kicks Off In BVI

FSC Regulators Among Presenters At Fintech On The Seas

Extension Granted To File Beneficial Ownership Information



Read the above and other articles and notices in
this Q2/2025 issue of the BVI FSC Newsletter



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FSC SUMMER MTR SERIES KICK OFF IN BVI



- Meet the Regulator Forum opens with focus on beneficial ownership access.

The BVI Financial Services Commission (the **Commission**) successfully launched its 2025 Meet the Regulator (MTR) Forum series, beginning with a well-attended session at the H Lavity Stoutt Community College on 23 June 2025. The Forums centre around the topic of access to beneficial ownership information, a critical step in maintaining the jurisdiction's compliance with rapidly evolving international standards.

Managing Director and CEO Mr Kenneth Baker opened the session, underscoring the jurisdiction's journey and leadership in promoting corporate transparency. "These accomplishments show the relative strength of the Territory and, of course, our willingness to comply with internationally accepted standards in yet another area of our corporate regulatory remit," Mr Baker stated.





Mr Baker also stressed that officials explored all possible avenues for determining agreed implementation of the national policy, noting that achieving equilibrium between the BVI's international obligations and stakeholder concerns remained paramount throughout the process.

Other key speakers included Deputy Managing Director of Operations Brodrick Penn and Senior Legislative Development Officer Khiayah Doward from the Commission, and Ms Ayanna Glasgow, Director of Financial Services, Ministry of Financial Services, Economic Development and Digital Transformation.

Together, they provided a comprehensive overview of the government's policy position, the proposed legal framework, and technical preparations to support the new Beneficial Ownership access regime. The Forum was moderated by Mrs Rhonda Hodge-Smith, Deputy Director of External Relations.

Participants praised the Forum for its clarity, structure and engaging format. The open floor Q&A session also allowed attendees to raise operational concerns and share feedback directly with Commission representatives.

The MTR series continued on 30 June in Hong Kong where Commission executives met with stakeholders. The next stops for the Forum are scheduled for London and Panama in early July.

Queries related to the series of Forums should be directed to externalrelations@bvifsc.vg.

LEGISLATIVE UPDATE: THE PROLIFERATION FINANCING ACT

The Proliferation Financing Act, 2021 which came into effect on 2 January 2025, makes provision for the prevention of the proliferation of weapons of mass destruction and ensures the implementation of financial measures relating to counter-proliferation Resolutions of the United Nations. Amendments which were made to this Act have the following effect:

- Section 15(1) and 16(1): The liabilities in these provisions (in relation to prohibiting, dealing in or making available, assets owned, controlled or held by or on behalf of or for the benefit of a designated person or entity), are now strict liability offences.
- Amendments made to section 37 remove the financial threshold of \$10,000 concerning the compulsory reporting of financial transactions involving a designated country, person or entity. As a result, it is now a requirement to report any transaction involving any amount concerning a designated country, person or entity. A person who knows of any dealing or attempted dealing in an asset or the making of an asset available is required to make a report to the Financial Investigation Agency.
- The Financial Investigation Agency is now empowered to issue guidelines with respect to proliferation financing matters.



A CHRONICLE OF BVI CORPORATE REGISTRARS

The Registry of Corporate Affairs, the corporate registration arm of the BVI Financial Services Commission, is responsible for the incorporation of companies and the registration of partnerships, limited partnerships, copyrights and patents. In addition, it plays the critical role of collecting and maintaining information related to incorporations and registrations.

While the office has evolved in size, mandate, and importance over the years, one central statutory figure has remained at its cornerstone – the Registrar. The Registrar's foremost role is threefold: (1) to receive and process applications for the incorporation and registration of companies, partnerships, limited partnerships, copyrights and patents; (2) to maintain the order, health, and integrity of information filed with the Registrar; and (3) to coordinate and facilitate access to and dissemination of information collected and maintained in accordance with the laws relating to access protocols.

This article traces Registrars of Companies (interchangeably referred to as Registrar of Corporate Affairs herein) in the British Virgin Islands throughout the history of local financial services, and examines the corporate atmosphere during their various tenures.

The era of the Corporate Registrar began in the mid-1980s when the positions of Registrar of the High Court, Registrar of the Supreme Court, and Registrar of Companies and International Business Companies in the Territory were consolidated under one substantive title – the Registrar of the Supreme Court, and held by a single person.

The powers at the time, on determining that there was a need to hire someone who could capably lead the effective implementation of a Registry system that ensured effective implementation of legislative requirements found in the International Business Companies Act 1984 (the IBC Act) recruited Mrs Janice George (now Dame Janice Pereira, DBE and recently retired Chief Justice of the Eastern Caribbean Supreme Court) from the private sector.

While the IBC Act, 1984 propelled company formation and recognition of the British Virgin Islands as a jurisdiction of choice, then-Registrar Janice George, orchestrated the emergence of a distinct structural framework and protocols for the Registry. The concept of financial services, which is now locally analogous with the Commission evolved after the implementation of the IBC Act. Following the completion of her work on establishing the Registry framework, Mrs George returned to the private sector.

Mr Nolan Jacobs took over from Mrs George in a brief stint. It was during Mr Jacob's tenure that a unanimous decision was taken in the then-Legislative Council to separate the commercial activities from the Registry of the Supreme Court and place them directly under the Ministry of Finance. Mrs Ann Allen Encontre filled the role in 1989, when the office was still located in the Ward's Building. The Registrar of Companies' singular role subsequently emerged in the late 1980s, with Mrs Allen Encontre who eventually took up the mantle as the first person to hold the title.

Not only is Mrs Allen Encontre's tenure at the Registry momentous for the disaggregation of the merged Registry portfolio, but she also served during the time of the Panama-Noriega crisis in 1989, and recalls an inordinate influx of company registrations at the time. Still, within the era of manual work processes with certificates and other documents being typewritten, the fact that there was so much interaction between the Registry and companies, made for a collegial and cooperative rapport. Mrs Allen Encontre demitted office in 1991 to go into private practice.

Mr Joseph Isles Brice, a St Lucian native, was recruited as the next Registrar of Companies. Under his management, the Registry took off with the assistance of automation tools. Mr Brice served briefly and was succeeded by Mr Calvin Eversley, a Guyanese lawyer recruited from the United Kingdom. At that time, the Registry work volume had increased significantly. The employment of IBM System/36 and later AS/400 were a game-changer for the Registry, since they allowed operations to be further streamlined by supporting multiple users, allowing more efficient data management and permitting reductions in manual workloads, a huge leap from former systems. Digital transformation was beginning to gain momentum at the Registry.

When Ms Lisa Penn (now Lisa Penn-Lettsome) became Registrar in February 1995 all company files were still manual, and stored in huge rolling cabinet systems, which had to be archaically consulted by numerical reference when persons presented at the Registry to do searches. The slightest advancements toward automation were welcomed. This is because, when a file became misplaced, clerks had to go through hundreds of files to find it. Other vivid examples of the times were the rubberstamping of each page of the memoranda and articles of association, which required clerks to stamp both the back and front of each set of governing documents in quadruplicate. Additionally, each certificate of incorporation had to be prepared via manual typewriter and signed individually by hand. By this time, staff were handling on average 200 incorporations a day and up to 4,000 a month. Company information processing was aided by the 60 registered agents who were licensed by the Department of Financial Services at the time. The process of registering trade marks was also manual, with the physical mark in the exact style and form, having to be submitted to the Registry on a piece of paper as equipment for scanning had not yet come into existence. The automations from 1988 facilitated the automatic imprint of company numbers on memoranda and articles of association and several other incremental advancements.

Despite the antiquity of the times, the staff recall everything running amazingly efficiently. This, they say, was attributed to the staff complement of around 60, adequate resources and exceptional staff collaboration.

Ms Myrna Wheatley (now Myrna Wheatley Herbert) was recruited and sent to the United Kingdom to train via Registry attachments and studies in specialist law courses, to take over the post of Registrar. Her tenure began in January 1998. Mrs Herbert, who still holds the post today, is credited with overseeing the full automation of the Registry. The importance of the Registry framework and the adequacy of human resources talent became even more pronounced as the 1885 Companies Act and 1984 IBC Act were replaced by the Commission's capstone legislation – the BVI Business Companies Act 2004.



Myrna Herbert

When VIRRGIN came on stream in 2006, it was a game changer, revolutionising how operations at the Registry were run. The significance of VIRRGIN was evidenced by the fact that after hurricanes Irma and Maria, the Registry was able to function seamlessly as if nothing had happened.

The system was so robust that incorporation approvals were able to take place in the Commission's subsidiary office in Hong Kong, which boosted business and brought the Registry closer to its users.

The BVI Registry of Corporate Affairs, headed by the Registrar of Corporate Affairs, has long been described as the BVI advantage. Being the undisputed benchmark that many have striven to attain. Several Caribbean islands' registries have sought out attachments to the BVI Registry under Registrars Brice, Lettsome, and Herbert. Those nations included the Commonwealth of Bahamas, Turks and Caicos Islands, Antigua and Barbuda, and Anguilla. Their intrigue was to understand what goes into a properly run Registry system.

In addition to the persons who have held the substantive titles of Registrar of Companies, several persons have acted in the position, including Mrs Victoreen Romney-Varlack, Mr Allington Hodge, and Ms Benedicta Samuels (now Dr Benedicta Samuels).

It would be remiss of this article to speak of Registrars without mentioning the value of legislative provisions which give them their authority. Mr Cherno Jallow KC is credited as being integral to the evolution of financial services legislation, including the registry legislation, and is widely regarded as one of the best and most prolific draftsmen that the Territory and region has seen. Other financial services legislation aside, Mr Jallow has helped to facilitate numerous reforms to the BVI Business Companies Act, each due to evolving business obligations and driven by international initiatives.

Mr Robert Mathavious, former Managing and Director of the Commission, pushed for many of the human and technological resources mentioned in this article. The current Commission executive continue to stand on his shoulders, and the sector recognises him as the chief architect behind the BVI financial services.

Today, the Registrar's role has evolved to include a quasi-regulatory facet, since it is now also responsible for the registration and verification of beneficial ownership information, for BVI Business Companies and Limited partnerships, and determining legitimate interest to grant access to this information.

The Registrar's herculean job tasks are aided by a small army of deputy registrars, assistant registrars, and officers. The proprietary information management system – VIRRGIN, and bedrock legislation related to business companies, partnerships, and trade marks determine precisely how the Registrar wields her powers. The financial services sector and the Commission with its Registry of Corporate Affairs have been central to the success of the Territory. The value and admiration of the Registry of Corporate Affairs are attributed to the leadership of the current and former Registrars and their mastery of the registry legislation and technical resources.

EXTENSION GRANTED ON THE DATE TO FILE BENEFICIAL OWNERSHIP INFORMATION



The Commission published Industry Circulars on [30 May 2025](#) and [4 June 2025](#) respectively, informing industry stakeholders of:

Notices on its website whereby, the Registrar, acting pursuant to (a) paragraph 60I(2) of Part VII B of Schedule 2 of the BVI Business Companies Act, revised edition 2020 and (b) paragraph 18(2) of Part VIII of the Schedule to the Limited Partnership Act, revised edition 2020, advised that the filing period ending on 1 July 2025 (within which an existing company and a limited partnership is required to comply with the Requirements) was extended for a period of 6 months, to 1 January 2026.

REGISTRY CONTACTS/UPDATES



Extension – Filing of Registers

The period to file ROBO, ROM, and ROD has been extended for an additional 6 months from **2 July 2025** to **1 January 2026**. Fees will not be charged to an existing company or a limited partnership required to comply with the requirements.

Register of Members

Transactions are now available for:

- Changes to the number of shares (allow numbers less than 1 and up to four decimal places)
- Changes 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:

- Correction to add Director Services
- Corrections (Single Filing)
- Changes to Registration (Batch Filing)

Requests to Have Transactions Rejected

When submitting a request for a transaction to be rejected, please email support@bvifsc.vg with a copy to cregistrars@bvifsc.vg.

Certificate of Good Standing

- Further to the Notice of the Extension issued on **23 May 2025**, regarding the filing of **ROBO**, **ROM**, and **ROD**, 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**.

Filings outside of normal business hours

- Certificates related 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.

AUTHORISATION AND SUPERVISION DIVISION

CALENDAR OF UPCOMING FILING DEADLINES

| DUE DATE: 10 July 2025 | | |
|--|---|---|
| ENTITY/LICENCE TYPE | FILING/REQUIREMENT | SUBMISSION CHANNEL |
| <ul style="list-style-type: none"> Banks Class I and Class II trust licensees* Category A and Category D insurers Category 5 investment business licence | A list of internal audit reports prepared during Q2 2025, with a summary of areas covered by each report. | <p>Banks and other entities under specialised supervision: specialisedsupervision@bvifsc.vg</p> <p>All other entities: prudentialsupervision@bvifsc.vg</p> |
| DUE DATE: 14 July 2025 | | |
| <ul style="list-style-type: none"> Authorised Representatives (SIBA) Authorised Representatives (VASPA) | On a quarterly basis, submit the names of all funds and licensed entities for which it provided Authorised Representative services. | prudentialsupervision@bvifsc.vg |
| <ul style="list-style-type: none"> Insurance** | Monthly Trustee Insurance Statement | prudentialsupervision@bvifsc.vg |
| DUE DATE: 15 JULY 2025 | | |
| ENTITY/LICENCE TYPE | FILING/REQUIREMENT | SUBMISSION CHANNEL |
| <ul style="list-style-type: none"> Banks | Prudential Returns for Q2 2025 | specialisedsupervision@bvifsc.vg |
| <ul style="list-style-type: none"> Money Services Business licensees - Class A | 3.5% transaction levy transaction levy report for Q2, 2025 | <p>Check, wire transfer, etc.</p> <p>specialisedsupervision@bvifsc.vg</p> |

| DUE DATE: 31 JULY 2025 | | |
|--|--|---|
| • Incubator Funds | Semi-annual report for the period ending 30th June 2025 | prudentialsupervision@bvifsc.vg |
| DUE DATE: 14 AUGUST 2025 | | |
| • Insurance** | Monthly Trustee Insurance Statement | prudentialsupervision@bvifsc.vg |
| DUE DATE: 14 SEPTEMBER 2025 | | |
| • Insurance** | Monthly Trustee Insurance Statement | prudentialsupervision@bvifsc.vg |
| WITHIN SIX MONTHS OF THE FINANCIAL YEAR | | |
| • All licensees and funds except where exempted | Audited Financial Statements(must be accompanied by all relevant prescribed documents) | Banks and other entities under Specialised Supervision: specialisedsupervision@bvifsc.vg TCSPs: financialstatementsTCSP@bvifsc.vg Insurance: financialstatementsINS@bvifsc.vg Investment: financialstatements@bvifsc.vg Hard copy and/or electronic copy financialstatements@bvifsc.vg |
| Approved Funds** Incubator Funds** Approved Managers | Financial Statements (not required to be audited) | Hard copy and/or electronic copy via financialstatements@bvifsc.vg |

*A Class I or Class II trust licensee that does not hold customer monies or has determined that due to its nature, size, and complexity, it does not require an internal audit function, and is not required to file a list of internal audit reports.

**Applicable only to a Trustee of a Domestic Business Trust for specified insurers.

Notes:

1. This schedule is provided as a courtesy; regulated entities are not absolved from submissions due to any errors or omissions herein.
2. If a due date falls on a holiday or weekend, the Commission will accept filings/reports due for submission on the next business day without enforcing any penalties.

FSC CONSUMER AWARENESS ENGAGEMENTS/ EVENTS



Liquidity 2025 - Hong Kong

Deputy Director of Specialised Supervision, Kishelle Cameron, outlined the BVI's regulatory evolution around virtual assets in a keynote address at Liquidity 2025, the third annual Institutional Digital Asset Summit hosted by LTP (Liquidity Tech Prime) in Hong Kong on 7 April. From early fintech assessments in 2018 to the enactment of the Virtual Assets Service Providers Act in 2023, the BVI has developed a robust legal and compliance framework. The Commission continues to monitor VASPs for AML/CFT risks, conduct inspections, and enhance capacity. Cameron affirmed the BVI's commitment to responsible innovation and safeguarding its reputation as a responsible financial centre while contributing to the global fight against financial crime.



GIICS Annual Seminar - London

Deputy Director, Prudential Supervision Decca Penn represented the Commission at the GIICS Annual Seminar and General Meeting held 11–12 June at Stationers' Hall, London. Ms Penn joined global regulators to explore innovation, cross-border collaboration, and evolving insurance markets. Key topics included supervisory frameworks for captives, reinsurance, and insurance-linked securities. Her participation reinforced the Commission's commitment to international engagement, regulatory harmonisation, and strengthening supervisory practices across jurisdictions. GIICS plays a key role in advancing sound supervisory practices and maintaining stability in the global insurance market.



IOSCO General Meeting – Doha

Three senior Commission executives — Managing Director and CEO Kenneth Baker, Deputy Managing Director, Regulation Glenford Malone, and Deputy Director, Specialised Supervision, Kishelle Blaize Cameron — attended the 50th IOSCO Annual Meeting in Doha from 12 to 14 May. Hosted by the Qatar Financial Markets Authority, the event featured regulators from 130 jurisdictions discussing investor protection, financial stability, sustainable investments, and the impact of fintech and AI on global markets. Nearly 500 participants engaged in discussions and regulatory workshops.



CGBS Conference - Cayman Islands

The Commission participated in the 42nd Annual Caribbean Group of Banking Supervisors (CGBS) Conference held in the Cayman Islands on 8 April. Representing the Commission were Director, Authorisation and Supervision, Leon Wheatley, and Deputy Director, Specialised Supervision, Kishelle Blaize Cameron. The three-day forum explored supervisory innovation, digital transformation, and regional cooperation under the theme “Financial Supervision: Strengthening the Fundamentals in the Digital Age.” The event fostered meaningful dialogue among regulators and industry leaders across the Caribbean.



Deputy Director Specialised Supervision Kishelle Cameron delivers the keynote address at Liquidity 2025 in Hong Kong.

Managing Director and CEO Kenneth Baker, Deputy Managing Director, Regulation, Glenford Malone and Deputy Director Specialised Supervision Kishelle Cameron at the IOSCO General Meeting held in Doha, Qatar.



Director, Supervision and Authorisation, Leon Wheatley and Deputy Director, Specialised Supervision, Kishelle Cameron attended the CGBS Conference in Cayman Islands



COMMISSION EXECUTIVES DELIVER IMPACTFUL PRESENTATIONS AT THE ACO COMPLIANCE CONFERENCE



Simone Martin - BVIACO Conference 2025

Director of Special Projects, Simone Martin, delivered a compelling presentation at the BVIACO's May 2025 forum titled *"Riding the Wave of Digital Fraud – Trends & Future Outlook."*

Martin highlighted the explosive growth of FinTech and its sweeping impact across global financial services. She noted that while innovations like tokenisation, AI, and digital payment systems promise transformation, they also expose firms and governments to heightened risks of fraud.

Digital Fraud

A key focus of the presentation was the "tsunami of digital fraud," including AI-powered scams, deepfakes, crypto wallet attacks, identity theft, and romance scams. Martin warned that AI-driven frauds are particularly targeting governmental agencies and urged vigilance.

To strengthen defences, Martin emphasised the role of public-private partnerships, stronger compliance measures, and increased awareness. She also highlighted the establishment of the VASPAC (Virtual Assets Service Providers Advisory Committee) as a positive step toward industry collaboration.

Looking ahead, the FSC aims to explore digital payment systems, refine regulatory frameworks, and position the BVI as a leader in FinTech.

"Fighting financial crime with AI is not a trend, it's a necessity," Martin shared while urging stakeholders to stay informed and resilient.



Alva Mc Call

Rising Tide in Compliance Preparedness

Ms M. Alva Mc Call, Deputy Director of the BVI Financial Services Commission's AML/CFT Unit, delivered a timely presentation during the recently held Association of Compliance Officers (ACO) conference, emphasising the need for increased vigilance in the industry at this time.

Ms Mc Call, in her address, titled 'Rising Tide – Industry Insights and Updates', used the metaphor of shifting tides to highlight the current and upcoming waves of regulatory expectations. Her discussion outlined key regulatory priorities, including enhanced focus on higher-risk sectors such as Trust and Corporate Service Providers (TCSPs), Investment Businesses, and Virtual Asset Service Providers (VASPs).

Ms Mc Call also stressed the need for stakeholders to pay particular attention to regulatory requirements relative to customer due diligence, maintenance of beneficial ownership information ongoing monitoring and record-keeping. She also emphasised the need to be able to properly identify suspicious activity and improve the quality of suspicious activity reporting.

Ms Mc Call urged participants to maintain a robust risk-based approach aligned with international standards that would help to demonstrate their understanding of risk and be alert to emerging threats such as decentralised finance structures and evolving geopolitical risks.

She noted the importance of persons remaining vigilant and "adjusting their paddle" in order to successfully adapt to changing regulatory requirements. "Ms Mc Call concluded her presentation by reminding participants to "stay focused and keep paddling!". The presentation was well-received and drew positive feedback for its relatable, scenario-driven delivery.

AFLIP 2025 - ENGAGING FINANCIAL LITERACY



MONEY MATTERS BVI hosted the fifth annual Adolescent Financial Literacy Perspectives (AFLiP) Forum on Thursday, 12 June 2025, at the BVI Financial Services Commission Resource Centre. The Forum was aimed at equipping young people with essential financial knowledge and communication skills.

Secondary school students from across the Territory competed in a high-energy literary analysis of the book, '***The Psychology of Money***' by Morgan Housel. St. George's Secondary School emerged as the 2025 champion, followed closely by Bregado Flax Educational Centre and Cedar International School. Other participating secondary schools included Ciboney Centre for Excellence and Claudia Creque Educational Centre. Awards were presented for best in logical reasoning, best book review pitch, and best speaker.

The Forum promoted practical financial understanding, public speaking, and critical thinking — all vital tools for informed consumer decision-making. Each participant received a commemorative medal and personalised memorabilia to celebrate their involvement. Events like AFLIP strengthen the Commission's commitment to financial literacy among consumers and stakeholders.

PUBLIC STATEMENTS

The BVI Financial Services Commission considered it necessary to issue the following Public Statements during the second quarter of 2025 to protect customers, creditors, or persons who may have been solicited to conduct business with purported financial services entities.

The public is advised to exercise caution when conducting business with the following:

All Commission-issued Public Statements can be accessed via the Commission website - [HERE](#).

| ENTITY | DATE |
|---|---------------|
| MVM Bank or MVM Overseas Capital Ltd | 29 April 2025 |
| Daria Nowicka | 16 April 2025 |
| https://danubianpartners.com | 26 April 2025 |
| Fraudulent Website EDP Regulation | 30 April 2025 |
| MR. LEVERE WENT and FLOW MONEY SYSTEM | 19 May 2025 |
| Smiths Gore and Son’s Reserve Loan Company | 19 May 2025 |
| CLOUDTRADES | 28 May 2025 |
| Trustflow HedgeFund | 11 June 2025 |

BVI & HONG KONG THIRD-QUARTER, 2025

HOLIDAYS AFFECTING OPERATIONS

The public is asked to note the following upcoming BVI public holidays, during which time Commission offices will be closed for business:

A complete list of holidays and closures can be found [HERE](#).

| Virgin Islands Holidays | |
|-------------------------|---|
| 7 July 2025 | Virgin Islands Day |
| 4 August 2025 | Emancipation Monday |
| 5 August 2025 | Emancipation Tuesday |
| 6 August 2025 | Emancipation Wednesday |
| Hong Kong Holidays | |
| 1 July 2025 | Hong Kong Special Administrative Region Establishment Day |



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To ensure that you get notifications of Commission newsletters, press releases, industry circulars, sanctions, ad other publications sent directly to your inbox, join our mailing list today!

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