

## **Government decree n° 2019-54 of 21/01/2019 of dealing with methods and criteria of the beneficial owner identification.**

The Chief of the Government,  
Considering the constitution and in particular its article 94,  
Considering the organic law n° 2015-26 of 7 August 2015 dealing with combating terrorism and repressing money laundering,  
Considering the law n°2018-52 of 29 October 2018 dealing with the national register of companies, in particular its article 8,  
Considering the Presidential decree n° 2016-107 of 27 August 2016 dealing with the nomination of the chief of the Government and his members,  
Considering the Presidential decree n° 2017-124 of 12 September 2017 dealing with nomination of Government members,  
Considering the Presidential decree n° 2017-247 of 25 November 2017 dealing with nomination of two Government members,  
Considering the Presidential decree n°2018-69 of 30 July 2018 dealing with nomination of a member of the Government,  
Considering the Presidential decree n° 2018-125 of 11 November 2018 dealing with nomination of Government members,  
Considering the opinion of the Administrative court,  
After deliberation of the Council of Ministers,

Issues the Government decree whose content is the following:

**Article 1:** This government decree lays down methods and criteria of identifying the beneficial owner.

**Article 2:** The beneficial owner or owners for legal persons are established according to

reasonable measures taken to verify their identities as follows:

**a-** The natural person or persons who hold directly or indirectly a percentage equal or higher than 20% of the share capital or the voting rights,

**b-** in case of doubt on the identification of the beneficial owner after applying criterion (a), the natural person or persons who carry out by any other means of fact or law a power of control on the bodies of management or administration or the general meeting or on the operating of the legal person,

**c-** where no beneficial owner is identified under (a) and (b), the beneficial owner is the natural person who holds the position of senior managing official.

**Article 3:** for the legal arrangements, is considered beneficial owner, the natural persons hereafter mentioned, and reasonable measures are taken to verify their identities:

**a-** For trusts: the settlor, the trustee(s), the protector, if necessary, the beneficiaries and any other natural person exercising ultimate effective control over the trust.

**b-** For other similar legal arrangements: the natural person who holds equivalent or similar positions.

The banks, financial establishments, insurance companies, investment companies, lawyers, accountants and notaries, when they act as trustee of a legal arrangement must declare themselves as such when establishing the business connection or the carrying out of an operation or a transaction.

**Article 4:** The concerned ministers are in charge, each for his own part, of the enforcement of this current decree which will be published in the Official gazette of the Republic of Tunisia.