

# **Criminal Finances Act 2017 Statement**





## This document records Manchester Metropolitan University's commitment to complying with its obligations under the Criminal Finances Act (CFA) 2017.

### What is the Criminal Finances Act 2017?

The Criminal Finances Act (CFA) 2017 came into effect on 30 September 2017. Whilst it has always been a criminal offence for anyone to assist a third-party in criminal tax evasion, this new Act means that if any Manchester Metropolitan employee, agent or sub-contractor, irrespective of location, is found to have assisted a third-party in evading tax in the course of their duties, then there are severe 'corporate offence' consequences for the University.

Under the CFA 2017 in the event of there being both:

- Criminal tax evasion by either a UK or overseas taxpayer (as an individual or an entity) under existing law, and
- Criminal facilitation of this offence by an 'associated person' of the university,

the University will automatically be charged with the offence of failing to prevent its representatives from committing the criminal act of facilitation unless it can demonstrate that it had 'adequate' or 'reasonable procedures' in place to prevent that facilitation. If found guilty, the typical consequences for the University could be an unlimited fine, reputational damage and the potential disbarment from public/governmental contracts.

### What is our policy?

Manchester Metropolitan is committed to ensuring that its employees, agents and other associated persons acting on the University's behalf are not facilitating tax evasion by another party.

The University maintains a register of possible risks of the facilitation of tax evasion by its staff and associates, as well as listing controls to mitigate those risks, and any actions required to improve those controls. This register is regularly reviewed and updated as and when required in relation to the nature of the specific risks.

The University reviews its policies and guidance in relation to the Criminal Finance Act 2017 on an annual basis alongside similar policies. This Statement should be read in conjunction with the University's Bribery Act 2010 Statement

### Responsible Officer

Manchester Metropolitan has nominated the Director of Finance as the senior officer responsible for information, training and queries on CFA 2017 within the University. General queries, or any concerns, about the facilitation of tax evasion should be directed in the first instance to the Head of Taxation Services.

Should staff and associates become concerned that a fellow employee or associate is facilitating a third party's tax evasion, they should immediately contact one of the above officers. Alternatively, staff can raise a concern under the whistleblowing procedures as set out in the University's Public Interest Disclosure Policy.