

The Virgin Islands Consortium

Some Local Businesses Operating Non-Bank ATMs Without License, Lt. Gov Says

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ST. CROIX -- Some local businesses are operating non-banking ATM machines without receiving licensure from the Office of the Lieutenant Governor, Division of Banking and Insurance, a press release Mr. Potter's office issued Wednesday revealed.

Citing Virgin Islands Code Title 9, Chapter 11A, Section 132-134, the Lieutenant Governor's Office says that its Banking Division has the regulatory authority over non-bank ATMs.

No person other than a bank or foreign bank may establish or operate a non-bank ATM except in accordance with the provisions of Section 132, reads the release, adding that

an annual fee of \$150 shall be paid to the Government of the Virgin Islands for each non-bank ATM. The release further states that a non-bank ATM operator who fails to comply with the law may not operate a non-bank ATM until in full compliance, or face a fine.

The per transaction fee charged at a non-bank ATM is set by the Virgin Islands Banking Board, the release adds. The operator who collects the per transaction fee is required to remit 10 percent of the amount collected to the Government of the Virgin Islands, to be credited to the Tourism Advertising Revolving Fund.

"We want businesses to make it convenient for Virgin Islands residents and tourists to purchase goods and services in the territory," Mr. Potter said, currently acting as governor while Governor Kenneth Mapp is away.

According to the release, having non-bank ATMs on the premises help businesses to accomplish this goal. However, the Division of Banking and Insurance is finding that many businesses throughout the territory are operating non-bank ATMs without the required license. Each non-bank ATM must be licensed, tagged and inspected by the Division of Banking and Insurance before being put in service. Failure to comply can result in a fine and a requirement to shut down the ATM.

The release says business development, particularly small business development, is a major focus of the Office of the Lieutenant Governor, and suggests that many businesses have already obtained the license to place the non-bank ATMs at their place of business.

Those seeking clarification on this matter should contact the Division of Banking and Insurance on St. Thomas at 340-774-7166 and on St. Croix at 340-773-6459.