

**CONFIDENTIAL STATEMENT BY INDIVIDUALS WHO ARE PROPOSING TO HOLD THE POSITION OF DIRECTOR AND/OR EXECUTIVE OFFICER OF A BANK OR A TRUST COMPANY LICENSED BY THE CENTRAL BANK OF THE BAHAMAS**

*If insufficient space is provided, please attach separate sheets.*

1. Name of the institution in connection with which this questionnaire is being completed ("the institution").

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2. Your Full Name.

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3. Former names by which you may have been known.

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4. Please state in which capacity you are completing this questionnaire; i.e., as a prospective director, an executive officer, or a combination of these. Please state your full title, and describe the particular duties and responsibilities attaching to the position(s) that you will hold. If you are completing this form in the capacity of director, indicate whether, in your position as director, you have or will have any executive responsibility for the management of the institution's business. In addition, please provide a copy of your *curriculum vitae*, unless it has already been provided.

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5. Of which bodies corporate (other than the institution) are you a director or an executive officer and since when?

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6. Do you have any direct or indirect interest representing 15 per cent or more of the issued capital of any body corporate (other than the institution) that is now licensed, or that has applied for a license, under the Banks and Trust Companies Regulation Act, 2000? If so, give particulars.

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7. Of which bodies corporate other than the institution and those listed in reply to question 6, above, have you been a director or an executive officer at any time during the past 10 years. Give relevant dates.

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8. Do any of the bodies corporate listed in reply to questions 5, 6, and 7, above, maintain a business relationship with the institution? If so, give particulars.

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9. Do you hold or have you ever held or applied for a license or equivalent authorization to conduct any business activity in the Commonwealth of The Bahamas or elsewhere? If so, give particulars. If any such application was refused or withdrawn after it was made or if any authorization was revoked, give particulars.

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10. Does any body corporate with which you are, or have been, associated as a director or executive officer hold, or has it ever held or applied for, a license or equivalent authorization to conduct any business activity in the Commonwealth of The Bahamas or elsewhere? If so, give particulars. If any such application was refused, or was withdrawn after it was made or if any authorization was revoked, give particulars.

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11. Have you at any time been convicted of any offence, excluding –

- i. any minor offence committed when you were under 18 years of age, unless the same offence was committed within the last 10 years; or,
- ii. any minor road traffic offence?

If so, give particulars of the court by which you were convicted, the offence, the penalty imposed and the date of conviction.

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12. Have you, in The Bahamas or elsewhere, been censured, disciplined, warned as to future conduct, or made the subject of a court order at the instigation of any regulatory authority or any professional body to which you belong or belonged, or have you ever held a practicing certificate

subject to conditions? If so, give particulars.

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13. Have you, or has any body corporate, partnership, or unincorporated institution with which you are, or have been, associated as a director or executive officer, been the subject of an investigation, in The Bahamas or elsewhere, by or at the instigation of a government department or agency, professional association, or other regulatory body? If so, give particulars.

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14. Have you, in The Bahamas or elsewhere, been dismissed from any office or employment, or been subject to disciplinary proceedings by your employer or been barred from entry to any profession or occupation? If so, give particulars.

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15. Have you failed to satisfy any debt adjudged due and payable by you, as a judgment under an order of a court, in The Bahamas or elsewhere, or made any compromise arrangement with your creditors within the past 10 years? If so, give particulars.

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16. Have you ever been declared insolvent (either provisionally or finally) by a court, in The Bahamas or elsewhere, or has a bankruptcy petition ever been served on you? If so, give particulars.

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17. Have you, in connection with the formation or management of any body corporate, partnership or unincorporated institution, been adjudged by a court, in The Bahamas or elsewhere, civilly liable for any fraud, misfeasance, or other misconduct by you towards such a body or company or towards any members thereof? If so, give particulars.

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18. Has any body corporate, partnership, or unincorporated institution with which you were associated as a director or executive officer, in The Bahamas or elsewhere, been wound up, made subject to an administration order, otherwise made any compromise or arrangement with its creditors or ceased trading, while you were associated therewith, or has anything analogous to any of these events occurred under the laws

of any other jurisdiction? If so, give particulars.

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19. Have you been concerned with the management or conduct of the affairs of any institution that, by reason of any matter relating to a time when you were so concerned, has been censured, warned as to future conduct, disciplined, or made the subject of a court order at the instigation of any regulatory authority, in The Bahamas or elsewhere? If so, give particulars.

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20. In carrying out your duties will you be acting on the directions or instructions of any other individual or institution? If so, give particulars.

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21. Do you, or does any related party of whom you are aware, currently or prospectively plan to undertake business with this institution? If so, give particulars.

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22. How many shares in the institution are or will be registered in your name or the name of a related party? If applicable, give name(s) in which such shares are registered and the number and class of shares.

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23. In how many shares in the institution (not being registered in your name or that of a related party) are related parties beneficially interested?

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24. Do you, or does any related party, hold or plan to hold any shares in the institution as trustee or nominee? If so, give particulars.

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25. Are any of the shares in the institution mentioned in reply to questions 22, 23, and 24, above, equitably or legally charged or pledged to any party? If so, give particulars.

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26. What proportion of the voting power at any general meeting of the institution (or of another body corporate of which it is a subsidiary) are you or any related party entitled to exercise control?

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27. If the exercise of the voting power at any general meeting of the institution, or of another body corporate of which it is a subsidiary, is or may be controlled by one or more of your associates or any related party, give the proportion of the voting power so controlled in each case and the identity of each associate.

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28. Are you currently, or do you expect to be, other than in a professional capacity, engaged in any litigation in The Bahamas or elsewhere? If so, give particulars.

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29. Do you, at all times while acting in your capacity as a director or executive officer of the institution, undertake to:

- Act in good faith towards the institution;
- Avoid conflict between your other interests and the interests of the institution; and,
- Place the interests of the institution and its clients above all other interests?

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30. Have you acquainted yourself with, and do you understand, the extent of the rights and powers, as well as your responsibilities and duties, as a director of the institution, as contained in the applicable law, regulations, and guidelines? (To be completed only by prospective directors.)

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**DECLARATION**

I, ....., hereby declare the following:

This statement consists of.....pages, each signed by me. The content of this declaration is true to the best of my knowledge and belief. I am aware that should I knowingly or intentionally supply false or misleading information herein, I may be liable to prosecution.

I undertake that, as long as I continue to be a director or executive officer of the institution, I will notify the Inspector of Banks and Trust Companies of any material changes to or affecting the completeness or accuracy of the information supplied by me as soon as possible, but in no event later than 21 days from the day that the changes come to my attention.

I know and understand the content of this declaration.

..... SIGNATURE

..... DATE

I certify that the above statement was taken by me and that the deponent has acknowledged that he/she knows and understands the content of this statement. This statement was signed in my presence at:

..... on this ..... day

of ..... (mm/yy)

.....  
Justice of the Peace/Notary Public