



Form: BSDLA – 1
 Issued: 23 January 2002
 Revised: 18 December 2023

CONFIDENTIAL STATEMENT FOR REGULATED FUNCTIONS OF SUPERVISED FINANCIAL INSTITUTIONS LICENSED BY THE CENTRAL BANK OF THE BAHAMAS

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

All questions must be answered

1. Name of the proposed or existing Supervised Financial Institution¹ (“SFI”) to which this questionnaire relates. *Please include nominee companies and/or subsidiaries, if applicable.*

2. Full Name.

3. Former name(s) by which you may have been known.

4. Please indicate the proposed position for which you are completing this questionnaire.

Controller <input type="checkbox"/>	Executive Officer ² <input type="checkbox"/> Please specify: _____
Shareholder <input type="checkbox"/>	Senior Official ³ /Officer (I/II) <input type="checkbox"/>
Director <input type="checkbox"/> Please specify: _____ (ED or NED)	Compliance Officer/Money Laundering Reporting Officer (MLRO) <input type="checkbox"/>
Independent Non-Executive Director (INED) <input type="checkbox"/>	

¹ Please note that this means parent and subsidiaries.

² Executive Officers include Chairman or Deputy Chairman of the Board of Directors, President, Vice President, Secretary, Assistant Secretary and Treasurer.

³ Senior Officials I includes Managing Director and General Manager

5. Please provide full details on the duties and responsibilities attached to the position. 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 SFI's business.

6. Please provide full details on the source of funds⁴ and source of wealth⁵ to be applied. (This applies to Individual Controllers, Shareholders and Politically Exposed Persons⁶ (PEPs).

(Note: The Bank may at its discretion request additional information/evidence in assessing an applicant's source of funds and/or source of wealth).

7. Do you have any pending applications with any other Financial Services Regulator?

Yes No

If so, please provide the names of the other Financial Services Regulator(s) and the capacity in which you have made application.

⁴ The Guidelines for Supervised Financial Institutions on the Prevention of Money Laundering, Countering the Financing of Terrorism & Proliferation Financing, 2023 defines source of funds as the transaction or business from which funds have been generated and the means by which a customer intends to transfer those funds/assets to a facility.

⁵ The Guidelines for Supervised Financial Institutions on the Prevention of Money Laundering, Countering the Financing of Terrorism & Proliferation Financing, 2023 defines source of wealth as the means by which a customer acquires his wealth (e.g. through a business or an inheritance).

⁶ The Financial Action Task Force (FATF) defines a politically exposed person (PEP) as an individual who is or has been entrusted with a prominent public function.

8. Do you currently hold a regulated function within a body corporate or SFI?

Yes No

If so, please provide full details, including name of regulator, country, application or licensee type, date approved and date approval ceased and the reason.

9. Do you have any direct or indirect interest representing 5 per cent or more of the issued capital of any body corporate (other than the SFI) that is now licensed, or that has applied for a license, under the Banks and Trust Companies Regulation Act, 2020?

Yes No

If so, give particulars.

10. Of which bodies corporate other than the SFI and those listed in reply to question 9 above, have you been a controller, shareholder, director, executive officer, senior official/officer or compliance officer/MLRO at any time during the past 10 years. **(Give relevant dates).**

11. Do any of the bodies corporate listed in reply to questions 8, 9 and 10, above, maintain a business relationship with the proposed SFI?

Yes No

If so, give particulars.

12. Have you or any body corporate which you are, or have been associated with ever held or applied for a license or regulatory approval to conduct any business activity in the Commonwealth of The Bahamas or any other jurisdiction?

Yes No

If so, give particulars. If any such application was refused or withdrawn after it was made or if any authorization was revoked, give particulars.

13. Have you at any time been convicted of any crime, 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?

Yes No

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

14. Have you, in The Bahamas or any other jurisdiction, 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?

Yes No

If so, give particulars.

15. Have you, or has any body corporate, partnership, or unincorporated institution with which you are, or have been, associated with or otherwise, been the subject of an investigation, in The Bahamas or any other jurisdiction, by or at the instigation of a government department or agency, professional association, or other regulatory body?

Yes No

If so, give particulars.

16. Have you, in The Bahamas or any other jurisdiction, been dismissed from any office or employment, or been subject to disciplinary actions by your employer or been barred from entry to any profession or occupation?

Yes No

If so, give particulars.

17. 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 any other jurisdiction, or made any compromise arrangement with your creditors within the past 10 years?

Yes No

If so, give particulars.

18. Have you (or your spouse, if relevant) ever been declared insolvent (either provisionally or finally) by a court, in The Bahamas or any other jurisdiction, or has a bankruptcy petition ever been served on you?

Yes No

If so, give particulars.

19. 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 any other jurisdiction, civilly or criminally liable for any fraud, misfeasance, or other misconduct by you towards such a body or company or towards any members thereof?

Yes No

If so, give particulars.

20. Have you ever been required to give evidence in any trial or proceedings involving fraud, misfeasance or other misconduct?

Yes No

If so, give particulars

21. Has any body corporate, partnership, or unincorporated institution with which you were associated in a regulated function, in The Bahamas or any other jurisdiction, been compulsorily wound up, made subject to an administration order, or made any compromise or arrangement with its creditors or ceased trading while you were associated therewith, or has anything comparable to any of these events occurred under the laws of any other jurisdiction?

Yes No

If so, give particulars

22. Have you been concerned with the management or conduct of the affairs of any SFI that 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 any other jurisdiction?

Yes No

If so, give particulars.

23. In carrying out your duties will you be acting on the directions or instructions of any other individual and/or SFI?

Yes No

If so, give particulars.

24. Have you, a family member, or a close associate, at any time, been considered a PEP?

Yes No

If so, give particulars⁷

25. Do you, or any related party of whom you are aware, currently or prospectively plan to undertake business with this SFI?

Yes No

If so, give particulars.

⁷ Please include the names of the family member or close associate and the positions held.

26. How many shares in the SFI 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.

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

28. Do you, or any related party, hold or plan to hold any shares in an SFI as trustee or nominee?

Yes No

If so, give particulars.

29. Are any of the shares of the SFI mentioned in questions 26, 27, and 28, above, equitably or legally charged or pledged to any party?

Yes No

If so, give particulars.

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

31. Through the exercise of the voting power at any general meeting of an SFI or any body corporate, which is or may be controlled by one or more of your associates or any related parties, give the proportion of the voting power so controlled in each case and the identity of each associate.

32. Are you currently, or do you expect to be engaged, other than in a professional capacity, in any litigation in The Bahamas or any other jurisdiction?

Yes No

If so, give particulars.

33. Have you in the past, been candid and truthful in all your dealings with any regulatory body, in The Bahamas or any other jurisdiction?

Yes No

34. Have you demonstrated the readiness and willingness to comply with the requirements and standards of the regulatory systems and with relevant legal and professional requirements and standards?

Yes No

35. Do you, at all times while acting in the capacity of a regulated function of an SFI, undertake to:

i. Act in good faith towards the SFI?

Yes No

ii. Avoid conflict between your other interests and the interests of the SFI?

Yes No

iii. Disclose conflicts of interest in a timely manner?

Yes No

36. 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 an SFI, as contained in the applicable law, regulations, and guidelines? **(To be completed only by prospective directors.)**

Yes No N/A

37. Please state any material information which you would consider to be relevant to the assessment of your application.

PLEASE PROVIDE SUPPORTING DOCUMENTS

DECLARATION

I, hereby declare the following:

This statement consists of pages, each initialed 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 in a regulated function of an SFI, 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 7 business 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 the _____ day

of _____ (mm/yy)

**Justice of the Peace/Notary Public
Stamp**