



Antigua and Barbuda Financial Services Regulatory Commission

The Corporate Management and Trust Service Providers Act, 2008 [Section 6A] as Amended

SCHEDULE A(3) – FORM (1): APPLICATION FOR AN APPROVAL TO BE A RECOGNISED CUSTODIAN

Please forward completed form with any supporting material to:

**Director of International Business Corporations
Financial Services Regulatory Commission**

P.O. Box 2674
Royal Palm Place
Friars Hill Road
St. John's, Antigua

Tel: (268) 481-1194 • **Fax:** (268) 463-0422

Email: CorporateManagement@fsrc.gov.ag

Website: <http://www.fsrc.gov.ag>

SECTION I. INSTRUCTIONS FOR COMPLETING SCHEDULE A(3) – FORM (1): APPLICATION FOR APPROVAL TO BE A RECOGNISED CUSTODIAN

1. This application must be submitted with all supporting documentation listed at the end of the form and a non-refundable application fee.
2. This form can be downloaded from the Commission’s website in Adobe Acrobat format, and can be completed online. Alternatively, the applicant can print the form and complete it with the use of a typewriter, or by using **black ink** and **BLOCK CAPITALS** or typescript for all responses.
3. Any information provided on additional sheets must be signed and dated.
4. Where there is a question which is not applicable, please write “N/A” beside the question.
5. All dates must be completed in the form: Day/Month/Year.
6. Questions left unanswered or which do not disclose all information will affect the Commission’s assessment, and may result in significant delays in processing.
7. A body corporate that is incorporated or formed outside of Antigua and Barbuda may apply to the Commission to be a recognised custodian if it: (a) it is not resident in Antigua and Barbuda; and (b) does not have a place of business in Antigua and Barbuda.
8. The Commission shall not approve an application by a body corporate to be a recognised custodian unless it is satisfied that: (a) the body corporate carries on the business of financial services in a jurisdiction outside of Antigua and Barbuda; (b) the body corporate is subject to FAFT regulations or due diligence obligations and principles; and (c) there is satisfactory prudential regulation exercised over the body corporate outside of Antigua and Barbuda.
9. A licence to engage in corporate management services is valid for a period not exceeding twelve (12) months from the date on which it takes effect and must be prominently displayed on the premises where the business of the corporate management service provider is carried on. If the licensee has a website or other presence on the internet, the licensee’s licence number and class of licence should be prominently displayed on each web page.
10. In accordance with Section 27(2), a person commits an offence if, for the purposes of obtaining a licence, he or she makes any representation that he or she knows to be false or does not believe to be true. That person will be liable on summary conviction, to a fine not exceeding one hundred thousand United States Dollars (US\$100,000); or to a term of imprisonment not exceeding twelve (12) months.

1. **Date of Application:**



Application fee attached

SECTION II. APPLICANT’S CONTACT DETAILS

2. **Name of Applicant:**

3. **Principal Office Information:**



Address information attached

Address:

Contact Person:

E-mail Address:

Telephone Number:

Fax Number:

4. **Website address, if any:**

SECTION III. BUSINESS DETAILS

5. The applicant is a resident of Antigua and Barbuda:		<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. The applicant has a place of business in Antigua and Barbuda:		<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Registration information of applicant:		<input type="checkbox"/> Certificate of Incorporation attached	<input type="checkbox"/> Articles and By-laws attached
Company Registration Number:		Date of Incorporation:	
Place of Incorporation:			
8. The applicant is considered to be in good legal standing.		<input type="checkbox"/> Yes, (Certificate of good standing attached)	<input type="checkbox"/> No

SECTION IV. OWNERSHIP AND MANAGEMENT STRUCTURE

9. Provide the names of beneficial owners with 20% interest or more in the applicant:		<input type="checkbox"/> Share register attached
Shareholder 1:		Shareholder 3:
Shareholder 2:		Shareholder 4:
10. Provide the names of directors in the applicant:		
Director 1:		Director 3:
Director 2:		Director 4:
11. Provide the names of executive officers or managers in the applicant:		<input type="checkbox"/> Organizational chart attached
Name 1:		Name 3:
Name 2:		Name 4:

SECTION V. REGULATORY INFORMATION

12. The applicant is licensed with another jurisdiction.		<input type="checkbox"/> Yes, certified copy of licence attached	<input type="checkbox"/> No
13. Information on the regulatory authority in the applicant's jurisdiction :			
Regulatory Authority:			
Address:			
Contact's Name:	E-mail Address:		
Telephone Number:	Fax Number:		
Website address, if any:			

SECTION VI. COMPLIANCE PROGRAM INFORMATION

14. The custodian complies with the Money Laundering Prevention Act and the Prevention of Terrorism Act.		<input type="checkbox"/> Yes (Compliance Manual attached)	<input type="checkbox"/> No
15. The compliance manual addresses the requirements captured in the Corporate Management and Trust Service Providers Act.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
16. The applicant has documented AML/CFT policies and procedures.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
17. The applicant has a designated compliance officer.		<input type="checkbox"/> Yes	<input type="checkbox"/> No

18. The applicant screens its customers against established databases such as OFAC.

Yes No

19. The applicant has an independent AML/CFT audit review program in place.

Yes No

SECTION VII. DECLARATION

This declaration must be signed by any two authorized signatories of the applicant.

The applicant hereby declares that all the information provided in this application and any other document provided in support of the said application is true and correct. Applicant further undertakes to inform the Commission without delay of any changes to the information supplied with this application. We understand and accept that the Commission may wish to make inquiries, both now and on a continuing basis, to satisfy itself as to the initial and continuing fitness and propriety of the applicant and its directors and management. Consequently, we authorize any person, body or institution named in this application that the Commission may approach, to provide such information, as the Commission believes may be relevant to its assessment.

Authorized Name (1)		<input type="checkbox"/> Proof of authorized signatures attached
Title/Position		
Authorized Signature		Date
Authorized Name (2)		
Title/Position		
Authorized Signature		Date

SECTION VIII. DOCUMENTATION WHICH FORMS PART OF THIS APPLICATION

Documents	Notes	Attached
1. Application Fee	A onetime non-refundable application fee of US\$500 payable to the Financial Services Regulatory Commission.	<input type="checkbox"/>
2. Address Information	An original copy of a utility bill or similar document showing proof of principal address of the applicant's place of business.	<input type="checkbox"/>
3. Certificate of incorporation	Provide a certified copy of certificate of incorporation in the name of the applicant.	<input type="checkbox"/>
4. Articles and By-laws	Certified copy of articles and by-laws or other governing documents are required in the name of the applicant.	<input type="checkbox"/>
5. Share Register	A certified copy of the company's share register or other legal proof of beneficial ownership detailing the names of the shareholders and the amount of shares allocated to each shareholder.	<input type="checkbox"/>
6. An organizational chart	An organizational chart for the applicant detailing the corporate governance and departments of the organization and detailing the level of management.	<input type="checkbox"/>
7. Certificate of good standing	A certificate of good standing for is required in the name of the custodian.	<input type="checkbox"/>
8. Licence from regulatory authority	Evidence of licence from regulatory authority from a FATF jurisdiction.	<input type="checkbox"/>
9. Compliance Manual	A copy of the applicant's Compliance Manual, out-lining the organization's anti-money laundering policies and procedures, the prevention of terrorism, ongoing training policies and procedures, independent audit review policies, the role of the compliance officer and compliance policies in place relevant to applicable laws and regulations governing corporate management and service providers.	<input type="checkbox"/>
10. Authorised signatories	A certified copy of a list of the names and signatures of all persons who can sign on behalf of the company. The document should have the company's seal affixed to it.	<input type="checkbox"/>
11. Approval Fee	Cheque payable to "the FSRC" for the approval fee upon receipt of confirmation of approval.	<input type="checkbox"/>

SECTION IX. ADMINISTRATION - FOR FSRC USE ONLY

Received by (employee's name):		Date:	
Decision taken by the Commission:			