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| **The Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008 (“The Law”)** |
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| **Application for Registration under the Law** |
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| **Full Name of Applicant:\*** |
| \*“Applicant” in this form refers to the entity applying to be registered under the Law |
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| *Please complete all sections fully. If you are completing the Microsoft Word version of this form from the Commission’s website, the boxes will expand, as required, for your answer. If you are completing this form by hand, please use block letters throughout.*  *In relation to each natural person named in response to Section C an online Personal Questionnaire and/or Online Appointment form should be submitted through the Commission’s Online PQ Portal.* |
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| *Please send the completed form and prescribed fee (per the Financial Services Commission (Fees) Regulations, shown on the Commission’s website here: https://www.gfsc.gg/industry-sectors/non-regulated-financial-services-businesses/fees ) as follows:*  *Application form:**Scan the fully completed application form signed by the relevant officers and supporting documentation, as itemised in the application form, together with an explanatory covering letter scheduling the contents and send electronically to* [*authorisations@gfsc.gg*](mailto:authorisations@gfsc.gg)*.*  Prescribed fee: Send by BACS to:  Bank: HSBC Guernsey Branch  Address: 20-22 High Street, St Peter Port, Guernsey GY1 2LB  Sort code: 40-22-25  Account Number: 91460722  IBAN: GB53MIDL40222591460722  Swift: MIDLGGS1XXX  Account Name:  Guernsey Financial Services Commission  Reference: *“Applicant’s name”* |

**Checklist for Submission**

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| * A fully completed application form. |  |
| * The appropriate application fee paid by BACS. (note: review of the application will not commence until the fee is received. |  |
| * An explanatory cover letter. |  |
| * Online Personal Questionnaires and/or Online Appointments forms submitted through the Commission’s Online PQ Portal for each natural person who is a beneficial owner, controller, partner, director, company secretary, Money Laundering Reporting Officer, Money Laundering Compliance Officer or manager of the Applicant. |  |
| * A 3-year business plan, to include an outline of the nature and scale of the proposed activities, plans for the future development of that business and particulars of the arrangements for the management of that business. The operational structure should reflect the scope and degree of sophistication of the proposed activities of the Applicant. It should also include details of the Applicant’s intended client base including geographical location and method of introduction and expected future growth. |  |
| * An AML/CFT Business Risk Assessment for the Applicant. |  |
| * A full group structure chart. |  |
| * A staff organogram for the Applicant. |  |
| * A copy of any draft management agreement and/or outsourcing agreement applicable to the business. |  |
| * A copy of the most recent (audited) accounts if it is an existing business or management accounts if a new business. |  |
| * A copy of the loan agreement for any subordinated loan (if applicable). |  |
| * A copy of auditor’s acceptance to act as auditor of the Applicant (if applicable). |  |
| * A copy of the professional indemnity insurance policy. |  |
| * A copy of your procedures for complying with Guernsey’s anti-money laundering/countering the financing of terrorism regime. |  |
| * A copy of your operating procedures (if applicable). |  |
| * A summary of your plans, procedures and/or agreements for succession and disaster recover/business continuity. |  |

**SECTION A: GENERAL DETAILS OF APPLICANT**

1. Legal name or proposed legal name under which the Applicant will operate and any trading name:

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2. If the Applicant is an existing company, please give details of any trading and company names (state which and when used) used by the Applicant within the last 5 years if different from its present company name and names listed above:

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3. Please give the date or proposed date of incorporation or establishment of the Applicant:

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4. Please give the jurisdiction or proposed jurisdiction of incorporation or establishment of the Applicant:

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5. Please give the Applicant’s company registration number, if available:

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6. Please give the Applicant’s accounting year start and end dates (including the start and end dates of the first accounting year, if different):

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7. Please give the address of the registered office or proposed registered office of the Applicant:

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| Tel: |  | Fax: |  | E-Mail: |  |

8. Please give the Applicant’s principal business address and any other business address and outlet in the Bailiwick:

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**SECTION B: DETAILS OF THE ACTIVITIES/PROPOSED ACTIVITIES OF THE APPLICANT**

9. Please state the jurisdiction in which, or from within which, the Applicant carries on, or proposes to carry on financial services business:

Guernsey  Alderney  Sark

10. Please provide an outline of the nature of the financial services business carried out, or the proposed financial services business to be carried out, by the Applicant:

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11. Please tick all relevant boxes below to describe the type of financial services business carried out or to be carried out:

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| 1. Lending (including, without limitation, the provision of consumer credit or mortgage credit, factoring with or without recourse, financing of commercial transactions (including forfeiting) and advancing loans against cheques) |  |
| 1. Financial leasing |  |
| 1. Operating a money service business (including, without limitation, a business providing money or value transmission services, currency exchange (bureau de change) and cheque cashing) |  |
| 1. Facilitating or transmitting money or value through an informal money or value transfer system or network |  |
| 1. Issuing, redeeming, managing or administering means of payment, means of payment includes, without limitation, credit, charge and debit cards, cheques, travellers’ cheques, money orders and bankers’ drafts and electronic money |  |
| 1. Providing financial guarantees or commitments |  |
| 1. Trading (by way of spot, forward, swaps, futures, options, etc.) in – 2. money market instruments (including, without limitation, cheques, bills and certificates of deposit), 3. foreign exchange, exchange, interest rate or index instruments, and 4. commodity futures, transferable securities or other negotiable instruments or financial assets |  |
| 1. Participating in securities issues, including, without limitation, underwriting or placement as agent (whether publicly or privately) |  |
| 1. Providing settlement or clearing services for financial assets including, without limitation, securities, derivative products or other negotiable instruments |  |
| 1. Providing advice to undertakings on capital structure, industrial strategy or related questions, on mergers or the purchase of undertakings |  |
| 1. Money broking |  |
| 1. Money Changing |  |
| 1. Providing individual or collective portfolio management services or advice |  |
| 1. Providing safe custody services |  |
| 1. Providing services for the safekeeping or administration of cash or liquid securities on behalf of clients |  |
| 1. Carrying on the business of a credit union |  |
| 1. Accepting repayable funds other than deposits |  |
| 1. Otherwise investing, administering or managing funds or money on behalf of other persons |  |
| 1. Buying, selling or arranging the buying or selling of, or otherwise dealing in, bullion or buying or selling postage stamps |  |

# SECTION C: MANAGEMENT AND CONTROL

12. Please list all current or proposed directors and senior officers of the Applicant. Identify, as applicable, the Chairperson, Chief Executive, Managing Director, Directors, Money Laundering Reporting Officer (“MLRO”) and Money Laundering Compliance Officer (“MLCO”) (NB: the MLRO must be resident in Guernsey). Please also state whether directors are or are to be an executive or non-executive director:

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| --- | --- | --- | --- | --- | --- |
| Full name of individual | Title/Role | Personal address | Date of appointment | Date of birth | Nationality |
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# SECTION D: GROUP STRUCTURE/OWNERSHIP STRUCTURE

13. State whether the Applicant is part of a group:

Yes  No

If yes, please ensure a full group structure chart is submitted.

14. Please provide information on the beneficial owners, partners and any other controllers of the Applicant:

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| --- | --- | --- | --- | --- | --- |
| Full Name | Specify whether beneficial owner, partner or other controller | Addresses (for individuals please provide personal address) | Date of birth (for individuals) | Nationality (for individuals) | Percentage interest (if 25% or over) |
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15. Please identify any licence granted by the Commission to the Applicant or any group company of the Applicant and the name(s) of the licensee(s):

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# SECTION E: CRIMINAL CONVICTIONS AND INVESTIGATIONS

16. Subject to the provisions of the Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002, please advise whether any of the persons specified in sections C and D above have at any time had a criminal conviction and, if they have, provide details of the conviction and the circumstances surrounding it:

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| --- | --- |
| Name of individual | Circumstances |
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17. Please give details of any criminal convictions of the Applicant or any group company:

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18. Please state whether the Applicant has ever been the subject of formal investigation under the legislation of any country:

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# SECTION F: OTHER INFORMATION

19. Please complete below any further information of which the Applicant believes the Commission should be aware when considering this application. If you are attaching any continuation sheets, please state the number of sheets attached:

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# SECTION G: APPLICATION AND DECLARATION

We apply under section 4 of the Law to be registered with the Commission.

We declare that the information given in and with this application is complete and correct to the best of our knowledge and belief and that we are aware of no other facts of which the Commission should be aware. We undertake to inform the Commission promptly of any changes material to the application which occur before it has been determined.

We are aware that it is an offence under section32(1) of the Law in connection with an application for a registration under the Law if a person does any of the following:

(i) he makes a statement which he knows or has reasonable cause to believe to be false, deceptive or misleading in a material particular;

(ii) dishonestly or otherwise, he recklessly makes a statement which is false, deceptive or misleading in a material particular;

(iii) he produces or furnishes or causes or permits to be produced or furnished any information or document which he knows or has reasonable cause to believe to be false, deceptive or misleading in a material particular; or

(iv) dishonestly or otherwise, he recklessly produces or furnishes or recklessly causes or permits to be produced or furnished any information or document which is false, deceptive or misleading in a material particular.

We further undertake that, if and for as long as the applicant is registered under the Law (or under any subsequent legislation), we will notify the Commission (or its successors) of any material changes to the answers given to the questions above in compliance with the Law and any rules or regulations made under the Law.

**Note:**

Section 33 of the Law provides that a person guilty of an offence under section 32(1) is liable –

(a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both,

(b) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding level 5 on the uniform scale, or to both.

A BACS payment has been made to the Guernsey Financial Services Commission’s bank account being the application fee payable in accordance with section 4(2)(c) of the Law.

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| Name of signatory: |  |
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| Position: |  |
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| Signature: |  |
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| Name in block capitals: |  |
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| Date: | DD/MM/YY |
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**Note:**

**The Data Protection (Bailiwick of Guernsey) Law, 2017**

For the purpose of the Data Protection (Bailiwick of Guernsey) Law, 2017 please note that any personal data provided to the Commission will be used by the Commission to discharge its regulatory activities and statutory functions. Further information, relating to the Commission’s Data Protection policy, can be located on the website at [www.gfsc.gg/data-protection](http://www.gfsc.gg/data-protection)