

**THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (BAILIWICK OF GUERNSEY) LAW, 1999 AS AMENDED (“THE LAW”)**

# REGISTRATION FORM – PRESCRIBED BUSINESS

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| **FULL NAME OF PRESCRIBED BUSINESS:** |

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| **NOTES ON THE COMPLETION OF FORM PB:**   1. *This Form should be completed in black ink.* 2. *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. The last page must be signed.* 3. *All questions in this Form must be completed, any forms received incomplete or unsigned will be returned. Where a question does not apply please state “Not applicable” and provide an explanation.* 4. *Where the answer to a question is not provided, or the information given is provisional, the applicant should recognise that this may cause a delay.* 5. *The form should be completed on the basis of information that is known by the Notifier. Where information is not available, or matters are unknown, the applicant should provide further details or explanation in relation to the relevant information.* 6. *If there is insufficient space on the form, additional sheets may be appended. All additional sheets must be initialled by the Notifier.*   *For Estate Agents, Accountancy Services and Non-locally qualified legal professionals providing Legal Services only[[1]](#footnote-1): Prior to applying to be registered as an estate agent, for accountancy services or for legal services, the applicant must notify the Administrator of Estate Agents/Accountancy Services/Legal Services at the Guernsey Registry in accordance with the provisions of Schedules 6, 7 and 8 to the Law (https://www.guernseyregistry.com/). The Guernsey Registry will write to the applicant acknowledging that the notification has been recorded. Upon receipt of the acknowledgement from the Guernsey Registry, the applicant should then submit the Prescribed Business application to the Commission, including a copy of the Guernsey Registry’s acknowledgement letter as part of the supporting documentation.*  *For a Managing Advocate providing legal services only:[[2]](#footnote-2)*  *Prior to applying to be registered for legal services, the applicant must notify* *His Majesty’s Greffier in accordance with the provisions of Schedule 9 to the Law (*[*https://www.guernseyregistry.com/*](https://www.guernseyregistry.com/)*) is Majesty’s Greffier will write to the applicant acknowledging that the notification has been recorded. Upon receipt of the acknowledgement from His Majesty’s Greffier, the applicant should then submit the Prescribed Business application to the Commission, including a copy of His Majesty’s Greffier’s acknowledgement letter as part of the supporting documentation.*  *Please send the completed form and prescribed fee (see the Financial Services Commission (Fees) Regulations, available on the Commission’s website) 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”*  **The Commission reserves the right to make such requests for additional information as it thinks fit under its general powers.**  **Any questions regarding this Registration, or the information to be submitted, should be addressed to the Authorisations Team at** [**authorisations@gfsc.gg**](mailto:authorisations@gfsc.gg)  **Tick to confirm supporting documents required for submission:**   * 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). * A business plan. * A structure chart or organogram of the business. * A Business Risk Assessment, separately identifying and assessing the money laundering and terrorist financing risks to which the business could be exposed and how these risks will be mitigated, as required under Chapter 3 of the Handbook on Countering Financial Crime and Terrorist Financing, which can be found on the Commission’s website. * In relation to each natural person named in the registration form, an online Personal Questionnaire and/or Online Appointment form should be submitted through the Commission’s Online PQ Portal. * For estate agents, accountancy services and n*on-locally qu****a****lified legal professionals* ***providing legal services*** only, a copy of the Guernsey Registry’s acknowledgement letter. * For a Managing Advocate providing legal services only, a copy of His Majesty’s Greffier’s acknowledgement letter. |

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| **CONTACT DETAILS OF KEY PERSON FOR FUTURE NOTICES AND INFORMATION THAT MAY BE SENT BY THE COMMISSION:** |

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| **Name of key person and their position within the business:** |

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| **Correspondence Address:** | **Postcode:** |

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| **Telephone Number:** |

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| **E-Mail Address:** |

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| **SECTION A – GENERAL INFORMATION** |

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| **Legal name or proposed legal name under which the prescribed business will operate and any trading name:** |

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| **Date or proposed date of incorporation or establishment of the prescribed business:** |

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| **Jurisdiction or proposed jurisdiction of incorporation or establishment of the prescribed business:** |

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| **Registration/Incorporation Number:** |

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| **Accounting year start and end date:** |

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| **Address of the registered office or proposed registered office of the prescribed business:** | |
| **Tel:** | **E-Mail:** |

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| **Principal business address and any other business addresses in the Bailiwick:** |

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| **Name(s) of the directors/partners/beneficial owners (as applicable):** |

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| **Name of the money laundering reporting officer (this must be a natural person of at least manager level and a resident of the Bailiwick of Guernsey):** |

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| **Name of the money laundering compliance officer (this must be a natural person of at least manager level and be a resident of the Bailiwick of Guernsey, the Bailiwick of Jersey, the Isle of Man or the United Kingdom):** |

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| **SECTION B – ACTIVITIES/PROPOSED ACTIVITIES OF THE PRESCRIBED BUSINESS** |

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| **Please tick all relevant boxes below to describe the type(s) of prescribed business carried or to be carried out:** |

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| **Estate Agency**  Acting, in the course of a business, on behalf of others in the acquisition or disposal of real property or interest therein for the purpose of or with a view to effecting the introduction to the client of a third person who wishes to acquire or (as the case may be) dispose of such an interest, and after such an introduction has been effected in the course of that business, for the purpose of securing the disposal or (as the case may be) the acquisition of that interest. |  |

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| **Legal Services (as defined in paragraph 5 of Schedule 2 to the Law)**  The business of:-  **Lawyer, notary, or other independent legal professional** when preparing for or carrying out transactions for a client in relation to the following activities:-   1. The acquisition or disposal of an interest in or in respect of real property (including for the avoidance of doubt a leasehold interest); 2. The management of client money, securities or other assets; 3. The management of bank, savings or securities accounts; 4. The organisation of contributions for the creation, operation or management of companies; 5. The creation, operation or management of legal persons or arrangements, and the acquisition or  disposal of business entities.   Note: an “independent legal professional” does not include legal professionals employed by -   1. public authorities; or 2. undertakings which do not by way of business provide legal services to third parties.   **Accountancy Services**  The business of:-  **Auditor** - any person who, by way of business, provides audit services pursuant to any function under an enactment.  **External Accountant** - any person who, by way of business, provides accountancy services to third parties and does not include accountants employed by -   1. public authorities, or 2. undertakings which do not by way of business provide accountancy services to third parties.   **Insolvency Practitioner** - any person who, by way of business, provides services which include acceptance of appointments as administrator, liquidator or receiver under the Companies (Guernsey) Law, 2008, the Limited Partnerships (Guernsey) Law, 1995 or any similar enactment.  **Tax Adviser** - any person who, by way of business, provides advice about the tax affairs of other persons.    For the avoidance of doubt, the above do not include employed persons whose duties relate solely to the provision of audit services or accountancy services or services of the type described in the above definitions of insolvency practitioner or tax adviser, as the case may be, to his or her employer. |  |

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| **Any other types of Prescribed Business carried out:** |

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| **SECTION C – STAFF** |

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| **Please specify the number of full-time (or full-time equivalent) members of staff**  **(including executive directors and partners)**  calculated in accordance with the following formula: X = A + B + C |  |
| Where **X** is the number of full time (including full-time equivalent) members of staff.  **A** is the number of full time employees,  **B** is the number of executive directors and partners who have not been included in A,  **C** is the total hours worked by part-time employees divided by the number of hours in the prescribed business’s working week rounded to the nearest whole number. | |
| A Prescribed Business must provide to the Commission by 30th November in each year a statement of the number of full-time (including full-time equivalent) members of staff (including executive directors and partners) employed by, or forming, the business as at 14th November in that year. | |

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| **SECTION D – OTHER INFORMATION** |

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| **Does the registrant/proposed registrant currently hold any licence granted by the Commission?**  **Yes No** |

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| **If “Yes”, what is the nature of activities conducted for which that licence is held?** |

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| **SECTION E – DECLARATION** |

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| We are providing this Form under Schedule 5 to the Law to be registered with the Commission.  We declare that the information given in this Form is complete and correct to the best of our knowledge and belief. We undertake to inform the Commission of any changes to the information included in this Form before registration with the Commission.  We are aware that it is an offence under Paragraph 10 of Schedule 5 to the Law in connection with obtaining a registration under the Law if a person does any of the following:   1. makes a statement which he knows or has reasonable cause to believe to be false, deceptive or misleading in a material particular; 2. dishonestly or otherwise, recklessly makes a statement which is false, deceptive or misleading in a material particular; 3. 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 4. dishonestly or otherwise, 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 prescribed business is registered under the Law (or under any subsequent legislation), we will notify the Commission (or its successors) of changes to the information given in sections A and B above prior to making such a change, or where a change is sudden or unexpected, promptly after each change is made, in compliance with Paragraph 3 of Schedule 5 to the Law.  **Note:**  Paragraph 11 of Schedule 5 to the Law provides that any person who contravenes any requirement of Schedule 5 to the Law shall be guilty of an offence and liable:   1. on conviction on indictment, to imprisonment for a term not exceeding five years or a fine or both; 2. on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the uniform scale, or both. |

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| **Name of signatory:** |

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| **Position:** |

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| **Signature:** |

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| **Date: DD/MM/YY** |

**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)

1. “Non-locally qualified legal professionals” as defined in paragraph 26 of Schedule 8 to the Law [↑](#footnote-ref-1)
2. “managing Advocate” as defined in paragraph 13 of Schedule 9 to the Law [↑](#footnote-ref-2)