

Authorisation application form

for credit institutions with a branch in the Caribbean Netherlands

(Section 2:1 of the Financial Markets (BES) Act (Wet financiële markten BES - Wfm BES))

DeNederlandscheBank

EUROSYSTEEM

De Nederlandsche Bank (DNB) will record the data submitted on the application form in a personal data processing system within the meaning of the Personal Data Protection Act (Wet bescherming persoonsgegevens - Wbp) or the Personal Data Protection (BES) Act (Wet bescherming persoonsgegevens BES) - Wbp BES). Our personal data processing system has been registered with the Dutch Data Protection Authority (Autoriteit Persoonsgegevens - Dutch DPA). The registration form is available for inspection at our offices.

Expertisecentrum markttoetreding

DNB will exercise due care in handling your data. We may exchange your data with third parties only if this is permitted by law, for example with supervisors and criminal justice authorities in the Netherlands or abroad.

You are responsible for informing us promptly of any change in circumstances that would cause you to answer the questions below differently.

Please indicate on the form which documents you have enclosed by ticking the relevant boxes.

1 General information within the meaning of Section 2:2 of the Decree on Dutch Caribbean Financial Markets (Besluit financiële markten BES – Bfm BES):

A Branch details¹

Name of the credit institution	_____
Address of the credit institution	_____
Postal address for the credit institution	_____
Public body	Bonaire <input type="checkbox"/>
	St Eustatius <input type="checkbox"/>
	Saba <input type="checkbox"/>
Telephone number	_____ _____ _____ _____ _____ _____ _____ _____
Fax number	_____ _____ _____ _____ _____ _____ _____ _____
E-mail address	_____
Website address	_____

B Head office details

Registered name	_____
Trade name	_____
Registered office ² in	Curacao <input type="checkbox"/>
	St Maarten <input type="checkbox"/>
Legal form	_____
Trade Register registration number and location of Trade Register	_____
Business address	_____

¹ Branch: part of a financial enterprise without legal personality permanently established outside the state of the credit institution's registered office.

² Registered office: the place where an enterprise is established according to its articles of association or its regulations or, where the enterprise is not a legal person, the place where it has its head office.

Mail address _____

Telephone number _____

Fax number _____

E-mail address _____

Website address _____

Extract from the Trade Register

Enclosed as Appendix A

Authenticated copy of the Articles of Association

Enclosed as Appendix B

Statement from the supervisory authority of the state of the credit institution's registered office showing that the credit institution is authorised to perform the activities subject to authorisation as referred to in Section 3:2 of the Wfm BES.

Statement of supervisory authority

Enclosed as Appendix C

Does the credit institution have branches in other countries?

no yes – please explain: _____

Name of branch _____

Business address _____

Telephone number _____

Fax number _____

Explanatory notes _____

Name of branch _____

Business address _____

Telephone number _____

Fax number _____

Explanatory notes _____

2 Proposed activities of the credit institution

Indicate the category to which the credit institution belongs (Section 4:2 of the Bfm BES):

- credit institution specialised in extending mortgage loans
- credit institution attracting funds mainly through savings deposits
- credit union³
- credit institution not falling into one of the above categories

An authorisation for pursuing the business of a credit institution is also valid for pursuing the business of an electronic money institution or money transaction office (Section 2:1(2) of the Wfm BES)⁴.

Indicate whether you also intend to pursue the business of a/an:

- electronic money institution
- money transaction office

3 Requirements for branches (Section 2:17 of the Bfm BES in conjunction with Section 2:1(1) of the BES Financial Markets Regulation 2012 (Regeling financiële markten BES 2012 – Rfm BES))

Indicate whether the sum of the current accounts, savings and deposits held with the branch will exceed USD 90 million at the end of the three financial years ahead.

- yes if not, provide an estimate of the sum: _____

Indicate whether the branch of the credit institution will focus exclusively or primarily on residents or enterprises with registered offices in the BES area, Curaçao or St Maarten.

- Yes, please explain no, please explain _____

4 Integrity and suitability (Sections 3:4 and 3:5 of the Wfm BES) Integrity and suitability of day-to-day policymakers (Section 3:4 of the Wfm BES)

Every day-to-day policymaker of a credit institution must complete the Integrity and Suitability Screening questionnaire and submit it together with the enclosures specified in the questionnaire, such as a CV and a copy of their passport.

The policymakers are:

Full name and date of birth		_	_	_	_	_	_
Full name and date of birth		_	_	_	_	_	_
Number of enclosed							

Integrity and Suitability Screening questionnaires:

- Enclosed as Appendix D1

3 A cooperative society with the aim of supporting its members in saving and lending credit (Section 1:1 of the Bfm BES).
 4 Provided the credit institution complies with all requirements in the Wfm BES for these activities, applying for separate authorisations for these activities is not necessary.

Co-policymakers:

(information as referred to in Section 3:4 of the Wfm BES in conjunction with Sections 3:1 to 3:4 of the Bfm BES)

Every co-policymaker of a credit institution must complete the Integrity and Suitability Screening questionnaire and submit this together with the enclosures specified in the questionnaire, such as a CV and a copy of their passport. This equally applies to Supervisory Board members, other persons charged with internal supervision and persons with substantial influence on policy or decision-making regarding the long-term strategy of the financial enterprise.

The co-policymakers are:

Full name and date of birth						
Full name and date of birth						
Number of enclosed						

Integrity and Suitability Screening questionnaires:

Enclosed as Appendix D2

5 The credit institution's proposed programme of activities in the BES area (Section 2:2(f) of the Bfm BES)

The credit institution's programme of activities includes the information as meant in Section 2:4(1), opening words and under c, of the Bfm BES.

The programme of activities

Enclosed as Appendix E

6 The corporate structure of the group of which the credit institution forms part

If the credit institution is part of a group, the name and business address of the group's head office must be provided here.

Trade Register registration number and location of Trade Register for parent company	
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Names of the directors of the parent company

Enclosed as Appendix F

7 Sound and ethical operational management (Sections 3:8 and 3:9 of the Wfm BES and Chapter 3, Sections 2 and 3 of the Bfm BES)

The credit institution must have an adequate policy in place to ensure sound and ethical operational management. It must submit the following information, insofar relating to the activities the enterprise pursues from the branch:

- A. A current procedures manual in accordance with the requirements of Chapter 3, Sections 2 and 3 of the Bfm BES with respect to the description of the administrative organisation and internal controls. The manual must in any case address the following areas: integrity awareness in corporate culture, compliance officer, customer acceptance, protected accounts, back-to-back loans, examinations into terrorism and compliance with the Sanctions Act, reporting suspected transactions with respect to terrorist financing and sanctions legislation, incidents procedure, employee integrity screening, procedure for preventing conflicts of interests and risk management.

Enclosed as Appendix G1

B. An up-to-date business plan, addressing in any case the following areas:

- the credit institution's mission and objectives;
- SWOT-analysis;
- number of locations on each island and address details;
- deployment of local partners and operating procedure;
- projected transaction volumes;
- financial projections for the three years ahead and the annual financial statements.

Enclosed as Appendix G2

C. An overview of where the relevant requirements of the Wfm BES and the Bfm BES can be found, i.e. in which procedure and on which page of the procedures manual.

Enclosed as Appendix G3

D. The most recent annual accounts or, if applicable, an opening balance sheet, dating back no more than one year.

Enclosed as Appendix G4

8 Outsourcing to third parties (Section 3:13 of the Wfm BES and Sections 3:31 to 3:34 of the Bfm BES)

If the credit institution outsources activities to third parties, it must ensure that these parties comply with the Wfm BES regulations applying to the outsourcing enterprise in carrying out the activities.

Indicate whether the credit institution outsources activities to third parties.

no yes – please explain: _____

Copy of the outsourcing agreement

Enclosed as Appendix H

9 Transparent control structure (Section 3:10 of the Wfm BES)

An up-to-date organisation chart, including explanatory notes, of the group of which the credit institution forms part, showing:

- a any and all legal entities, partnerships and natural persons to which the credit institution is linked in a group in an economic and organisational sense; and
- b the control structure, including relative controlling powers, both within the credit institution and within the group of which the credit institution forms part.

Enclosed as Appendix I

Indicate whether the formal structure corresponds to the actual structure.

no yes – please explain:

10 Contact person's particulars

Name of contact _____

Position _____

Address _____

Telephone number _____

E-mail address _____

11 Signing by authorised signatory or signatories

I/we, the undersigned, declare that I/we, have taken notice of the aforementioned information about the processing of personal data in accordance with the provisions of the Wbp and the Wbp BES and of the obligation to notify any changes in the answers to the questions in this form.

I/we, the undersigned, declare that I/we have filled in this form and any appendices completely and truthfully.

Date	__ _ _ _ _	Date	__ _ _ _ _
Place	_____	Place	_____
Name	_____	Name	_____
Position	_____	Position	_____
Signature	_____	Signature	_____

Please send the completed and signed form, with any appendices, to:
De Nederlandsche Bank N.V., Expert Centre on Market Access, PO Box 98, 1000 AB Amsterdam

and as a PDF file to:
Markttoegang-BES@dnb.nl

If you have any questions, please contact DNB's Information Desk
by telephone on +31 20 524 8013 or by e-mail at info@dnb.nl.