

Appendix C1 - Reliance: written assurance to be provided to relevant person under Article 16 of the Money Laundering Order

Part 1: Assurance to be provided by obliged person

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| Customer name (in full) | |
| Name of <i>obliged person</i> | |
| Address of <i>obliged person</i> | |
| Name of <i>obliged person's</i> regulator | |

1. We confirm that we have a business relationship with or have conducted a one-off transaction for the above-named *customer* of the *relevant person*.
2. We confirm that we have applied the *reliance identification measures* specified in Article 3(2)(a), (aa), (b) or (c) of the *Money Laundering (Jersey) Order 2008* [or similar identification measures that satisfy Recommendation 10 of the *FATF Recommendations* (in the case of an *obliged person* who is not in Jersey)] to the above-named *customer*.
3. In particular, we confirm that we have found out the identity of, and obtained evidence of identity for (as applicable):
 - › the above-named *customer*;
 - › each *beneficial owner* and *controller* of the above-named *customer*;
 - › each third party for whom the above-named *customer* is acting (and each *beneficial owner* and *controller* of that third party);
 - › where a third party is a trust or limited partnership, each *person who falls within Article 3(7) of the Money Laundering Order*; (and each *beneficial owner* and *controller* of that person; and
 - › each person purporting to act on behalf of the above-named *customer*.
4. We confirm that we have not relied on any other party to have applied any *reliance identification measures* in relation to the above-named *customer*, nor have we applied any customer due diligence exemptions under Part 3A of the *Money Laundering Order* (or provisions of similar effect), that are less than equivalent to the *reliance identification measures*.
5. We confirm that the information provided herein accurately reflects the customer due diligence information that we hold for the above-named *customer*.
6. We confirm that we are required to keep, and do keep evidence of the identification (as described in Article 3(4)(b) of the *Money Laundering Order*) in relation to the above-named *customer*, including a record of such evidence.

7. We agree to keep the evidence obtained from applying the *reliance identification measures* in relation to the above-named *customer* until such time as we have either provided the *relevant person* with that evidence or have been notified by the *relevant person* that the *relevant person* no longer requires that evidence to be kept.
8. We agree to provide that evidence obtained under *reliance identification measures* in relation to the above-named *customer* without delay if requested to do so by the *relevant person*, and undertake to exercise best efforts to do so within ~~two~~5 working days of the request.
9. We consent to the *relevant person* relying on our performance of applying *reliance identification measures* and keeping a record of evidence of identity in relation to the above-named *customer*.
10. [Where a *relevant person* intends to place reliance on an *obliged person* after a business relationship has been established, we agree to notify the *relevant person* of changes to the information provided in this certificate.]

| | |
|---------------------------|--|
| Signature: | |
| Full name: | |
| Official position: | |
| Date: | |

To be completed by relevant person

I have reviewed the information provided in this written assurance and confirm that the information provided in relation to the above-named *customer* complies with the *relevant person's* customer acceptance policy.

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|---------------------------|--|
| Signature: | |
| Full name: | |
| Official position: | |
| Date: | |

Part 2: Customer Business Profile (Article 3(2) and 3(5) of Money Laundering Order)

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|---|--|
| Customer identification information | |
| Legal status of above-named <i>customer</i> , e.g. individual, trustee of trust, general partner of limited partnership, company, foundation, or partnership | |
| <p>Description of ownership and control structure of:</p> <ul style="list-style-type: none"> › above-named <i>customer</i>; › each third party on whose behalf the above-named <i>customer</i> acts; and › each person who falls within Article 3(7) of the Money Laundering Order | |

Information for assessing risk

| | |
|---|--|
| <i>Source of funds</i> | |
| <i>Source of wealth</i> (if applicable) | |
| <p>Additional relationship information:</p> <p>Express trust:</p> <ul style="list-style-type: none"> › Type of trust (e.g. fixed interest, discretionary, testamentary) › Classes of beneficiaries, including any charitable causes named in the trust instrument | |

| | |
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| <p>Foundations:</p> <ul style="list-style-type: none"> › Classes of beneficiaries, including any charitable objects <p>Legal persons and legal arrangements (including express trusts and foundations):</p> <ul style="list-style-type: none"> › Ownership structure of any underlying legal persons › Type of activities undertaken by any underlying legal persons (having regard for the Commission’s sound business practice policy and trading activities) › Geographical sphere of activities and assets › Name of regulator, if applicable | |
|--|--|

Higher risk factors

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| <p>Factors that are material to risk assessment of the above-named <i>customer</i></p> | | | |
| <p>Is the above-named <i>customer</i> (or any person listed in paragraph 3 of Part 1 of this assurance) a <i>PEP</i>?</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | <p>Has the above-named <i>customer</i> (or trust in respect of which the above-named <i>customer</i> acts) been established for the purpose of holding assets for investment purposes?</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>Does the above-named <i>customer</i> have a relevant connection to an <i>enhanced risk state</i> or <i>higher risk country or territory</i></p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | <p>Does the above-named <i>customer</i> have nominee shareholders or are bearer shares in issue?</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Part 3.1: Individuals who are above-named Customer’s Beneficial Owners and Controllers (Article 3(2)(C)(iii) of Money Laundering Order)

| | |
|--------------------------|--|
| Full name and connection | |
| Full name and connection | |
| Full name and connection | |
| Full name and connection | |
| Full name and connection | |

Part 3.2: Third Parties (Individuals and Legal Persons) on whose behalf above-named Customer Acts (Article 3(2)(B)(I) of Money Laundering Order)

| | |
|-----------|--|
| Full name | |
| Full name | |
| Full name | |
| Full name | |
| Full name | |

Part 3.3: Individuals who are Beneficial Owners and Controllers of Third Parties (Legal Persons) - Listed in Part 3.2 (Article 3(2)(B)(Ii) of Money Laundering Order)

| | |
|-----------|--|
| Full name | |
| Full name | |
| Full name | |
| Full name | |
| Full name | |

Part 3.4: Each Person who falls within Article 3(7) of Money Laundering Order of a Third Party that is a Trust or Limited Partnership (Article 3(2)(B)(Iii)(B) of Money Laundering Order)

| | |
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| Full name and connection | |
| Full name and connection | |
| Full name and connection | |
| Full name and connection | |
| Full name and connection | |

Part 3.5: Individuals who are Beneficial Owners and Controllers of each person who falls within Article 3(7) of Money Laundering Order - Listed in Part 3.4 (Article 3(2)(B)(Iii)(C) of Money Laundering Order)

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|-----------|--|
| Full name | |
| Full name | |
| Full name | |
| Full name | |
| Full name | |

Part 3.6: Persons purporting to act on behalf of above named Customer (Article 3(2)(aa)) of Money Laundering Order)

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|-----------|--|
| Full name | |
| Full name | |
| Full name | |
| Full name | |
| Full name | |

Part 3.7: Individuals who are Beneficial Owners and Controllers of above-named Customer, Third Parties, or Beneficial Owners and Controllers of each person who falls within Article 3(7) of Money Laundering Order – See 3.1, 3.3 and 3.5

| Individual 1 | Details |
|---|----------------|
| Legal name, name(s) currently used, any former legal name(s) (such as maiden name), and name(s) formerly used | |
| Principal residential address | |
| Date of birth | |
| Place of birth | |
| Nationality | |
| Sex | |
| Government issued personal identification number or other government issued unique identifier | |
| Individual 2 | Details |
| Legal name, name(s) currently used, any former legal name(s) (such as maiden name), and name(s) formerly used | |
| Principal residential address | |
| Date of birth | |
| Place of birth | |
| Nationality | |

| Individual 2 | Details |
|---|----------------|
| Sex | |
| Government issued personal identification number or other government issued unique identifier | |
| Individual 3 | Details |
| Legal name, name(s) currently used, any former legal name(s) (such as maiden name), and name(s) formerly used | |
| Principal residential address | |
| Date of birth | |
| Place of birth | |
| Nationality | |
| Sex | |
| Government issued personal identification number or other government issued unique identifier | |
| Individual 4 | Details |
| Legal name, name(s) currently used, any former legal name(s) (such as maiden name), and name(s) formerly used | |
| Principal residential address | |
| Date of birth | |

| Individual 4 | Details |
|---|---------|
| Place of birth | |
| Nationality | |
| Sex | |
| Government issued personal identification number or other government issued unique identifier | |
| Individual 5 | Details |
| Legal name, name(s) currently used, any former legal name(s) (such as maiden name), and name(s) formerly used | |
| Principal residential address | |
| Date of birth | |
| Place of birth | |
| Nationality | |
| Sex | |
| Government issued personal identification number or other government issued unique identifier | |

Part 4: Use of the Written Assurance and Glossary

This proforma assurance is intended to provide a standardised basis for finding out the identity of a *relevant person's customer* in line with Article 3(2)(a), (aa), (b) and (c) of the Money Laundering Order and the collection of assurances from an *obliged person*. Its use, however, is not mandated.

In order to comply with Article 3 of the Money Laundering Order, a *relevant person* may need to collect different or additional information that it considers necessary to enable it to effectively manage risk.

Information provided in this written assurance will assist a *relevant person* to assess the risk that a particular *customer* may be involved in money laundering or financing of terrorism.

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| <p>beneficial owner and controller</p> | <p>Individuals who ultimately own or exercise control</p> <p>In the case of a legal person that is a company, the beneficial owners and controllers are: directors who ultimately control the company (or individuals who ultimately hold a material interest in directors who are legal persons); and all individuals who ultimately hold a material interest in the capital of the company</p> <p>In the case of a legal person that is a foundation, the beneficial owners and controllers are any of the following (or individuals who ultimately hold a material interest in any of the following):</p> <ul style="list-style-type: none"> › The founder, a person (other than the founder of the foundation) who has endowed the foundation, and, if any rights a founder of the foundation had in respect of the foundation and its assets have been assigned to some other person, that person. › The guardian (who takes such steps as are reasonable to ensure that the council of the foundation carries out its functions). › All council members and, if any decision requires the approval of any other person, that person. › Any beneficiary entitled to a benefit under the foundation in accordance with the charter or the regulations of the foundation. › Any other beneficiary and person in whose favour the council may exercise discretion under the foundation in accordance with its charter or regulations and that have been identified as presenting higher risk <p>In the case of a legal person that is a partnership, the beneficial owners and controllers are: general partners, and all limited partners holding a material interest in the capital of the partnership; or individuals who ultimately hold a material interest in these partners</p> |
| <p>Connection</p> | <p>For example: 25% shareholder, beneficiary, settlor, or partner</p> |

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| Customer | References to customer are to a prospective customer (an applicant for business) with whom a business relationship is to be established or one-off transaction carried out |
| customer identification information – individual | <ul style="list-style-type: none"> › Principal residential address › Date of birth › Place of birth › Nationality › Sex › Government issued personal identification number or other government issued unique identifier |
| customer identification information – legal arrangement | <p>In the case of a trust:</p> <ul style="list-style-type: none"> › Name of trust › Date of establishment › Official identification number (e.g. tax identification number or registered charity number or non-profit organisation number) › Mailing address of trustee <p>In the case of a limited partnership:</p> <ul style="list-style-type: none"> › Name of partnership › Any trading names › Date and country or territory of registration/establishment › Official identification number › Registered office/business address › Mailing address (if different) › Principal place of business/operations (if different) › Names of all general partners |

| | |
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| <p>customer identification information – legal person</p> | <p>In the case of a legal person that is a company:</p> <ul style="list-style-type: none"> › Any trading names › Date and country or territory of incorporation/registration › Official identification number › Registered office address › Mailing address (if different) › Principal place of business/operations (if different) › Names of all directors <p>In the case of a legal person that is a foundation:</p> <ul style="list-style-type: none"> › Date and country or territory of incorporation › Official identification number › Business address › Mailing address (if different) › Principal place of business/operations (if different) › Names of all council members and, if any decision requires the approval of any other person, the name of that person <p>In the case of a legal person that is a partnership:</p> <ul style="list-style-type: none"> › Any trading names › Date and country or territory of registration/incorporation › Official identification number › Registered office/business address › Mailing address (if different) › Principal place of business/operations (if different) › Names of all general partners |
| <p>enhanced risk state</p> | <p>A country or territory in relation to which the <i>FATF</i> has called for the application of enhanced customer due diligence measures. Refer to Appendix D1 of the AML/CFT Handbook</p> |

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| equivalent business | <p>Business carried on outside Jersey that:</p> <ul style="list-style-type: none"> › if carried on in Jersey would be financial services business; › may only be carried on in a country or territory outside Jersey by a person registered or otherwise under the law of that country or territory to carry on that business; › is subject to requirements to forestall and prevent money laundering and financing of terrorism consistent with those in the <i>FATF</i> Recommendations in respect of that business; and › is supervised for compliance with those requirements by an overseas regulatory authority |
| FATF | Financial Action Task Force |
| higher risk country or territory | Appendix D2 of the AML/CFT Handbook provides details of countries and territories that have been identified by reliable and independent third party sources as presenting higher risk in areas that will be relevant to an assessment of money laundering and financing of terrorism risk under customer due diligence measures |
| obliged person | A person who a <i>relevant person</i> knows or has reasonable grounds for believing is a <i>relevant person</i> in respect of whose financial services business the Commission discharges supervisory functions, or is a person carrying on <i>equivalent business</i> |
| person who falls within Article 3(7) of the Money Laundering Order | <p>In the case of a trust: the settlor; protector; beneficiaries with a vested right; and, where they present a higher risk, other beneficiaries and persons who are the object of a power</p> <p>In the case of a limited partnership: general partners (other than the <i>customer</i>) and limited partners holding a material interest in the capital of the partnership</p> |
| politically exposed person (PEP) | <p>Individuals who are (or have been) any of the following (within the meaning of Article 15A of the <i>Money Laundering Order</i>, including their immediate family member and closed associates:</p> <ul style="list-style-type: none"> (a) a domestic politically exposed person; (b) a foreign politically exposed person; (c) a prominent person. |
| relevant person | A person carrying on financial services business in or from within Jersey, and a legal person established under Jersey law carrying on financial services business anywhere in the world |

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| source of funds | Activity which generates funds for a relationship |
| source of wealth | Activities which have generated the total net worth of a person, i.e. those activities which have generated the <i>customer's</i> funds and property Bland statements are not acceptable, such as "life time savings"; fuller descriptions, such as "life time savings of settlor who was a doctor", will be required |