



Jersey Financial
Services Commission
Companies Registry

Guidance to completing the Jersey UT2 (Non-Fund) Change of Particulars Form

Issued: 15 March 2017

Effective from: 18 April 2017

Document overview

Glossary3

Introduction3

Policy and guidance.....3

The Jersey UT2 (Non-Fund) Change of Particulars Form4

Submitting the Jersey UT2 (Non-Fund) Change of Particulars Form4

Completing the Jersey UT2 (Non-Fund) Change of Particulars Form5

 Part A: Details of Jersey UT (Non-Fund) 5

 Part B: Change(s) of particular(s) relating to Jersey UT (Non-Fund) 5

 Part C: Declaration of TCB..... 7

Glossary

AML/CFT/CPF Handbook	shall mean the Handbook for the Prevention and Detection of Money Laundering, the Financing of Terrorism and proliferation financing for regulated financial services businesses.
CDD	shall mean customer due diligence as described in the AML/CFT/CPF Handbook.
COBO	shall mean the Control of Borrowing (Jersey) Order 1958.
COBO consent	shall mean the consent of the JFSC which is granted pursuant to the provisions of COBO.
Jersey UT (Non-Fund)	shall mean a Jersey unit trust which is not an investment fund.
Jersey UT1 (Non-Fund) Form	shall mean the application form for a COBO consent for a Jersey UT (Non-Fund).
Jersey UT2 (Non-Fund) Change of Particulars Form	shall mean the form of notice to Registry of a change of particulars to a Jersey UT (Non-Fund).
JFSC	shall mean the Jersey Financial Services Commission.
MLO	shall mean the Money Laundering (Jersey) Order 2008.
Registry	shall mean the Jersey Companies Registry.
SBP	shall mean the JFSC's Sound Business Policy.

Introduction

COBO provides for certain activities to be carried out in the Island by a Jersey UT (Non-Fund) provided that the requisite COBO consent has been granted, in advance, by the JFSC.

The Control of Borrowing (Jersey) Law 1947 sets out the JFSC's obligation at Article 2(3), in so far as discharging its function of granting, revoking or refusing to grant consent. In accordance with Article 2(3), the JFSC shall have regard to the need to protect the integrity of Jersey in commercial and financial matters and the best economic interests of Jersey.

To be able to discharge its function the JFSC will need to obtain information in order to make a decision on whether to grant or refuse to grant consent and to ensure that the information maintained by the JFSC is correct and up to date.

Policy and guidance

The JFSC has published a SBP which is applicable to persons wishing to make an application for or persons which have been granted a COBO consent (pursuant to the provisions of COBO).

Note: The JFSC's Policy Statements and Guidance Notes are published on the [JFSC's Website](#).

The Jersey UT2 (Non-Fund) Change of Particulars Form

The JFSC has determined that the Jersey UT2 (Non-Fund) Change of Particulars Form is to be used by a registered trust company business (**TCB**) on behalf of a Jersey UT (Non-Fund) to notify the JFSC of any change(s) of particulars in respect of the Jersey UT (Non-Fund) as provided for under Parts A and B of the Jersey UT2 (Non-Fund) Change of Particulars Form.

The Jersey UT2 (Non-Fund) Change of Particulars Form comprises three Parts (A, B and C). All questions in the relevant Parts of the Jersey UT2 (Non-Fund) Change of Particulars Form must be answered. Any deviation from the prescribed Jersey UT2 (Non-Fund) Change of Particulars Form may invalidate the application.

It is the responsibility of the TCB making the declaration under Part C of the Jersey UT2 (Non-Fund) Change of Particulars Form to ensure that all data and information contained in the Jersey UT2 (Non-Fund) Change of Particulars Form is gathered in accordance with the requirements set out in the MLO, with guidance in the AML/CFT/CPF Handbook. The TCB must also satisfy itself and confirm to the JFSC that the activity of the Jersey UT (Non-Fund) is in compliance with the principles set out in the SBP.

The JFSC reserves the right to make such requests for additional information as it deems fit under its general powers.

Submitting the Jersey UT2 (Non-Fund) Change of Particulars Form

The Jersey UT2 (Non-Fund) Change of Particulars Form is available to download on the [JFSC's Website](#) (in the form of an interactive PDF document). Duly completed Jersey UT2 (Non-Fund) Change of Particulars Forms must be submitted by PDF attachment to the Registry to the following email address JUT@jerseyfsc.org.

If you have any further questions concerning the completion of the Jersey UT2 (Non-Fund) Change of Particulars Form you are encouraged to contact the [Registry](#).

Completing the Jersey UT2 (Non-Fund) Change of Particulars Form

Part A: Details of Jersey UT (Non-Fund)

Jersey UT2 (Non-Fund) Change of Particulars Form Reference	Notes
1. Jersey UT (Non-Fund).	
1.1	The name of the Jersey UT (Non-Fund) must be inserted. For the avoidance of doubt, this name is the name of the Jersey UT (Non-Fund) as stated on the COBO consent currently in effect in connection with the Jersey UT (Non-Fund).
1.2	The date upon which the change of particulars of the Jersey UT (Non-Fund) occurred should be inserted.
1.3	Please identify (by ticking the appropriate box in Part A 1.3.1 to 1.3.5) the applicable change(s) of particulars in relation to the Jersey UT (Non-Fund).

Part B: Change(s) of particular(s) relating to Jersey UT (Non-Fund)

Jersey UT2 (Non-Fund) Change of Particulars Form Reference	Notes
1. Change of name of Jersey UT (Non-Fund).	
<i>(Part B 1 should only be completed in the circumstances where the Jersey UT (Non-Fund)'s name has changed).</i>	
1.1	The details of the change of name of the Jersey UT (Non-Fund), including the new name of the Jersey UT (Non-Fund), must be inserted.
2. Change of trustee(s) (including any co-trustee or corporate trustee) of the Jersey UT (Non-Fund).	

(Part B 2 should only be completed in the circumstances where the Jersey UT (Non-Fund)'s trustee(s) (including any co-trustee or corporate trustee) has changed and where any change of name(s) or address(es) of the trustee(s) has occurred).

2.1	Please confirm whether or not the change of trustee(s) is in relation to (i) new; or (ii) existing trustee(s) to the Jersey UT (Non-Fund).
2.2	Part B 2.2 should only be completed whereby the trustee is an entity.
2.3	Part B 2.3 should only be completed whereby the trustee is an individual.

3. Change of Jersey service provider(s) to the Jersey UT (Non-Fund).

(Part B 3 should only be completed in the circumstances where any of the Jersey UT (Non-Fund)'s Jersey service provider(s) have changed and where any change of name(s) or address(es) of the Jersey service provider(s) has occurred).

3.1	Please confirm whether or not the change of Jersey service provider(s) is in relation to (i) new; or (ii) existing Jersey service provider(s) to the Jersey UT (Non-Fund).
3.2	<p>The details of the change of Jersey service provider(s) to the Jersey UT (Non-Fund) must be inserted, including the name(s) and registered office address(es) of the Jersey service provider(s).</p> <p>This includes (i) those Jersey service providers which were not included on the Jersey UT (Non-Fund) Form but which have subsequently been appointed or engaged to provide a service to the Jersey UT (Non-Fund) and (ii) those Jersey service providers which were included on the Jersey UT (Non-Fund) Form but which no longer provide services to the Jersey UT (Non-Fund).</p>

4. Change of activity of Jersey UT (Non-Fund).

(Part B 4 should only be completed in the circumstances where the purpose or activities of the Jersey UT (Non-Fund) has changed).

4.1	The details of the change of activity of the Jersey UT (Non-Fund) must be inserted. Please ensure that if the original activity of the Jersey UT (Non-Fund) is to continue, it is also included.
4.2	Confirm whether or not the activity of the Jersey UT (Non-Fund) and any subsidiary, affiliate or associated entity of the Jersey UT (Non-Fund) falls/ continues to fall within the remit of the activities table of the JFSC's SBP.
4.2.1	If yes, please provide details of the activity of the Jersey UT (Non-Fund) falling within the remit of the SBP.

4.3	If the activity of the Jersey UT (Non-Fund) is not caught within the remit of the SBP, please confirm whether any of the activities referred to under Part B 4.3 apply to the Jersey UT2 (Non-Fund).
4.4	If the activity of the Jersey UT (Non-Fund) is not caught within the remit of the SBP and none of the activities in Part B 4.3 apply to the Jersey UT (Non-Fund), please give appropriate details of what other activity the Jersey UT (Non-Fund) will be conducting.
5. Termination/winding up of Jersey UT (Non-Fund). <i>(Part B 5 should only be completed in the circumstances where the Jersey UT (Non-Fund) has terminated/wound up).</i>	
5.1	The details of the termination/winding up of the Jersey UT (Non-Fund) must be inserted.

Part C: Declaration of TCB

Notes

The Jersey UT2 (Non-Fund) Change of Particulars Form must be signed by two directors/authorised signatories of the TCB submitting the Jersey UT2 (Non-Fund) Change of Particulars Form on behalf of the Jersey UT (Non-Fund).

It should be noted that Part C of the Jersey UT2 (Non-Fund) Change of Particulars Form contains a request that any COBO consent to be issued or revoked having regard to the information contained in the Jersey UT2 (Non-Fund) Change of Particulars Form should (i) replace any previous consent issued in relation to the Jersey UT (Non-Fund) pursuant to COBO and be issued with immediate effect; or (ii) be revoked with immediate effect.

The Jersey UT2 (Non-Fund) Change of Particulars Form will be retained by the JFSC even if the requisite COBO consent is not granted or the Jersey UT2 (Non-Fund) Change of Particulars Form is withdrawn.

Please also note that the JFSC will contact the TCB's compliance contact of record in the event that further information is required. It is this contact to whom the COBO consent and corresponding fee will be sent.