

CAYMAN ISLANDS



Supplement No. 11 published with Extraordinary
Gazette No.11 dated 30 April , 2001.

**THE COMPANIES MANAGEMENT LAW
(2000 Revision)**

**THE COMPANIES MANAGEMENT (AMENDMENT) (LICENCE
APPLICATIONS) REGULATIONS, 2001**

CAYMAN ISLANDS

**THE COMPANIES MANAGEMENT LAW
(2000 Revision)**

**THE COMPANIES MANAGEMENT (AMENDMENT) (LICENCE
APPLICATIONS) REGULATIONS, 2001**

In accordance with the powers conferred by section 21 of the Companies Management Law (2000 Revision) the Governor in Council makes the following regulations-

1. These regulations may be cited as the Companies Management (Amendment) (Licence Applications) Regulations, 2001. Citation

2. The Companies Management Regulations 2000 are amended in Schedule 1 as follows- Amendment of Schedule
1 of the Companies
Management
Regulations 2000

(a) in paragraph 5-

(i) by repealing subparagraph (1) and substituting the following subparagraph-

“(1)(a) a questionnaire approved by the Authority and completed by the applicant;

(b) not less than three references acceptable to the Authority, including one character reference for the applicant, and one reference verifying the good financial standing of the applicant and a police or other certificate satisfactory to the Authority that the applicant has not been convicted of a serious crime or any offence involving dishonesty;

(c) evidence acceptable to the Authority of the applicant’s professional knowledge of, and experience in, the business of company management.”;

(b) in paragraph 6-

(i) by repealing subparagraph (1) and substituting the following subparagraph-

“(1) (a) a questionnaire approved by the Authority and completed by all the partners of the applicant;

(b) not less than three references acceptable to the Authority, including one character reference for each

partner of the applicant, and one reference verifying the good financial standing of each partner of the applicant and a police or other certificate satisfactory to the Authority that each partner has not been convicted of a serious crime or any offence involving dishonesty;

(c) evidence acceptable to the Authority of at least one of the partner's professional knowledge of, and experience in, the business of company management.”;

(c) by repealing paragraph 7 and substituting the following paragraph-

“7. If the applicant is a company incorporated in the Islands-

(1) The full names, addresses and nationalities of each shareholder who holds more than ten per cent of the applicant's issued share capital or total voting rights.

(2) The annual accounts, for the two years immediately preceding the year of application, of each shareholder which is a body corporate holding more than ten percent of the applicant's issued share capital or total voting rights, together with similar accounts for the parent body, if any, of each such body corporate.

(3) Not less than three references acceptable to the Authority, including one character reference for, and one reference verifying the good financial standing of -

(i) each director, manager and officer of the applicant; and

(ii) each shareholder and each beneficial shareholder who is a natural person holding more than ten percent of the applicant's issued share capital or total voting rights;

and, for each such director, manager, officer or shareholder, a police or other certificate satisfactory to the Authority that such director, manager, officer or shareholder has not been convicted of a serious crime or any offence involving dishonesty.

(4) The full names, addresses and nationalities of all directors, managers and officers of the applicant.

(5) A questionnaire approved by the Authority and completed by all the directors, managers and officers of the applicant.

(6) A questionnaire approved by the Authority and completed by each shareholder or beneficial shareholder who is a natural person holding more than ten percent of the applicant's issued share capital or total voting rights.

(7) Evidence acceptable to the Authority of the availability to the applicant at all times of adequate professional knowledge and experience in the business of company management and the names of at least two of its directors actively engaged in the business of the applicant, one of whom shall possess a sound professional knowledge of, and experience in, the business of company management.

(8) The names and addresses of the registered offices of all subsidiary companies of the applicant together with a statement as to how much of the capital of each such company constitutes an asset of the applicant.

(9) The name and address of the firm of auditors practising in the Islands and approved by the Authority appointed to audit the accounts of the applicant.

(10) A statement giving the date for the drawing up of the annual accounts of the applicant.

(11) Details of the current business activities, if any, of the applicant and its proposed activities if the licence applied for is granted including-

(a) its business aims;

(b) a detailed statement setting out its proposed initial assets and its proposed assets and expected liabilities at the end of each of the two years next succeeding the date of such grant together with an estimate of expected income;

(c) particulars of its management structure and personnel;

(d) a statement as to its customer base; and

(e) a copy of its most recent balance sheet and details of its fee earnings;

(d) in paragraph 8-

(i) by inserting after subparagraph (1) the following subparagraphs-

“(1a) A questionnaire approved by the Authority and completed by all the directors, managers and officers of the applicant.

(1b) A questionnaire approved by the Authority and completed by each shareholder or beneficial share holder who is a natural person holding more than ten per cent of the applicant's issued share capital or total voting rights.”;

(ii) by repealing subparagraph (5) and substituting the following subparagraph-

“(5) The annual accounts, for the two years immediately preceding the year of application, of each shareholder which is a body corporate holding more than ten per cent of the applicant's shared capital or total voting rights, together with similar accounts for the parent body, if any, of each body corporate.”;

(iii) by repealing subparagraph (6) and substituting the following subparagraph-

“(6) not less than three references acceptable to the Authority, including one character reference for, and one reference verifying the good financial standing of -

- (i) each director, manager and officer of the applicant; and
- (ii) each shareholder and each beneficial shareholder who is a natural person holding more than ten percent of the applicant's issued share capital or total voting rights;

and, for each such director, manager, officer or shareholder, a police or other certificate satisfactory to the Authority that such director, manager, officer or shareholder has not been convicted of a serious crime or any offence involving dishonesty;”; and

(iv) by inserting after subparagraph (10) the following subparagraph-

“(10a) Evidence acceptable to the Authority of the professional knowledge of and experience in the business of company management of the directors and managers.”.

Made in Executive Council the 12th day of April, 2001.

Carmena Watler
Clerk of Executive Council.

4000

(Price \$1.60 Cents)