



CENTRAL BANK OF TRINIDAD AND TOBAGO

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CIRCULAR LETTER TO:

All Institutions -

Licensed Under the Financial Institutions, Act 2008

Registered Under the Insurance Act Chap 84:01

Registered Under the Exchange Control Act Chap 79:50

Registered Under the Central Bank Act Chap 79:01

Bankers Association of Trinidad and Tobago

Association of Trinidad and Tobago Insurance Companies

Insurance Brokers Association of Trinidad and Tobago

Caribbean Actuarial Association

REF: CB-OIFI-922/2020

**THE REVISED PERSONAL QUESTIONNAIRE AND DECLARATION FORM:
CLARIFICATION OF WITNESS REQUIREMENT AND SPECIAL COVID-19 PROVISIONS**

The Central Bank of Trinidad and Tobago ('Central Bank') wishes to provide clarification and guidance in relation to the signature protocols for persons required to witness the execution of the declarant on the revised Personal Questionnaire and Declaration Form ("PQD Form") which was issued on October 29, 2019.

In this regard, please take note of the following:

1. the Chief Executive Officer ("CEO") or the Corporate Secretary must sign as witness on the PQD Form and therefore must print his/her name in the space provided above the words "BLOCK CAPITALS" next to "*Witnessed and signed in the presence of*";
2. the person whose name appears in block letters, i.e. the CEO or Corporate Secretary must also affix his/her signature in the designated area in the next line along with the date; and
3. the stamp for the entity on whose behalf the application is being made must be placed in the space above the words "*Company Stamp*".

Notwithstanding the general requirement regarding the witnessing of the PQD form, the Central Bank acknowledges that there may be circumstances when the Corporate Secretary or CEO of a licensee or registrant is unavailable to sign as a witness or it may not be practical for them to witness every instance. In such circumstances, the company must, by resolution:

- a. designate a director to sign as the witness on behalf of the company; or
- b. if the bye-laws of the company permit, appoint an officer or other authorized person to sign on behalf of the company.

Where licensees or registrants need to adopt the alternative procedure referred to above, the Central Bank must be notified in writing within 10 business days of the passing of the resolution, of the person(s) designated or authorized to sign as witness on the PQD form, and the reason for

designating a signatory. For one-off instances, the notification and rationale may be submitted with the relevant application.

In the situation where neither the Corporate Secretary, CEO, designated director nor an authorized officer is available to sign as a witness on the PQD Form due to the applicant being in another jurisdiction, the following will apply:

1. the applicant should sign the completed PQD Form before a registered Notary Public if in a foreign jurisdiction;
2. the original notarized PQD Form must be endorsed by the Corporate Secretary, or CEO, or other designated or authorized person of the licensee or registrant in Trinidad and Tobago, and the company stamp must be affixed;
3. when submitting the notarized and endorsed PQD Form to the Central Bank, the licensee or registrant should also include a statement explaining the circumstance leading to the adoption of this procedure.

For situations not contemplated in this Circular, the entity should write to the Inspector of Financial Institutions outlining the circumstances and rationale for any proposed deviation from these instructions and seek approval for such deviation.

Special Concessions During the Period of Covid-19 Restrictions

In light of current movement and social distancing restrictions imposed by the 2019-nCoV Public Health Regulations (Regulations) made pursuant to the Public Health Ordinance, Ch. 12 No. 4, the Central Bank understands that difficulties may arise in obtaining witnessed PQD declarations. To accommodate the submission of fit and proper applications for the Central Bank's consideration during the continued application of the Regulations, the following will be required:

1. PQDs must be completed, signed and dated by the declarant;
2. this PQD, along with the relevant accompanying documentation, must be emailed to the Inspector of Financial Institutions by either the CEO, Corporate Secretary, designated director or authorized officer of the regulated entity and a statement as to the authenticity of the attached documents, as well as the notification and rationale for designating a signatory, if applicable, must be included in the email by the submitting official;
3. where the Trinidad and Tobago Police Certificate of Character ("COC") or Overseas Law Enforcement Clearance Certificate ("Clearance Certificate") is unavailable at the time of submission, the application will be assessed to determine if a final decision can be made in the absence of the COC or Clearance Certificate. Where a no objection letter is issued in such a case, it will be on the condition that the original COC or Clearance Certificate must be submitted to the Central Bank as soon as it becomes available. In all instances however, the requirement is that the COC or Clearance Certificate be submitted as soon as it becomes available.

Please be reminded that original copies of the PQD form and supporting documents must be submitted to the Central Bank in all instances, even where soft copies have been provided.

Questions or further clarification may be sought by emailing Fitandpropercomments@central-bank.org.tt or contacting the relevant Relationship Officer for the licensee or registrant.

Please be guided accordingly.

Yours sincerely



PATRICK SOLOMON
INSPECTOR OF FINANCIAL INSTITUTIONS