

Appendix E

Eligible Introducers Certificate (includes terms of business)

EIC 1.1 - ELIGIBLE INTRODUCER'S CERTIFICATE

Customer name (in full)	
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Name of Accepting Business	
Name of Eligible Introducer	
Eligible Introducer's contact details	Address:
Telephone:	E-mail:
Eligible Introducer's Regulatory / Supervisory / Professional Body	

The Eligible Introducer certifies that it is one of the following:- (Please tick the applicable box)		
1	A regulated person*	
2	An advocate within the meaning of the Advocates Act 1976, a registered legal practitioner within the meaning of the Legal Practitioners Registration Act 1986, or an accountant carrying on business in or from the Isle of Man, where the professional body's rules embody requirements and procedures equivalent to the Anti-Money Laundering and Terrorist Financing Code 2015 ("the Code").	
3	A person who acts in the course of external regulated business and is regulated under the law of a jurisdiction in List C of the Code, unless the relevant person has reason to believe that the jurisdiction in question does not apply, or insufficiently applies, the FATF recommendations in respect of the business of that person. Specify which country	
4	A body corporate within the same group as the customer(s)	

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

EIC 1.2 - ELIGIBLE INTRODUCER'S CERTIFICATE (CONT'd)

The Eligible Introducer also certifies that in respect of this customer it has obtained the verification required to satisfy the requirements of the Code and this Handbook. The information disclosed for this customer by the Eligible Introducer accurately reflects the information held and is being given for business opening and maintenance purposes only. The Eligible Introducer undertakes to supply suitably certified copies*, originals of the verification documentation or copies of verified electronic documents* forthwith upon request. The Eligible Introducer confirms that he/she will comply with the requirements of paragraph 23(6) and 23(8) of the Code. The Eligible Introducer also confirms that it is not itself reliant upon a third party for the evidence of identity of the customer.

Signature*:	
Full Name:	
Official Position:	
Date:	
Contact details of Signatory:	Address:
Telephone:	E-mail:

Please identify the number of supplementary pages being submitted.

EIC 2

EIC 3

EIC 4

EIC 5

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

EIC 2.1 – IDENTIFICATION INFORMATION

Name of Eligible Introducer	
Customer name (in full)	
Details of associated entities or relationships* (which are part of the same structure) Please provide a structure chart if available.	

To be completed for customers who are individuals or partners in a partnership only
(Please complete section below and attach additional copies of this sheet as required)

	Individual 1	Individual 2
Legal name, any former names and any other names used		
Gender, nationality, date and place of birth, national identification number		
Permanent residential address including post code. (PO Box only address is insufficient)		
Does the Eligible Introducer consider the related party to be, or associated with, a Politically Exposed Person*?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

To be completed for applicants for business who are legal persons or legal arrangements.

Name of entity / any trading names / name of trust	
Official identification number where applicable	
(if a legal person): Date and country of incorporation and registration number	Are bearer shares* currently in issue? Yes <input type="checkbox"/> No <input type="checkbox"/>

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

EIC 2.2 – IDENTIFICATION INFORMATION (CONT’d)

(if a legal person): Whether listed and where		
(if a legal person): Registered office address, place of business and mailing address if different		
(if a legal arrangement): Date of establishment, legal jurisdiction and if applicable registration number and business address		
Type of trust / foundation / company*		Is it a trading entity? Yes <input type="checkbox"/> No <input type="checkbox"/>
Name of regulator if applicable		

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

Initials of signatory completing EIC1 <div style="text-align: center; margin: 5px 0;"><input style="width: 60px; height: 20px;" type="text"/></div> Date
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EIC 3.1 – RELATED PARTIES

Name of Eligible Introducer	
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Customer name (in full)	
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Names of Directors / Trustees (or equivalent if a foundation) (including those who are officers of the Eligible Introducer)

Full name	
Full name	
Full name	
Full name	
Full name	
Full name	

Details of all principal(s)* including beneficial owners but excluding officers of the Eligible Introducer

	1	2
Legal name, any former names and any other names used		
Gender, nationality, date and place of birth, national identification number		
Permanent residential address including post code. (PO Box only address is insufficient)		
Role* of principal and date relationship commenced		
Does the Eligible Introducer consider the related party to be, or associated with, a Politically Exposed Person*?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

Initials of signatory completing EIC <input style="width: 60px; height: 20px;" type="text"/>
Date

EIC 3.2 – RELATED PARTIES (CONT’d)

Name of Eligible Introducer	
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Customer name (in full)	
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Details of all principal(s)* including beneficial owners but excluding officers of the Eligible Introducer

(Please complete section below and attach additional copies of this sheet as required)

	3	4
Legal name, any former names and any other names used		
Gender, Nationality, date and place of birth, national identification number		
Permanent residential address including post code. (PO Box only address is insufficient)		
Role* of principal and date relationship commenced		
Does the Eligible Introducer consider the related party to be, or associated with, a Politically Exposed Person*?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Initials of signatory completing EIC1 <input style="width: 60px; height: 20px;" type="text"/>
Date

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

EIC 4.1 – RELATIONSHIP INFORMATION

Name of Eligible Introducer	
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Customer name (in full)	
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To be completed for all customers

Purpose / intended nature of business relationship* (please provide a full description)	
Expected type, volume and value of activity	
Activity providing the source of funds for the relationship and geographical sphere of the activity	
Source of funds*	
Source of wealth (if held)* (please identify the period over which this has been derived)	

Should the space provided be insufficient, please continue using EIC 5.1.

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

Initials of signatory completing EIC1	<input style="width: 80%; height: 20px;" type="text"/>
Date	

EIC 5.1 – ADDITIONAL INFORMATION

Name of Eligible Introducer	
Customer name (in full)	

This section is to be used by the accepting business to identify any additional information or documentation that they require over and above the stated minimum and/or for the Eligible Introducer to provide additional information to supplement the details already provided.

* - Please refer to the Notes and Guidance at EIC 6.1 to 6.4

Initials of signatory completing EIC1 <div style="text-align: center;"> <input data-bbox="1222 1469 1339 1520" type="text"/> </div> Date

EIC 6.1 – ADDITIONAL INFORMATION

This Eligible Introducer's Certificate aims to streamline and provide a standard format for the use of the Eligible Introducer system.

These notes and the definitions below are intended to provide guidance to assist the Eligible Introducer in completing the required forms and to enable greater consistency to be achieved.

“Associated entities or relationships”	Other business relationships established by the Eligible Introducer with the accepting business which are associated with the applicant for business or any of its principals.
“Bearer Shares”	Should bearer shares be subsequently issued (after the opening of the account) such that the “Yes” box needs ticking in EIC 2.1, an updated form should be supplied to the accepting financial services business without delay.
“Certified copy”	An officer or authorised signatory of a regulated financial service business will be a suitable certifier. An acceptable “certified copy” document should be an accurate and complete copy of the original such that the certifier will sign and date the copy document (printing his name clearly in capitals underneath) and clearly indicate his position or capacity on it and provide his contact details. The certifier must state that it is a true copy of the original as per Section 4.10 of the AML/CFT Handbook.
“Paragraphs 23(6) and 23(8) Isle of Man’s Anti-Money Laundering and Countering the Financing of Terrorism Code 2015”	<p>Paragraph 23(6) of the Code reads as follows:</p> <p>The relevant person must not enter into a business relationship with a customer that is introduced by an introducer unless written terms of business are in place between the relevant person and the introducer and, despite subparagraphs (4) and (5), those terms of business require in all cases the introducer to —</p> <ol style="list-style-type: none"> (a) verify the identity of all customers introduced to the relevant person sufficiently to comply with the AML/CFT requirements; (b) take reasonable measures to verify the identity of the beneficial owner (if any); (c) establish and maintain a record of the evidence of identity for at least 5 years calculated in accordance with paragraph 33(1); (d) establish and maintain records of all transactions between the introducer and the customer if the records are concerned with or arise out of the introduction (whether directly or indirectly) for at least 5 years calculated in accordance with paragraph 33(1); (e) supply to the relevant person immediately on request, copies of the evidence verifying the identity of the customer and the beneficial owner (if any) and all other customer due diligence information held by the introducer in any particular case; (f) supply to the relevant person immediately copies of the evidence verifying the identity of the customer and the beneficial owner (if any) and all other customer due diligence information, in accordance with paragraphs 10(1), 12(1), 17(1) or 19(1) (as applicable), held by the introducer in any particular case if — <ol style="list-style-type: none"> (i) the introducer is to cease trading; (ii) the introducer is to cease doing business with the customer; (iii) the relevant person informs the introducer that it no longer intends to rely on the terms of business entered into under this paragraph;

- (g) inform the relevant person specifically of each case where the introducer is not required or has been unable to verify the identity of the customer or the beneficial owner (if any);
- (h) inform the relevant person if the introducer is no longer able to comply with the provisions of the written terms of business because of a change of the law applicable to the introducer; and
- (i) do all such things as may be required by the relevant person to enable the relevant person to comply with its obligation under sub-paragraph (8).

Paragraph 23(8) of the Anti-Money Laundering and Counter the Financing of Terrorism Code 2015 reads as follows:

A relevant person must take measures to satisfy itself that —

- (a) the procedures for implementing this paragraph are effective by testing them on a random and periodic basis no less than once every 12 months; and
- (b) the written terms of business confer the necessary rights on the relevant person to satisfy the requirements of this paragraph

“Politically Exposed Person”

Politically Exposed Person is the term given to the risk associated with providing financial and business services to those with a high political profile or who hold public office. “Politically Exposed Persons” include senior political figures and their immediate family, and close associates. Please see Paragraph 14 of the Code and Section 4.16 of the AML/CFT Handbook for further guidance.

“Principal(s)”

Includes the natural person who ultimately owns or controls the applicant for business or on whose behalf a transaction or activity is being conducted.

For a trust, this also would also include the:

- (a) the trustee(s) or other persons controlling or having power to direct the activities of the applicant in line with the guidance for individuals and legal persons.
- (b) any person(s) whose wishes the trustees may be expected to take into account;
- (c) any other parties including the protector(s) and enforcer(s);
- (d) any person(s) purporting to act on behalf of the trustee(s)
- (e) any person(s) by whom binding obligations may be imposed on the applicant and verify that that person is authorised to do so;
- (f) the settlor(s) (or other person making the arrangement) i.e. the initial settlors and any persons subsequently settling funds into the trust;
- (g) beneficiaries at the time they come to benefit from the trust.
- (h) any potential beneficiaries that the trustee has identified as presenting higher risk, including those presenting increased money laundering, terrorist financing, reputational or other risk.

For a legal person, this also includes:

Where a legal person is not listed on a recognised stock exchange or is not a wholly owned subsidiary of such a listed entity -

- (a) any natural person who ultimately owns or controls (whether directly or indirectly) 25% or more of the shares or voting rights in the legal person.
- (b) any person(s) having power to direct the activities of the legal person. This includes directors and account signatories or persons in equivalent roles, such as, in respect of foundations, council members, enforcer(s), person(s) appointed under the foundation rules (or equivalent in non-Isle of Man established foundations).

- (c) any person(s) purporting to act on behalf of the legal person or by whom binding obligations may be imposed on the legal person.

For all legal persons -

- (a) any natural person (whether as an individual, group of individuals or through another legal person or legal arrangement) who exercises effective control of the company or over the management of the company. This includes persons with less than 25% of the shares or voting rights but who nevertheless hold a controlling interest.
- (b) In respect of foundations, this also includes:
- the registered agent;
 - founder(s);
 - dedicator(s);
 - assignee(s);
 - all known beneficiaries and potential beneficiaries presenting a higher risk;
 - any other person(s) with a sufficient interest, including a person who in the view of the High Court, can reasonably claim to speak on behalf of an object or purpose of the foundation; and
 - a person who the High Court determines to be a person with a sufficient interest under section 51(3) of the Foundations Act 2011 (or equivalent in non-Isle of Man established foundations).

“Purpose / intended nature of business relationship”

A sufficient description should be provided of the reason for the business relationship. For example: provision of current account facilities to the entity; investment of cash assets in equity

“Regulated person”

means —

1. any person holding a financial services licence issued under section 7 of the *Financial Services Act 2008*¹;
1. any person authorised under section 8 the *Insurance Act 2008*;
2. any person registered under section 25 of the *Insurance Act 2008*;
3. a retirement benefits schemes administrator registered under section 36 of the *Retirement Benefits Schemes Act 2000*²; or
- i. a person holding an online gambling licence issued under section 4 of the *Online Gambling Regulation Act 2001*³;

“Related Parties”

This includes Directors, Trustees and all principals* where the applicant for business is a company, trust or foundation.

“Role”

This might include, for example: a shareholder, beneficiary, settlor, partner etc.

“Signature”

This must be signed by an authorised signatory of the Eligible Introducer. A business name is not acceptable.

“Source of funds”

This relates to the source of the customer’s funds that will be involved in the transaction with the accepting business as per Section 4.13 of the AML/CFT Handbook.

¹ AT 8 of 2008
² AT 14 of 2000
³ AT 10 of 2001

“Source of wealth”	The origins of a customer’s financial standing or total net worth i.e. those activities which have generate a customer’s funds and property as per section 4.13 of the AML/CFT Handbook.
“Type of trust / foundation / company”	For example: private limited company, public limited company, limited partnership, discretionary trust, fixed interest trust, testamentary trust.

Please refer to the accepting business should you have any doubt or queries about completing the Eligible Introducer Certificate Forms.
