



## **Financial Services Act 2008**

### **Capital International Bank Limited**

#### **Conditions**

The following conditions are imposed in respect of the regulated activities undertaken.

##### **Licenceholder Specific Conditions**

1. The licenceholder is permitted to carry out the following regulated activities:  
  
Class 1(2) – restricted deposit taking business
2. The licenceholder must have at least 2 Isle of Man resident directors of executive status, and at least 2 independent non-executive directors.

##### **Standard Licence Conditions (“SLC”)**

“*Restricted depositor*” has the meaning given in the Regulated Activities Order 2011. Other terms used in the licence conditions have the meanings given in the Financial Services Rule Book 2016.

##### **SLC1 Reference to lack of compensation scheme in licenceholder documentation and advertisements**

1. The licenceholder must not suggest or imply by any means that deposits placed with it are protected by a deposit protection scheme.
2. A statement, which must be in the form set out at (3), must be contained prominently within the licenceholder’s account opening documentation, account opening correspondence, on all bank statements, and in all advertisements.
3. The statement required by (2) is: ‘No deposit placed with [name of licenceholder] has protection from a deposit compensation scheme’.



4. During the process of opening each account for a customer, the licenceholder must obtain and retain the customer's signed certification that they understand the implications of the statement in (3). This certification may be combined with the certification required by condition SLC2<sup>1</sup>.

## **SLC2 Restricted depositors**

1. Subject to (3), the licenceholder must not undertake business, whether deposit taking, lending or otherwise for persons who are not 'restricted depositors' as defined in the Regulated Activities Order 2011.
2. If a customer is not a body corporate, during the process of opening each account, or providing any other service for a customer, the licenceholder must obtain and retain a signed certification that each customer is a restricted depositor. This certification must be in the form set out in (4), and may be combined with the certification required by condition SLC1<sup>2</sup>.
3. Despite (1), if a customer was a restricted depositor at the time of placing a deposit, but subsequently ceases to be a restricted depositor, the licenceholder may continue to provide services to that customer for a period of 12 months following the date it became aware, or reasonably should have become aware, of that fact.
4. The form of the Restricted Depositors' confirmation, which must signed and dated by any individual depositor, is either (a)(i) or (b)(i) as appropriate:

(a) For any individual who is a *restricted depositor* (in their personal capacity and not as trustee or nominee):

*i. I certify that I have a minimum of £500,000 net worth, excluding -  
a) my home or any money raised through a loan secured on that property; and  
b) any rights of mine under a contract of insurance; and  
c) any benefits (in the form of pensions or otherwise) which are payable on the termination of my service or on my death or retirement and to which I, or my dependants, are or may be entitled; and*

*ii. I understand that deposits placed with [name of class 1(2) deposit taker] do not benefit from a compensation scheme.*

<sup>1</sup> See licence condition SLC2(4) for the format of the combined certification.

<sup>2</sup> The combined certification (per licence conditions SLC1 and SLC2) is shown in SLC2(4).



(b) For any individual who is a *trustee*<sup>3</sup> of a particular trust:

*i. I certify that the assets of the trust are valued at a minimum of £500,000, excluding real property that is any person's principal place of residence; and*

*ii. I understand that deposits placed with [name of class 1(2) deposit taker] do not benefit from a compensation scheme.*

For the avoidance of doubt, in the case of deposits held jointly, each depositor must meet one of the above criteria in their own right.

**SLC3 Periodic verification**

1. The licenceholder must satisfy itself at least every three years that each of its customers that are not bodies corporate continue to be restricted depositors.

**SLC4 Advertising**

1. The licenceholder must not market its products or services by means of media directed to the general public.

Chief Executive

Isle of Man Financial Services Authority

27 May 2021

<sup>3</sup> This does not include a corporate trustee. A corporate trustee is considered a body corporate, not an individual or legal arrangement.