TURKS AND CAICOS ISLANDS FINANCIAL SERVICES COMMISSION

**Non Profit Organisations Regulations
Regulation 11**

**NOTICE OF CHANGE TO THE NPO SUPERVISOR**

The NPO Supervisor must be notified of change in information previously notified to the Supervisor. The Supervisor must be notified of relevant changes within 14 days of the change occurring[[1]](#endnote-1). The changes in information which must be notified to the Supervisor are set out below. Please complete the section of this form which applies to your organisation. Please refer to the endnotes for guidance.

|  |  |  |  |
| --- | --- | --- | --- |
| **Organisation Name:** |       | **Registration #** |       |
| 1. **CHANGE OF CONTROLLER(S) INFORMATION**

**A. Change of Controller(s)***If there has been a change[[2]](#endnote-2) in Controllers previously notified to the NPO Supervisor, complete the below –* |

|  |  |  |
| --- | --- | --- |
| Name of Departing Controller | Date of Departure from Office | Reason for Departure |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |
| Name of Incoming Controller | **Date of Appointment** | **New Appointment or Replacement?** |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |
| B. Change of Principal Residential Address of Controller(s)*If there has been a change in the Principal Residential Address[[3]](#endnote-3) previously notified to the NPO Supervisor, complete the below –* |
| Full Name of Controller | **Previous Address** | **New Address** |
|       |       |       |
|       |       |       |
|       |       |       |

|  |
| --- |
| 1. CHANGE OF PURPOSE, OBJECTIVES AND/OR ACTIVITIES

*If there has been a change in the Purpose, Objectives and/or Activities[[4]](#endnote-4) previously notified to the NPO Supervisor, complete the below –* |
| New Purpose | **New Objectives** | **New Activities** |
|       |       |       |
| 1. CHANGE OF GOVERNING PROVISIONS IN THE GOVERNING DOCUMENT

*If there has been a change in the Governing Provisions of the Governing Document[[5]](#endnote-5) of the NPO previously notified to the NPO Supervisor, indicate if the change(s) relate to the provisions outlined below –* |
| Governing Provision Affected by Change | **Identify the section of the governing document where the change can be found** |
| 1. Objects and purpose of the organisation
 |       |
| 1. Procedures for selecting controllers of the organisation
 |       |
| 1. Powers of the controllers of the organisation
 |       |
| 1. Procedures for admitting and removing members of the organisation
 |       |
| 1. Financial management of the organisation
 |       |
| 1. Procedure for changing the governing document
 |       |
| 1. Procedure by which the organisation may be wound up or dissolved
 |       |
| 1. CHANGE OF ADDRESS OF THE NPO

*If there has been a change in the Address[[6]](#endnote-6) of the organisation previously notified to the NPO Supervisor, complete the below table by stating both the previous address and the new address of the organisation.* |
| Previous Address | New Address |
|       |       |
| 1. CHANGE OF NAME

*If there has been a change of the name[[7]](#endnote-7) of the organisation, complete the below table by stating both the previous name and the new name of the organisation.* |
| Previous Name | New Name |
|       |       |
| State the reason for the change of name:      |
| 1. CHANGE OF INCOME AND NET ASSET VALUE ALTERING NPO STATUS

*If there has been a change in the annual income and net asset value of an NPO which results in its current status as an exempted NPO or registered NPO, the table below must be completed:-* |

|  |  |  |  |
| --- | --- | --- | --- |
| **Previously Reported Annual Income:** | $      | **Actual Annual Income** | $      |
| **Previously Reported Net Asset Value:** | $      | **Actual Net Asset Value:** | $      |
| **Current Status of NPO:***(Exempt or Registered)* |       | **Resulting Status of NPO:***(Exempt or Registered)* |       |
| 1. **CHANGE OF LEGAL FORM**

***Change from an Unincorporated Association to Non-Profit Company****If the NPO has changed its legal form from an unincorporated association to a non-profit company, the table below must be completed:-* |
| **Full Name of Company** |       |
| **Date of Incorporation:** |       |
| **Incorporation Number:** |       |
| **Registered Agent:** |       |
| **Registered Office Address Details:** |       |
| **Contact Number of Registered Agent:** |       |
| **Confirm the governing document of the NPO:** |       |
| **Confirmation of Directors** |
| **First Name** | **Last Name** | **Date of Appointment** |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |
| ***Change from Non-Profit Company to Unincorporated Association*** |
| **Full Name of Unincorporated Association:** |       |
| **Effective Date[[8]](#endnote-8):**  |       |
| **Full Operating Address Details:** |       |
| **Name of Contact Person:** |       |
| **Telephone Number of Contact Person:** |       |
| **Email Address of Contact Person:** |       |
| **Confirm the governing document of the NPO:** |       |
| **Confirmation of Controllers** |
| **First Name** | **Last Name** | **Position** | **Date of Appointment** |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
| **DECLARATION**Only a person who is a controller of the organisation should sign this form. By signing this form, the controller confirms that he/she is duly authorized to sign this form on behalf of the named organisation and that he/she certifies that the information contained on this form is true and accurate.A controller **commits an offence** and is liable on summary conviction to a **fine of $50,000** if, with intent to deceive or for any purpose of the NPO Regulations, he or she — 1. provides any information, makes any representation or submits any document or return that he or she knows to be false or materially misleading or does not believe to be true; or
2. recklessly provides any information, makes any representation or submits any document or return that is false or materially misleading.
 |
| **Name:** |       | **Position:** |       |
| **Signature:** |  | **Date:** |       |
| **Email:** |       | **Telephone:** |       |
| **FOR OFFICIAL USE ONLY** |
| Analyst I Processing Form: |       | Type of Change: |       |
| Date Notice Filed: |       | Timeliness of Notice: |       |
| Action Taken: |       | Date Action Taken: |       |
| Effect on NPO’s Risk Position: |       |

|  |
| --- |
| **SUPPORTING DOCUMENTS[[9]](#endnote-9)** |
|  | **(√)** | **Analyst II Verification**  |
| **Change of Controllers** |
|  | Identification Document | [ ]  | [ ]  |       |
|  | Address verification document | [ ]  | [ ]  |       |
|  | Section 3 of the NPO Registration Application | [ ]  | [ ]  |       |
|  | Record of Change (e.g. minutes) | [ ]  | [ ]  |       |
|  | Signed Controllers Declaration | [ ]  | [ ]  |       |
| **Change of Purpose, objectives and/or activities** |
|  | Governing document | [ ]  | [ ]  |       |
|  | Record of Change (e.g. minutes) | [ ]  | [ ]  |       |
| **Change of Provisions of Governing Document** |
|  | Governing Document | [ ]  | [ ]  |       |
|  | Record of Change (e.g. minutes) | [ ]  | [ ]  |       |
| **Change of Address of NPO** |
|  | Record of Change (e.g. minutes) | [ ]  | [ ]  |       |
| **Change of Name** |
|  | Governing Document | [ ]  | [ ]  |       |
|  | Record of Change (e.g. minutes) | [ ]  | [ ]  |       |
| **Change of Income and Net Asset Value** |
|  | Financial Statements | [ ]  | [ ]  |       |
|  | Supervisory Return | [ ]  | [ ]  |       |
| **Change of Legal Form** |
|  | Governing Document | [ ]  | [ ]  |       |
|  | Certificate of Incorporation | [ ]  | [ ]  |       |
|  | Articles of Incorporation | [ ]  | [ ]  |       |
|  | Completed Application | [ ]  | [ ]  |       |
|  | Signed Controllers Declaration | [ ]  | [ ]  |       |
|  | Signed Governing Document[[10]](#endnote-10) | [ ]  | [ ]  |       |
|  | Controllers Identification Verification[[11]](#endnote-11) | [ ]  | [ ]  |       |
|  | Controllers Address Verification[[12]](#endnote-12) | [ ]  | [ ]  |       |
|  | Confirmation of Payment of Registration Fee | [ ]  | [ ]  |       |

|  |  |
| --- | --- |
| **Prepared by Analyst I (signature)** | **Date (DD/MM/YYYY)** |
|       |       |

|  |  |  |
| --- | --- | --- |
| **Verified by Analyst II (signature)** | **Analyst II Name** | **Date (DD/MM/YYYY)** |
|  |       |       |

|  |  |  |
| --- | --- | --- |
| **Authorised by Director (signature)** | **Director Name** | **Date (DD/MM/YYYY)** |
|  |       |       |

1. Regulation 11 of the Non-Profit Organisations Regulations 2014 imposes an obligation on the controllers of all registered non-profit organisations (“NPO”) to notify the NPO Supervisor (the “Financial Services Commission”) of changes to information previously provided to the NPO Supervisor (the “Supervisor”). If there has been a change to the information previously provided to the NPO Supervisor which has not been notified to the Supervisor, the purported change will not take effect legally and shall be treated as if no change had occurred. Additionally, if the controllers of an NPO fail to notify the Supervisor of change in information previously provided, the NPO may be de-registered with the consequence that the organisation shall cease to lawfully exist. [↑](#endnote-ref-1)
2. Minutes (or resolution from the meeting) of the meeting where the change was approved must accompany this form. The minutes must be signed by the Chairman or Secretary of the meeting. Only the original minutes (or resolution) or a certified copy of the minutes will be accepted by the NPO Supervisor. [↑](#endnote-ref-2)
3. The change of address must be verified. Acceptable means of verification include presenting a driver’s license, utility bill, bank statement, correspondence from a government department or agency, a letter of introduction confirming residential address from a regulated person or a foreign regulated person, or a personal visit to the concerned controller’s residential address. If a utility bill or bank statement is used, it must have been dated in the last 3 months. Address must match principal residential address stated on NPO application. A suitable certifier as outlined on page 59 of the Anti-Money Laundering and Prevention of Terrorist Financing Code must certify the document. The NPO Supervisor can certify an original document presented to us using the designated stamp. [↑](#endnote-ref-3)
4. The change must also be set out in the organisation’s governing document which must be submitted to the NPO Supervisor. Section 4 of this form must consequently be completed to capture the change to the governing document. [↑](#endnote-ref-4)
5. The governing document where the change has been set out must be submitted with this form. The governing document must also be accompanied by appropriate minutes (or resolution) of the meeting of the members of the organisation where the change was approved. The minutes (or resolution) must be signed by a controller of the organisation and attached to the governing document at all times. Only the original minutes (or resolution) or a certified copy of the minutes will be accepted by the NPO Supervisor. [↑](#endnote-ref-5)
6. Minutes (or resolution of the controllers) of the meeting of the controllers where the change of address was approved must accompany this form. Only the original minutes (or resolution) or a certified copy of the minutes will be accepted by the NPO Supervisor. [↑](#endnote-ref-6)
7. A Special Resolution of the organisation must be provided to evidence the members’ approval of the change of name. [↑](#endnote-ref-7)
8. This is the date the NPO became an Unincorporated Association. [↑](#endnote-ref-8)
9. The documents which support the NPO application should be attached to this checklist before submission to the NPO Supervisor and should contain the NPO Application, Identity and Address verification documents, NPO Particulars including NPO Declaration, governing document and a copy of the receipt of payment of any fee relevant to the application, Printout of Risk Assessment (when available), Printout of NPO Database Report of the NPO (when available). [↑](#endnote-ref-9)
10. The governing document may be a Memorandum & Articles of Association, Constitution, By-laws, or any other document which outlines the rules, policies and procedures of the NPO. [↑](#endnote-ref-10)
11. ID presented must not be expired regardless of whether it is used to verify identity or residential address. A suitable certifier as outlined on page 59 of the AMLPTF Code must certify the ID. The Compliance Department can certify an original document presented to us using the designated stamp. [↑](#endnote-ref-11)
12. If a utility bill or bank statement is used, it must have been dated in the last 3 months. Address must match principal residential address stated on NPO application. A suitable certifier as outlined on page 59 of the AMLPTF Code must certify the document. The Compliance Department can certify an original document presented to us using the designated stamp. [↑](#endnote-ref-12)