



TURKS AND CAICOS ISLANDS FINANCIAL SERVICES COMMISSION

Regulating with Honesty, Integrity and Transparency

28th February 2017

REGULATORY ADVISORY NO. 1 OF 2017

Use of Subsidiary Companies, Associates and Individuals to be included in the Company Management Licence under Schedule 1 of the Company Management (Licensing) Ordinance

Part 1 of the Application for Licence under The Company Management (Licensing) Ordinance provides for the “*name and address of subsidiary companies, associates or individuals, to be included in the licence.*”

As the Commission continues to streamline its licensing/regulatory processes, it has become apparent that clearer guidance is required on the functions, eligibility and the process for these entities or individuals to be approved.

Given the above, the Commission provides the following directions to guide the approval of subsidiary companies, associates or individuals to be included on the licence of a company manager.

1. Function

1.1 A subsidiary company, associate or individual approved for inclusion on the licence of a company manager is restricted to functioning as a nominee director, secretary or shareholder of client companies administered by the licensee.

2. Eligibility for inclusion in the licence

2.1 A *subsidiary company* must be at least 51 per cent beneficially owned by the company manager licensee.

2.2 An *associate* must share common ownership or be part of a group including the licensee.

2.3 An *individual* included on the licence must be a director, shareholder, officer or employee of the licensee.



3. Approval

- 3.1 Each subsidiary company, associate and/or individual to be included on the licence of a company manager must be approved by the Commission, which will include a due diligence assessment of the applicant.

4. Warning

- 4.1 Subsidiary companies, associates and/or individuals approved for inclusion on the licence of a company manager are not company managers in their own right; and accordingly, are not authorised to act as company managers

5. Effective Date

- 5.1 Effective 1 March 2017

Please be guided accordingly.

Yours Sincerely
**Turks and Caicos Islands
Financial Services Commission**

Niguel Streete
Managing Director