

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT
SCHEMES) ACT

REGULATIONS
(under section 58)

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

(Made by the Financial Services Commission and approved
by the Minister on the 13th day of March, 2006)

PART I. Preliminary

1. These Regulations may be cited as the Pensions (Superannuation Fund and Retirement Schemes) (Registration, Licensing and Reporting) Regulations, 2006. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“constitutive documents” means the documents that establish and support the operation of a superannuation fund or retirement scheme namely, the Trust Deed or Master Trust Deed, plan rules, schedules and amendments there to;

“covered person” in relation to an applicant under these Regulations means—

(a) a person having a material interest in or control of shares equivalent in value to ten per cent or more of the applicant’s total shares which carry voting rights;

(b) the members of the applicant’s board of directors (including any person the applicant proposes to appoint to the board);

(c) the applicant’s manager, assistant manager, accountant, and company secretary;

(d) the person who (by whatever name called) performs the duties normally carried out by any of the officers specified in paragraphs (b) and (c);

“fund” means an approved superannuation fund;

“information folder” means the information folder prepared by a scheme which includes the information specified in the Third Schedule;

Third
Schedule

“scheme” means an approved retirement scheme;

“Pooled Funds” means Type I Pooled Funds or Type II Pooled Funds;

“Type I Pooled Funds” means an investment fund with the sole purpose of investing the assets of more than one fund or scheme established and operated by licensed investment managers which —

(a) does not hold any investment or security that would under the Act or regulations made thereunder be deemed ineligible or prohibited for a fund or scheme;

(b) is not a party to or engaged in a transaction that is prohibited for a fund or scheme under the Act or regulations made thereunder;

“Type II Pooled Fund” means an open-ended investment fund, mutual fund, collective investment scheme or unit trust and any investment fund, other than a Type I Pooled Fund.

Part II. *Registration and Licensing*

Application

3.—(1) An application for registration or licensing, as the case may be, of an individual or entity in any of the categories specified in paragraph (2) shall—

(a) be in the appropriate form set out in Forms 1 to 5 in the First Schedule;

(b) be accompanied by the relevant fee specified in the Fourth Schedule and the documents and information specified in the relevant application form; and

(c) contain such other information as the Commission may require.

(2) The categories referred to in paragraph (1) are—

(a) approved superannuation fund;

(b) approved retirement scheme;

(c) trustee;

(d) administrator;

(e) investment manager;

(f) responsible officer.

Conditions for Registration and Licensing

Conditions for
funds and schemes

4.—(1) The Commission shall refuse to register a superannuation fund or retirement scheme if—

- (a) the name of the superannuation fund or retirement scheme, as the case may be, is so similar to the name of another fund or scheme as to be likely to cause confusion, and a request by the Commission for a change of the name of the superannuation fund or retirement scheme has not been complied with within thirty days of the Commission's request;
- (b) the superannuation fund's or retirement scheme's constitutive documents do not appear to the Commission to comply with the requirements specified in the Second Schedule and other requirements of the Act and regulations made thereunder;
- (c) being a public fund, it does not satisfy the conditions specified in paragraph (2)
 - (2) The conditions referred to in paragraph (1) (c) are that the fund—
 - (a) prior to the 1st day of March, 2005, was a public fund which was approved as a superannuation fund under the Income Tax Act;
 - (b) in respect of persons who joined the fund prior to the 1st day of March, 2005 and no other category of persons, was exempted by the Minister from the application of section 13 (2) (d) (p) of the Act;
 - (c) furnished with its application for registration evidence of the matters specified in sub-paragraphs (a) and (b).

Second
schedule

5.—(1) A person shall not act as the sponsor of a scheme unless he is a registered life insurer or licensed investment manager.

Conditions for
sponsors.

(2) The persons that sell or otherwise distribute contracts under the Master Trust Deed of the retirement scheme shall be dealer's representatives or sales representatives who—

- (a) are duly registered under the Securities Act or the Insurance Act, as the case may require;
- (b) are fit and proper persons for the purpose of selling and distributing such contracts;
- (c) if required, for the purpose of engaging in such sales or distribution, to pass any examinations or participate in any training, have passed the examinations and completed the training.

6. The Commission shall not grant registration as a trustee—

Conditions for
trustees.

- (a) to an applicant who is the actuary or auditor of the fund or scheme concerned;
- (b) to a body corporate unless—

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- (i) each covered person satisfies the fit and proper criteria prescribed under the Act in relation to an individual applying to be a trustee; and
- (ii) its incorporation documents if applicable include a provision permitting the company to be a trustee of a fund or scheme.

Conditions for investment managers and administrators

7.—(1) The Commission shall not license a company as an investment manager or administrator unless—

- (a) the incorporation documents of the applicant, where applicable, permit the company to carry on investment management or administration, as the case may be, of superannuation funds or retirement schemes, where applicable;
- (b) the applicant is solvent with a capital base that exceeds the amount (if any) specified in paragraph (2) and is likely to continue to be so solvent;
- (c) the applicant has and will have professional indemnity and fidelity guarantee insurance that exceeds the limits (if any) specified in paragraph (2);
- (d) the employees of the applicant have passed such examinations or participated in such training as may be required by the Commission;
- (e) the employees of an applicant for administration of a fund or scheme are otherwise qualified, knowledgeable and capable of carrying on the efficient administration of the fund or scheme.

(2) For the purpose of paragraph (1) (b) and (c), the respective amounts and limits, if any, are as specified hereunder or such other amounts or limits as the Commission may by notice publish in the *Gazette* prescribe—

	Administrator	Investment Manager
Professional Indemnity	\$5 million	\$ 5 million
Fidelity Guarantee.	None	\$10 million

Conditions for responsible officer

8. The Commission shall not grant the registration of an individual as a responsible officer unless he—

- (a) is a member of the senior management of the company concerned; and
- (b) satisfies the fit and proper criteria prescribed under the Act for carrying on the functions as a responsible officer.

Certificates and Licences

9. Certificates granted and licences issued under the Act shall be in the appropriate form set out in Forms 9 to 14 in the First Schedule.

Form of certificates and licences
First Schedule
Forms 9 to 14.

10.—(1) If a trustee or responsible officer resigns, dies or otherwise ceases to be the trustee or responsible officer, as the case may be, the trustee, responsible officer or in the case of death or incapacity, the board of directors or board of trustees of the fund or scheme shall—

Surrender of certificate of registration

- (a) notify the Commission in writing with seven days, giving the date of such cessation and the reasons therefor; and
- (b) surrender his certificate of registration.

Registers

11. The Commission shall cause to be kept in the appropriate form set out in Forms 15 to 20 in the First Schedule, registers of—

Form of registers
Forms 15 to 20

- (a) approved superannuation funds;
- (b) approved retirement schemes;
- (c) registered trustees;
- (d) licensed investment managers;
- (e) licensed administrators;
- (f) registered responsible officers.

Part III. Reporting Requirements

12.—(1) Within one hundred and twenty days after the end of a fund's plan year, the fund shall file with the Commission the following reports for that plan year, namely—

Fund reports, etc.

- (a) Certified Financial Return, in the form set out as Form 6 in the First Schedule;
- (b) financial statements, which shall be audited, unless—

Form 6,
First
Schedule

- (i) the fund meets the criteria specified in paragraph (3); and
- (ii) the preparation of audited financial statements is not a requirement imposed by the fund's constitutive documents.

(2) Within nine months after the end of its plan year, the fund shall file with the Commission the prescribed annual report.

(3) The criteria referred to in paragraph (1) (b) (i) are that—

- (a) there are fewer than one hundred active members or such other number as the Commission may, by notice publish in the *Gazette*, specify, and the total fair value of the assets is less than seventy-five million dollars of such other amount as the Commission may, by notice publish in the *Gazette*, specify; and
- (b) all funds are held either on the account of investment managers or in Type I Pooled Funds of investment managers,

and accordingly, the limit on the fair value of assets shall be adjusted for each calendar year by the rate of consumer price inflation applicable to the preceding calendar year.

Scheme reports, etc

13.—(1) Within one hundred and twenty days after the end of a scheme's plan year, the scheme shall file with the Commission, the following reports and documents for that plan year—

- (a) Certified Financial Return, in the form set out as Form 6 in the First Schedule;
- (b) audited financial statements;
- (c) its information folder, in accordance with the requirements of the Third Schedule;
- (d) a list of the names of the persons that sell or otherwise distribute the scheme's contracts under the scheme's Master Trust Deed and their registration number issued by the Commission consequent upon being registered or licensed under the Securities Act or the Insurance Act.

First
Schedule
Form 6.

Third
Schedule

(2) Within nine months after the end of its plan year, the scheme shall file with the Commission the prescribed annual report.

Corporate trustee's
report, etc

14. Within one hundred and twenty days after the end of a corporate trustee's financial year, it shall file with the Commission, for the financial year, its—

- (a) annual report containing audited financial statements; and
- (b) certification of tax compliance covering that financial year

15.—(1) Within one hundred and twenty days after the end of an investment manager's financial year, it shall file with the Commission for that financial year, its—

Investment manager's report, etc.

- (a) annual report containing audited financial statements;
- (b) certification of tax compliance covering the last financial year;
- (c) evidence of the renewal of professional indemnity and fidelity guarantee insurance that exceeds the amounts prescribed in regulation 7; and
- (d) certificate signed by the responsible officer, a director, company secretary and chief financial officer stating that the investment manager has fulfilled such capital and solvency requirements as may be prescribed in regulation 7.

(2) The investment manager shall file with the Commission quarterly Fund Status Reports, within sixty days after the end of each calendar quarter, in the form set out as Form 7 in the First Schedule.

First Schedule.
Form 7
Administrator's report, etc.

16. Within one hundred and twenty days after the end of an administrator's financial year, it shall file with the Commission for that financial year, its—

- (a) annual report containing audited financial statements;
- (b) Administrator's Return, in the form set out as Form 8 in the First Schedule;
- (c) certification of tax compliance covering the last financial year;
- (d) evidence of the renewal of professional indemnity insurance that exceeds the limits prescribed in regulation 7;
- (e) certificate signed by the responsible officer, a director, company secretary and chief financial officer stating that the company has fulfilled the solvency requirements, if any, prescribed in regulation 7.

Form 8

17. A registrant or licensee shall, within fourteen days after any change in any of the particulars included in an application made pursuant to these regulations, report to the Commission in writing, giving full details of the change including the date and reasons for the change.

Report of change in particulars

Discontinuation of Business

Discontinuation by
investment
manager,
administrator

18.—(1) Where an investment manager or administrator intends to discontinue operations as an investment manager or administrator for approved superannuation funds or approved retirement schemes, it shall—

- (a) with fourteen days after the decision, notify the Commission in writing thereof and of the proposed effective date of discontinuance;
- (b) not later than ninety days before the effective date of discontinuance, provide audited accounts of its investment management or administration business, as the case may be, to the Commission for the period ending not earlier than three months prior to the decision to discontinue operations;
- (c) not later than one hundred and twenty days before the effective date of discontinuance, nor later than fourteen days after notification to the Commission under sub-paragraph (a) cause to be published in the Jamaican and overseas editions of a national daily newspaper, a notice
 - (i) that it has given written notice to the Commission pursuant to sub-paragraph (a);
 - (ii) calling upon all claimants, contingent and actual, to announce their claims to the Commission in writing within three months of publication of the notice as aforesaid;
- (d) not later than ninety days before the effective date of discontinuance—
 - (i) file a list with the Commission of all outstanding amounts owed to schemes or funds or their members or beneficiaries; and
 - (ii) submit to the Commission for approval, a plan approved by the Board of Directors by which its investment management or administration business of schemes and funds will be transferred to another investment manager or administrator, as the case may be;
- (e) no later than two days before the effective date of discontinuance, return to the Commission its licence granted under the Act, accompanied by a certificate from its board of directors verifying that the investment management or administration business, as the case may be, has been fully and satisfactorily transferred to another investment manager or administrator named therein.

(2) The Commission may refuse to approve the plan proposed under paragraph (1) (d) (ii), giving reasons for such refusal and may direct the investment manager or administrator, as the case may be, to make such changes to the plan as the Commission deems necessary.

PART IV. *Fees*

19. In addition to fees specified herein in respect of registration and licensing, fees payable for other services shall be as set out in the Fourth Schedule.

Other fees.
Fourth
Schedule.

PART V. *Transitional*

20.—(1) Superannuation funds, retirement schemes, administrators and investment managers which have applied under the Act for registration or licensing, as the case may be, shall, pending approval of their application, be required as a condition of registration or licensing to comply with the reporting requirements of Part III of these Regulations as if they had been already registered or licensed, as the case may be.

Transitional

(2) References to funds or schemes in reports from administrators and investment managers shall be regarded as including superannuation funds or retirement schemes which have applied for registration under the Act, but have not yet been registered nor been refused registration.

FIRST SCHEDULE

FINANCIAL
SERVICES
COMMISSION

FIRST SCHEDULE

(Regulations 4, 10, 12-14, 16 and 17)

FORM 1

Application Number: (For official use only)

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006

APPLICATION FOR REGISTRATION
OF A SUPERANNUATION FUND/RETIREMENT SCHEME

1	Superannuation Fund/Retirement Scheme Name: ----- -----
2(a)	Type of Fund/Scheme: Defined Benefit [] Defined Contribution []
(b)	Does the plan provide for mandatory sponsor contributions by law? Yes [] No []
(c)	Is the plan a Specified Fund/Scheme? Yes [] No []
(d)	Do self employed or persons in non pensionable posts contribute to the plan? Yes [] No []
(e)	Is the plan a public fund? Yes [] No []
3	Effective Date of Fund/Scheme: [dd/mm/yyyy]
4	Fund/Scheme Year End Date: [dd/mm]
5	SA Registration Number:
6	Number of members at inception or active members at the date of application if later:
7	Number of pensioners at date of application, if not a new fund/scheme:
8	If not a new fund or scheme, what is the status of the fund or scheme?(See page 17) Active Open ("AO") [] Active Closed ("AC") [] Inactive ("IA") [] Transferred ("TR") []

FIRST SCHEDULE, *contd.*

9	SPONSOR									
C	<p>1) Name of firm: _____</p> <p>2) Industry sector: _____</p> <p>3) Name of Managing Director: _____</p> <p>4) Address of principal office in Jamaica where service of notice may be effected: _____</p> <p>5) Mailing Address (if different from above): _____</p> <p>6) Date of participation [dd/mm/yyyy] _____ 7) TRN: _____</p> <p>8) Tel No: _____ 9) Fax No: _____ 10) E-mail address: _____</p>									
(Retirement Scheme Only)										
D	<p>1) FSC Registration No: _____ 2) Date Issued: _____</p> <p>3) Indicate, as applicable where in your incorporation documents you are permitted to carry out the functions with regards to this application:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 40%;">Articles of Incorporation</th> <th style="width: 45%;">Other</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Section</td> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="text-align: center;">Page</td> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </tbody> </table> <p>4) How will any other business carried on by you be separated from the business in respect of which this application is made?</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>		Articles of Incorporation	Other	Section			Page		
	Articles of Incorporation	Other								
Section										
Page										
<p>NOTE: If there are more than two Sponsors the above information must also be provided for each additional Sponsor</p>										

FIRST SCHEDULE, *contd.*

10	TRUSTEES	
A	1) Name of trustee:	
	2) Address:.....	
	3) Type of Trustee: Individual: Member [] Sponsor [] Pensioner [] Corporate: Member [] Sponsor [] Pensioner []	4) TRN:
	5) FSC Registration No.	6) Date issued:

10	TRUSTEES	
B	1) Name of trustee:	
	2) Address:.....	
	3) Type of Trustee: Individual: Member [] Sponsor [] Pensioner [] Corporate: Member [] Sponsor [] Pensioner []	4) TRN:
	5) FSC Registration No.	6) Date issued:

10	TRUSTEES	
C	1) Name of trustee:	
	2) Address:.....	
	3) Type of Trustee: Individual: Member [] Sponsor [] Pensioner [] Corporate: Member [] Sponsor [] Pensioner []	4) TRN:
	5) FSC Registration No.	6) Date issued:

NOTE: If there are more than three Trustees, the above information must also be provided for each additional Trustee

FIRST SCHEDULE, *contd.*

11	ADMINISTRATOR
A	1) Name of Administrator:
	2) Address:.....
	3) FSC Licence No. 4) Date issued:

11	ADMINISTRATOR
B	1) Name of Administrator:
	2) Address:.....
	3) FSC Licence No. 4) Date issued:

11	ADMINISTRATOR
C	1) Name of Administrator:
	2) Address:.....
	3) FSC Licence No. 4) Date issued:

11	ADMINISTRATOR
D	1) Name of Administrator:
	2) Address:.....
	3) FSC Licence No. 4) Date issued:

FIRST SCHEDULE, *contd.*

12	INVESTMENT MANAGER	
A	1) Name of Investment Manager: 2) Address:	
	3) FSC Licence No.	4) Date issued:

12	INVESTMENT MANAGER	
B	1) Name of Investment Manager: 2) Address:	
	3) FSC Licence No.	4) Date issued:

12	INVESTMENT MANAGER	
C	1) Name of Investment Manager: 2) Address:	
	3) FSC Licence No.	4) Date issued:

12	INVESTMENT MANAGER	
D	1) Name of Investment Manager: 2) Address:	
	3) FSC Licence No.	4) Date issued:

NOTE: If there are more than four Investment Managers, the above information must also be provided for each additional Investment Manager

FIRST SCHEDULE, *contd.*

13 . PROFESSIONAL ADVISERS

A AUDITOR

1) Name of Engagement Partner:

2) Designation:

3) Audit Firm:

4) Address:

.....
.....
.....
.....

5) Mailing Address (if different from above):

.....
.....
.....

6) Tel No:

7) Fax No:

8) E-mail address:

9) Related Party? Yes No

FIRST SCHEDULE, *contd.*

14	PROFESSIONAL ADVISERS
B ACTUARY	
1) Name of Actuary:	
2) Designation:	
3) Firm:	
4) Address:	
.....	
.....	
.....	
5) Mailing Address (if different from above):	
.....	
.....	
.....	
6) Tel No:	
7) Fax No:	
8) E-mail address:	
9) Related party? Yes <input type="checkbox"/> No <input type="checkbox"/>	

FIRST SCHEDULE, *contd.*

16	DOCUMENTATION (please tick to confirm documents are enclosed)	
RETIREMENT SCHEME with effective dates BEFORE March 1, 2005:		Tick
1	<p>Two copies of the constitutive documents of the scheme. (If approval from the Taxpayer Audit and Assessment Department has not been received, the original and copy Master Trust Deed, the original and copy rules and any other constitutive documents must be submitted.)</p> <p>A schedule, showing where the conditions set forth in Sections 14 (1) (b) and 14 (3) of the Act appear in these documents; must be attached.</p>	
2	Individual Contracts issued under the scheme	
3	Members' Handbook, a written explanation of all the provisions of the scheme and any applicable amendments thereto	
4	Business plan for the next three years	
5	Information Folder	
6	Letter from the Taxpayer Audit and Assessment Department approving the scheme and giving SA reference number	
7	Annual audited Financial Statements for the last three completed scheme years	
8	Sample forms and any relevant contractual documents that a prospective member will be required to sign in order to join or to remain a member of the scheme.	
9	Marketing circulars and documents that will be used to market or advertise the scheme.	
10	A list of the names of the persons that sell or otherwise distribute the scheme's contracts under the scheme's Master Trust Deed and their FSC registration numbers	
11	Application fee	

*THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006*

FIRST SCHEDULE, *contd.*

17	DOCUMENTATION (Please tick to indicate which documents are enclosed)	
RETIREMENT SCHEME with effective dates ON or AFTER March 1, 2005:		Tick
1	An original and copy of each constitutive document of the scheme. A schedule, showing where the conditions set forth in Sections 14 (1)(b) and 14 (3) of the Act appear in these documents, must be attached	
2	Individual Contracts to be issued under the scheme	
3	Members' Handbook; a written explanation of all the provisions of the scheme; and any applicable amendments thereto	
4	Business plan for the next three years	
5	Information Folder	
6	Sample forms and any relevant contractual documents that a prospective member will be required to sign in order to join or to remain a member of the scheme.	
7	Marketing circulars and documents that will be used to market or advertise the scheme.	
8	A list of the names of the persons that sell or otherwise distribute the scheme's contracts under the scheme's Master Trust Deed and their FSC registration numbers	
9	Application fee	

FIRST SCHEDULE, *contd.*

18	DOCUMENTATION (Please tick to confirm which documents are enclosed)	
SUPERANNUATION FUND with effective dates BEFORE March 1, 2005:		Tick
1	Two copies of the constitutive documents of the superannuation fund. (If approval from the Taxpayer Audit and Assessment Department has not been received, original and copy Trust Deed, Rules and any other constitutive documents must be submitted) A schedule, showing where the placement of the conditions set forth in Section 13 (2) of the Act appear in these documents, must be attached	
2	Members' Handbook; a written explanation of all the provisions of the fund; and any applicable amendments thereto	
3	Letter from the Taxpayer Audit and Assessment Department approving the superannuation fund and giving SA-reference number	
4	Most recent formal Actuarial Valuation report, the effective date of which is within three years of the date of application.	
5	Annual audited Financial Statements for the last three completed plan years	
6	Application fee	
7	If a public fund: i. evidence of approval as such under the Income Tax Act ii. Evidence of exemption from section 13(2)(d) and (p) of the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004 granted by the Minister	

*THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006*

FIRST SCHEDULE, *contd.*

19	DOCUMENTATION (cont'd)	
DOCUMENTATION (Please tick to confirm document has been attached.)		
For SUPERANNUATION FUNDS with effective dates ON or AFTER March 1, 2005.		
		Tick
1	An original and copy Trust Deed duly stamped and original and copy Rules as well as any other constitutive documents of the superannuation fund. A schedule, showing where in these documents, information indicating compliance with the conditions set forth in Section 13 (2) of the Act appears must be attached.	
2	Members' Handbook; a written explanation of all the provisions of the superannuation fund; and any applicable amendments thereto.	
3	If the superannuation fund is a defined benefit plan, formal Actuarial Valuation, the effective date of which must be the same as the effective date of the superannuation fund.	
4	Application fee	

20	CERTIFICATES REQUIRED												
	1	2	3	4	5	6	7	8	9	10	Other		
Application is being made for : of Registration	<input type="checkbox"/>	copies of the Certificate											

FIRST SCHEDULE, *contd.*

21	CERTIFICATION
As part of the application for approval of the superannuation fund or retirement scheme the Quorum of trustees is required to certify that the constitutive documents of the superannuation fund or retirement scheme comply with the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004 and regulations thereunder.	
We,the trustees of	
hereby certify that the Trust Deed and Plan Rules or the Master Trust Deed and all other constitutive documents of the superannuation fund or retirement scheme comply with the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004 and regulations thereunder.	
Signature:	Witnessed by:
Name:	
Title/Position:	Stamp
Date:	
Signature:	Witnessed by:
Name:	
Title/Position:	Stamp
Date:	
Signature:	Witnessed by:
Name:	
Title/Position:	Stamp
Date:	
Signature:	Witnessed by:
Name:	
Title/Position:	Stamp
Date:	

FIRST SCHEDULE, *contd.*

22	Application and Release
<p>We the <input type="checkbox"/> sponsor(s) or <input type="checkbox"/> sponsor(s) and trustees or <input type="checkbox"/> trustees of : </p> <p>Superannuation Fund/Retirement Scheme hereby make application for approval of the fund/scheme under the Pensions (Superannuation Funds and Retirement Schemes) Act 2004 and the Income Tax Act.</p> <p>Pursuant to our application under the Income Tax Act we hereby authorize the release of such documents as may be required by the Commissioner of Income Tax.</p> <p>Signature: Witnessed by:</p> <p>Name:</p> <p>Title/Position:</p> <p>Date: Stamp</p> <p>Signature: Witnessed by:</p> <p>Name:</p> <p>Title/Position:</p> <p>Date: Stamp</p> <p>Signature: Witnessed by:</p> <p>Name:</p> <p>Title/Position:</p> <p>Date: Stamp</p> <p>Signature: Witnessed by:</p> <p>Name:</p> <p>Title/Position:</p> <p>Date: Stamp</p> <p>For existing funds/schemes in operation before March 1, 2005, this section must be signed by the quorum of trustees only. For new funds/schemes, this section must be signed by the sponsors or the quorum of trustees or both.</p>	

FIRST SCHEDULE, *contd.*

23	DECLARATION
<p>We the sponsors of the superannuation fund/retirement scheme hereby certify that to the best of our knowledge, information and belief all the information given in this application and contained in supporting statements and documentation submitted is true and correct.</p>	
<p>We consent to the Financial Services Commission obtaining information from any source as permitted by the laws of Jamaica or any other jurisdiction for the purpose of verifying information submitted in support of this application.</p>	
Signature:	Witnessed by:
Name:	
Title/Position:	
Date:	Stamp
Signature:	Witnessed by:
Name:	
Title/Position:	
Date:	Stamp
Signature:	Witnessed by:
Name:	
Title/Position:	
Date:	Stamp
Signature:	Witnessed by:
Name:	
Title/Position:	
Date:	Stamp
Note: The sponsor and each participating sponsor, if applicable, are required to sign	

GLOSSARY | FUND/SCHEME STATUS

Fund/Scheme Status can be one of the following:

1	Active Open ("AO")	An active open superannuation fund/retirement scheme is one into which contributions are paid and new members are enrolled from time to time.
2	Active Closed ("AC")	An active closed superannuation fund/retirement scheme is one into which contributions are paid but no new members are enrolled.
3	Inactive ("IA")	An inactive superannuation fund/retirement scheme is a fund/scheme for which there is a cessation of contributions and member enrolment.
4	Termination Pending ("TP")	A termination pending superannuation fund/retirement scheme is an active or inactive fund/scheme for which approval of termination/winding-up has not yet been granted by the Commission or Court.
5	Terminated Open ("TO")	A terminated open superannuation fund/retirement scheme is an active or inactive fund/scheme for which notice to wind-up the fund/scheme has been approved by the Commission/Court but assets remain in the fund/scheme and all the relevant reports have not been filed with the relevant authorities.
6	Terminated Closed ("TC")	A terminated closed superannuation fund/retirement scheme is a fund/scheme for which approval of termination/winding-up has been granted by the Commission/Court, no assets remain in the fund/scheme and all filings have been submitted to the Commission and the Taxpayer Audit and Assessment Department.
7	Transferred ("TR")	Is a fund/scheme whose administration and/or investment management function(s) have been moved to another administrator or investment manager.

FIRST SCHEDULE, *contd.*

FORM 2

FINANCIAL
SERVICES
COMMISSION

Application Number: (For official use only)

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006

APPLICATION FOR LICENSING OF ADMINISTRATOR OR INVESTMENT MANAGER
AND
REGISTRATION OF CORPORATE TRUSTEE

SECTION 1	ALL APPLICANTS
-----------	----------------

1	Name of applicant:
2	Address of principal office in Jamaica where notice may be served:
3	Mailing address (if different from above):
4	Tel No: (5) Fax No: (6) E-mail address:
7	Date of incorporation and formation: [dd/mm/yyyy] / /
8	Place of incorporation and formation:
9	Companies Act Registration/Incorporation No:
10	Taxpayer Registration No:
11	Type of licence or registration: (a) Administrator Licence [] (b) Investment Manager Licence [] (c) Corporate Trustee registration: Member Nominated [] Sponsor Nominated []
12	Financial year end [dd/mm]: / /

FIRST SCHEDULE, *contd.*

SECTION 1	ALL APPLICANTS (cont'd)
-----------	-------------------------

21	Particulars of any other business that the company carries on at present and proposes to carry on anywhere, indicating how such business will be separated from the registration or licence being sought:
22	Has any person or company guaranteed or undertaken to act as guarantor of the financial or other obligations of the applicant? <div style="text-align: right; margin-right: 100px;">Yes [<input type="checkbox"/>] No [<input type="checkbox"/>]</div> If yes, give details:
23	Has any agreement been executed providing for the deferral of claims against the applicant by creditors? <div style="text-align: right; margin-right: 100px;">Yes [<input type="checkbox"/>] No [<input type="checkbox"/>]</div> If yes, give details:

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

SECTION 1	ALL APPLICANTS (cont'd)
-----------	-------------------------

24	SHAREHOLDERS
Holding or in control of 10% or more of any class of shares of applicant	

Name	Address	Country of domicile	Shareholdings	
			# of shares	%

FIRST SCHEDULE, *contd.*

SECTION 1	ALL APPLICANTS (cont'd)
-----------	-------------------------

25	PROFESSIONAL ADVISERS
A AUDITOR	
A) Name of Engagement Partner:
B) Designation:
C) Audit Firm:
D) Address:
E) Mailing Address (if different from above):
F) Tel No:
G) Fax No:
H) E-mail address:
NOTE: Should there be more than one auditor the above information must be provided for each additional auditor	

FIRST SCHEDULE, *contd.*

SECTION 1	ALL APPLICANTS (cont'd)
-----------	-------------------------

26	FINANCIAL INSTITUTIONS
Give details of institutions with which you carry out pension transactions:	
1) Name of Institution	
2) Address of Head Office (in Jamaica)	
.....	
.....	
.....	
3) Name of Branch:	
4) Address of Branch: (if different from above)	
.....	
.....	
5) Tel No: 6) Fax No: 7) E-mail address:	
.....	
1) Name of Institution	
2) Address of Head Office (in Jamaica)	
.....	
.....	
.....	
3) Name of Branch:	
4) Address of Branch: (if different from above)	
.....	
.....	
5) Tel No: 6) Fax No: 7) E-mail address:	
.....	
NOTE: Should there be more than two such institutions the above information must be provided for each additional institution	

FIRST SCHEDULE, *contd.*

SECTION 1 ALL APPLICANTS (cont'd)

27	DISCLOSURES																				
<p>1) Has the applicant operated or carried on business under any name other than the name shown in this application? Yes [] No []</p> <p>If yes, give details:</p>																					
<p>2) Has the applicant ever applied for licensing or registration under any law of Jamaica or any other country regulating financial institutions or institutions providing financial services? Yes [] No []</p> <p>If yes, give details:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Country</th> <th style="width: 33%;">Act</th> <th style="width: 34%;">Reason for Refusal</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		Country	Act	Reason for Refusal																	
Country	Act	Reason for Refusal																			
<p>3) Has any licence issued or registration of the applicant under any law of Jamaica or any country regulating financial institutions or institutions providing financial services been revoked, cancelled, or suspended? Yes [] No []</p> <p>If yes, give details:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Country</th> <th style="width: 25%;">Act</th> <th style="width: 25%;">Date cancelled, revoked or suspended</th> <th style="width: 25%;">Reason</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		Country	Act	Date cancelled, revoked or suspended	Reason																
Country	Act	Date cancelled, revoked or suspended	Reason																		
<p>4) Was the applicant associated with any company which was wound up in the last ten years, was or has been placed under temporary management, judicial management, or has been the subject of administrative censure or penalty or other intervention by a regulatory authority? Yes [] No []</p> <p>If yes, give details:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Name of Company</th> <th style="width: 33%;">Type of Association</th> <th style="width: 34%;">Period of Association dd/mm/yyyy to dd/mm/yyyy</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		Name of Company	Type of Association	Period of Association dd/mm/yyyy to dd/mm/yyyy																	
Name of Company	Type of Association	Period of Association dd/mm/yyyy to dd/mm/yyyy																			

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

SECTION 1 ALL APPLICANTS (cont'd)

17	DISCLOSURES (cont'd)									
5)	<p>Has the applicant at any time declared bankruptcy or made a voluntary assignment in bankruptcy?</p> <p style="text-align: right;">Yes [] No []</p> <p>If yes, Give details:</p> <p>.....</p> <p>.....</p>									
6)	<p>Has the applicant ever pleaded guilty or been found guilty under any law of Jamaica or any other country of any offence involving dishonesty, theft, or fraud?</p> <p style="text-align: right;">Yes [] No []</p> <p>If yes, Give details:</p> <p>.....</p> <p>.....</p>									
7)	<p>Has any claim been successfully made in any civil matter before a court or other tribunal in Jamaica or any other country which was based in whole or in part on fraud, theft, deceit, or misrepresentation or similar conduct against the applicant?</p> <p style="text-align: right;">Yes [] No []</p> <p>If yes, Give details:</p> <p>.....</p> <p>.....</p>									
8)	<p>Does the applicant currently act as a trustee, or has the applicant acted in the last five years as a trustee, administrator, or investment manager of any superannuation fund or retirement scheme?</p> <p style="text-align: right;">Yes [] No []</p> <p>If yes, please complete section 2</p>									
9)	<p>Where in your incorporation documents are you permitted to carry out the functions with regards to this application:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 20%;"></th> <th style="width: 40%;">Articles of Incorporation</th> <th style="width: 40%;">Other</th> </tr> </thead> <tbody> <tr> <td>Section</td> <td></td> <td></td> </tr> <tr> <td>Page</td> <td></td> <td></td> </tr> </tbody> </table>		Articles of Incorporation	Other	Section			Page		
	Articles of Incorporation	Other								
Section										
Page										

*THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006*

FIRST SCHEDULE, *contd.*

SECTION 5 | DOCUMENTATION AND FEE

The following original documents, except for academic certificates, together with the application fee must be submitted with this form. Please tick to confirm documents have been attached.	
Enclosures	Please tick
ALL APPLICANTS:	
1	Incorporation documents
2	Audited Financial statements over the previous three financial years
3	Latest Annual Report
4	Certification of tax compliance, valid as at the date of application
5	List of shareholders and shareholdings of parent company or ultimate holding company if latter is different
6	Completed application form for designated Responsible Officer
7	Corporate Organization Chart showing (parent, ultimate holding, fellow subsidiaries and associated companies)
8	List of covered persons
9	Certified copies of the academic certificates for each covered person
CORPORATE TRUSTEES	
1	Letter of intent to appoint to the Board of Trustees of the Fund or Scheme
ADMINISTRATOR OR INVESTMENT MANAGER	
1	Three-year business plan detailing expenses and sources of income among other things
2	Certificate of fulfillment of prescribed capital and/or solvency requirements
3	Evidence that fidelity guarantee and/or professional indemnity coverage exceeds prescribed limits

FIRST SCHEDULE, *contd.*

SECTION 6	DECLARATION
-----------	-------------

DECLARATION	
<p>We hereby apply, under Part II of the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004 for:</p> <p style="margin-left: 40px;">a licence as an <input type="checkbox"/> Administrator <input type="checkbox"/> Investment Manager</p> <p style="margin-left: 40px;">registration as a <input type="checkbox"/> Trustee of the named funds/schemes in Section 3:</p>	
<p>We certify that, to the best of our knowledge, information and belief, all the information given in this application and contained in supporting statements and documentation submitted is true and correct.</p>	
<p>We consent to the Financial Services Commission obtaining information from any source as permitted by the laws of Jamaica or any other jurisdiction for the purpose of verifying information furnished in this application.</p>	
<p style="text-align: center;">.....</p> <p style="text-align: center;">Name of applicant</p>	
<p>.....</p> <p>Name of Director</p>	<p>.....</p> <p style="text-align: right;">Signature</p>
<p>.....</p> <p>Name of Company Secretary</p>	<p>.....</p> <p style="text-align: right;">Signature</p>
<p>.....</p> <p style="text-align: center;">Name of Managing Director (or person in charge of the applicant's affairs)</p>	<p>.....</p> <p style="text-align: right;">Signature</p>
<p>.....</p> <p>Company Seal</p>	<p>.....20.....</p> <p style="text-align: right;">Date</p>

FIRST SCHEDULE, *contd.*

FORM 3

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004
The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006

APPLICATION FOR REGISTRATION OF
TRUSTEES (INDIVIDUALS)

DISCLOSURES

- | | |
|---|----------------|
| 21) Have you ceased being a trustee of any fund or scheme during the last 5 years?
If yes, complete Form 4 | Yes [] No [] |
| 22) Have you ever applied for a licence or registration under any law of Jamaica or any other country regulating financial institutions or institutions or persons providing financial services? | Yes [] No [] |
| 23) Has any licence or registration issued to you under any law of Jamaica or any other country regulating financial institutions or institutions or persons providing financial services been revoked, cancelled or suspended? | Yes [] No [] |
| 24) Have you ever been convicted of an offence involving dishonesty? | Yes [] No [] |
| 25) Have you ever been adjudged bankrupt? | |
| 26) Are there any current proceedings or outstanding litigation against you? | Yes [] No [] |
| 27) Have you ever been engaged in or accused of deceitful or oppressive or improper business practice? | Yes [] No [] |
| 28) Have you ever been found guilty of contravening any enactment designed to protect the public? | Yes [] No [] |
| 29) Have you ever carried out or been accused of any act involving impropriety in the handling of monies? | Yes [] No [] |
| 30) Are you incapacitated by any mental disability? | Yes [] No [] |

- | | |
|----|---|
| 31 | How long have you been employed to the current organization |
| 32 | Name and address of previous employer's organization |
| 33 | Period of employment with previous organization: From To: |
| 34 | State the reason for termination of employment |

The following documents have been attached to this application form

- (1) Letter of intent to appoint to the Board of Trustees of the Fund or Scheme Yes [] (2) Identification Yes []

APPLICATION AND DECLARATION

I hereby apply, under Part II of the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004, for registration as a Trustee of the named funds/named schemes above.

I declare that to the best of my knowledge, information and belief all the information given in support of this application is true and correct and I consent to the Financial Services Commission obtaining information from any source as permitted by the laws of Jamaica or any other jurisdiction for the purpose of verifying information furnished in this application.

.....
Signature of Applicant

.....
Date

.....
Witnessed by



FORM 5

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006

APPLICATION FOR REGISTRATION OF RESPONSIBLE OFFICER

Application Number: (For official use only)	
---	--

1. APPLICANT

.....
Surname First Middle Maiden

.....
Home Address

.....
Telephone No. TRN

.....
Present position with Employer

.....
Commenced employment on Day Month Year

2. EMPLOYER

.....
Name Telephone No.

.....
Address of office where Responsible Officer will be working.

3. PERSONAL DESCRIPTION OF RESPONSIBLE OFFICER

A. Date of Birth, Sex

.....
Place of Birth

.....
Height Weight Colour of eyes Colour of hair

FIRST SCHEDULE, contd.

APPLICATION FOR REGISTRATION OF RESPONSIBLE OFFICER

Citizenship ... If not a Jamaican citizen answer Question B below

Name of Spouse: ... Surname First Middle Maiden

Nature of spouse's employment in Jamaica ...

Name of Spouse's Employer: ...

B. Are you a permanent resident of Jamaica?

YES () NO ()

C. For how long have you been resident in Jamaica?

.....

D. Change of name

List name changes resulting from marriage, divorce, court order or any other process, giving appropriate dates.

Table with 3 columns: Previous name, Date changed, Reason

Have you ever carried on business under any name other than the name mentioned in Question 1 of this Form?

YES () NO ()

If YES, give details

.....

.....

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

E. Passport Information

In providing the information requested below, the Responsible Officer must also attach a copy of his passport certified by a Justice of the Peace or Notary Public.

Country	Place of issue	Date of issue	Number
---------	----------------	---------------	--------

F. Photograph

Attach hereto two copies of a colour passport-size photograph, full face, showing a true likeness of the Responsible Officer as the Responsible Officer now appears and taken within the last six months. The photographs must measure 2" x 2", and bear on the back the date on which they were taken and be certified by a Justice of the Peace or Notary Public.

4. EDUCATION

List below name of institutions attended and qualifications attained

School/Institution	Year attended	Qualifications
.....
.....
.....
.....

Attach original document or other certified document evidencing qualification,

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

5. EMPLOYMENT HISTORY

In answering questions 5 – 7 give full disclosure of your business activities, including any periods of self-employment and unemployment for 5 years immediately prior to the date of this application, excluding any summer employment while a full-time student, (but including all pension administration or investment management during and prior to the 5-year period). Attach letter, signed by the Responsible Officer's current or former employer, confirming the Responsible Officer's years of service in pension administration, investment management or related industry.

A. PRESENT EMPLOYMENT

Name of present employer

Address of present employer

Position of employment

Period of employment

Duties

B. PREVIOUS EMPLOYMENT

Name of previous employer

Address of previous employer

Position of employment

Period of employment

Reasons for leaving

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

C. SELF-EMPLOYMENT

Give details if any

.....
.....

D. Have you ever been discharged by any employer for dishonesty, negligence or incompetence?

YES () NO ()

If YES, explain

.....

6. RESIDENTIAL HISTORY

Give all home addresses for the past 5 years; include street, postal code and parish.

Current

.....20to 20

Street Postal Code Parish

Previous

.....20to 20

Street Postal Code Parish

7. REFERENCES

A. On an attachment provide three (3) names as references, excluding relatives and persons working with the Responsible Officer's employer. Include business address with postal code; telephone number and occupation.

B. Banks or other Financial institutions.

.....
Name of bank(s)/financial institution(s)

.....
Address(es)

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

8. PRIOR REGISTRATION OF RESPONSIBLE OFFICER

A. Are you now licensed or registered in any capacity under any law of Jamaica or any other country regulating pension administration, investment management or trusteeship.

YES () NO ()

If YES, give details.....

B. Have you been previously licensed or registered as mentioned in paragraph A?

YES () NO ()

If YES, give details and dates ...

C. Are you now a shareholder, director or officer of any company or a partner in partnership which is now licensed under any law regulating pension administration, investment management or trusteeship.

YES () NO ()

If YES, which company?.....

D. Are you now a shareholder, director or officer of any company or a partner in a partnership which has been previously licensed under any law regulating pension administration, investment management or trusteeship.

YES () NO ()

If Yes, which company and when?

.....

E. Have you ever been a shareholder, director or officer of any company or a partner in a partnership licensed as mentioned in C or D above?

YES () NO ()

If YES, which company and when?

.....

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

9. A. Are you registered under any law which requires registration to deal with the public in any capacity other than pension administration, investment management or trusteeship.

YES () NO ()

If YES, which company and when?

.....

- B. Have you ever applied for or obtained registration mentioned in paragraph A above?

YES () NO ()

If YES, when and in which country and under what law?

.....

QUESTIONS 10 – 15

In answering Questions 10-15 you may need assistance from a legal adviser. Full details are required as attachments in respect of any question to which the Responsible Officer answers "YES". These details must include the circumstances, relevant dates, names of the parties involved and final determination if known. Also disclose any convictions under all laws, excluding convictions under the Road Traffic Act, and any conviction in respect of which an absolute or conditional discharge has been granted. If a conviction has been expunged from the records pursuant to the Criminal Records (Rehabilitation of Offenders) Act, the appropriate response would be "NO".

10. REFUSAL, SUSPENSION OR CANCELLATION

- A. Have you ever been refused registration or has your registration been suspended or cancelled under any law regulating pension administration, investment management or trusteeship?

YES () NO ()

If YES, state in which country, under what law, and when.

.....

.....

.....

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

B. Are you now or have you ever been an officer or director of a company or a partner in a partnership –

- (i) which has been refused registration during the time of your association with it; or
- (ii) whose registration has been suspended or cancelled under any law regulating pension administration, investment management or trusteeship?

YES () NO ()

If YES, give details... ..
.....

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

11. OFFENCES

- A. Have you pleaded or been found guilty under any law of Jamaica or any other country of any offence involving dishonesty or impropriety relating to pension administration, investment management or trusteeship or options or the theft thereof or been a party in any proceedings taken on account of fraud arising out of any trade in or advice in respect thereof?

YES () NO ()

.....

- B. Have you ever been convicted of any criminal offence not mentioned in paragraph A?

YES () NO ()

.....

- C. Are you currently the subject of a charge or indictment under any law of Jamaica or any other country for contravention of any other law or for any conduct of the type described in paragraphs A and B?

.....

- D. Has a company of which you are or were at the time of the event an officer, director or holder of voting securities carrying more than 5% of the votes carried by all outstanding voting securities or any partnership of which you are or were at the time of the offence a partner, ever pleaded guilty or been found guilty under any law in Jamaica or any other country of offences or conduct of the type described in paragraphs A and B?

YES () NO ()

.....

- E. Is any such company or partnership mentioned in paragraph D currently the subject of a charge or indictment?

YES () NO ()

.....

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

12. CIVIL PROCEEDINGS

- A. Has any claim been successfully made in any civil matter before a court or other tribunal in Jamaica or any other country which was based in whole or part on fraud, theft, deceit or misrepresentation or similar conduct against –

(i) you

YES () NO ()

.....

(ii) any company of which you are or were at the time of the event or at the time that such proceedings were commenced an officer, a director or holder of voting securities carrying more than 5% of the votes carried by all outstanding voting securities?

YES () NO ()

.....

(iii) any partnership of which you were a partner at the time of the event or at the time such proceedings were commenced?

YES () NO ()

.....

- B To the best of your knowledge is any such claim pending against you or such company or partnership?

YES () NO ()

.....

13. BANKRUPTCY

- A. Have you or any company of which you are or were at the time of the event an officer, a director or holder of voting securities carrying more than a 5% of the votes carried by all outstanding voting securities; or

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

B. Have you or any partnership of which you are a partner under the laws of Jamaica or any other country -

(i) ever been declared bankrupt or made a voluntary assignment in bankruptcy?

YES () NO ()

.....

(ii) ever made a proposal relating to bankruptcy or insolvency?

YES () NO ()

.....

(iii) ever been subject to or instituted any proceedings, arrangement or compromise with creditors or had a receiver or manager, or both, appointed to hold your assets or the assets of the company or partnership?

YES () NO ()

.....

14. JUDGMENT OR ATTACHMENT

A. Has any judgment or attachment ever been rendered against you in any civil court in Jamaica or any other country in respect of damages or other relief for fraud or for any other reason?

YES () NO ()

.....

B. Is any judgment or attachment outstanding against you in any civil court in Jamaica or any other country for damages or other relief in respect of fraud for any reason whatsoever?

YES () NO ()

.....

15. SURETY BOND OR FIDELITY BOND

A. Have you ever applied for a surety bond or fidelity bond and been refused?

YES () NO ()

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

If YES, give particulars

.....

B. Are you presently bonded?

YES () NO ()

If YES, with whom and for how much?

.....

16. BUSINESS ACTIVITIES

A. Will you be actively engaged in the business of the Trustee, Administrator or Investment Manager and devote the major portion of your time thereto?

YES () NO ()

If NO, give details

.....

B. Are you engaged in any other business or have any other employment for gain except your occupation with the Trustee, Administrator or Investment Manager?

YES () NO ()

If YES, set out full details on an attachment including the name and address of the business, the nature of the business, your title or position and the amount of time you devote to the business.

C. Are you an officer, director, shareholder, partner or other contributor of capital or employee of a company having as its principal business that of a Trustee, Administrator or Investment Manager other than the firm with which you are now working?

YES () NO ()

If YES, give details

FIRST SCHEDULE, contd.

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

17. CERTIFICATE AND AGREEMENT OF APPLICANT

I ... who make application for registration hereby make oath and say-

- A. that I have read and understood the questions in this application as well as the answers made by me thereto and that the statements of fact made therein and the attachments thereto are to the best of my knowledge, information and belief, true and correct; and
- B. that I undertake to notify the Financial Services Commission in writing of any material change in the information provided in this application; and
- C. that I acknowledge and consent to the Commission obtaining information from any source as permitted by law in Jamaica or any other jurisdiction for the purpose of verifying information furnished in this application.

SWORN to before me at ...)

In the parish of...)
Signature of Applicant

This ... day of20)

Justice of the Peace or Notary Public)

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

APPLICATION FOR REGISTRATION OF
RESPONSIBLE OFFICER

FOR OFFICIAL USE ONLY

- 1) Registered Period
- 2) Date Application received
- 3) Number of Attachments
- 4) Identification Verification
- 5) Application Fee paid \$.....
- 6) Submitted to Commission on
- 7) Date Approved/Rejected
- 8) Terms and Conditions of Registration
 - (i).....
 - (ii).....
 - (iii).....
 - (iv)
- 9) Registration Fee \$.....
Date Paid.....
- 10) Certifying Officer.....
Chairman/Executive Director
- 11) Suspension or Cancellations.....
Action Taken.....
Effective Date.....
Reasons.....
.....
.....

FIRST SCHEDULE, *contd.*

FORM 6

FINANCIAL
SERVICES
COMMISSION

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006

CERTIFIED FINANCIAL RETURN - FSC 80
(SUPERANNUATION FUNDS & RETIREMENT SCHEMES)

FUND OR SCHEME IDENTIFICATION AND DETAILS		
<p>(a) Fund or Scheme Name</p> <p>(b) Type of Fund or Scheme</p> <p>(d) FSC Registration Number</p> <p>(f) Effective Date of Fund</p> <p>(h) Period Under Review From: (dd/mm/yyyy) To Year End Date: (dd/mm/yyyy) No. of Months: _____</p>	<p>(c) Status of the Fund or Scheme</p> <p>(e) S/A Registration Number</p> <p>(g) Name of Sponsor: _____ _____</p>	
AUDITORS' INFORMATION:		
<p>(a) Name of Engagement Partner</p> <p>(b) Firm</p> <p>(d) Mailing Address</p> <p>(f) Telephone</p> <p>(g) Fax</p> <p>(h) Email Address</p>		
<p>Name of the Administrator(s): (i) _____ (ii) _____</p> <p>Name of the Investment Manager(s): (i) _____ (ii) _____</p>		
Trustees:		
1	Name	Type
2		
3		
4		
5		
6		
7		
8		
9		
10		
<p>Contact person (responsible for the day-to-day management of the plan): Name: _____ Telephone No.: _____</p>		

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80.11 Statement of Net Assets
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THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd*

FSC Registration No.

Period Ending

STATEMENT OF CHANGES IN NET ASSETS

FSC 60.10

Ref. No. to Notes		Current Period J\$'000	Previous Period J\$'000
	INCREASE IN ASSETS	(01)	(02)
	Increase Due to Investments		
	Interest Income (009)		
	Realized & Unrealized Gains/(Losses) (010)		
	Foreign Exchange Gains/(Losses) (016)		
	Pooled Funds Increase/(Decrease) (017)		
	Others (018)		
	Total Increase Due to Investment Income (019)		
	Contributions		
	Members' Compulsory Contributions (020)		
	Members' Voluntary Contributions (021)		
	Sponsor Contributions - Ordinary (025)		
	Sponsor Contributions - Voluntary (026)		
	Sponsor Contributions - Special (027)		
	Total Contributions (029)		
	Transfers to the Fund/Scheme (039)		
	Other Sources of Increase (049)		
	TOTAL INCREASE IN ASSETS (059)		
	DECREASE IN ASSETS		
	Expenses		
	Investment Management Expenses (060)		
	Administrative Expenses (062)		
	Professional Fees (064)		
	Other Expenses (068)		
	Total Expenses (069)		
	Benefits and Transfers		
	Retirement Benefits		
	Lumpsum payments (070)		
	Pension Purchase (071)		
	Pension payouts from fund (072)		
	Termination Benefits		
	Lumpsum payments (075)		
	Death Benefits		
	Lumpsum payments (080)		
	Pension Purchase (081)		
	Pension payouts from fund (082)		
	Transfers to Approved Funds/Schemes (085)		
	Refunds to Sponsor (086)		
	Other Benefits and Transfers (087)		
	Total Benefits and Transfers (089)		
	Impairments Increase/(Decrease) (099)		
	Other Sources of Decrease (101)		
	TOTAL DECREASE IN ASSETS (119)		
	CHANGE IN NET ASSETS (129)		
	NET ASSETS AT START OF YEAR (159)		
	NET ASSETS AT YEAR END (199)		
	Rate of Return:	Gross %	
		Net %	

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE. *contd.*

FSC Registration No.		STATEMENT OF NET ASSETS FSC 65.11				Period Ending
Ref. No. to Notes			Current Period		Previous Period	
			Foreign ₹'000	Local ₹'000	Total ₹'000	
		(01)	(02)	(03)	(04)	
	Cash	(001)				
	Investments					
	Total Deposits	(011)				
	Commercial Paper	(020)				
	Total Securities of Governments	(030)				
	Total Repurchase Agreements	(040)				
	Total Bonds and Debentures	(050)				
	Total Mortgage Loans	(060)				
	Total Other Loans	(070)				
	Total Promissory Notes	(084)				
	Total Leases	(088)				
	Total Stocks and Shares	(090)				
	Total Real Estate	(109)				
	Total Investment Arrangements	(118)				
	Derivatives	(129)				
	Other Investments	(139)				
	Total Investments	(149)				
	Accounts Receivable					
	Members' Compulsory Contributions	(150)				
	Members' Voluntary Contributions	(152)				
	Sponsor Contributions-Ordinary	(158)				
	Sponsor Contributions-Voluntary	(157)				
	Sponsor Contributions-Special	(158)				
	Taxes	(164)				
	Receivables for Investments Sold	(165)				
	Investment Income Due and Accrued	(166)				
	Transfers Receivable	(167)				
	Other Amounts Receivable	(168)				
	Total Accounts Receivable	(169)				
	Other Assets	(179)				
	TOTAL ASSETS	(199)				
	LIABILITIES					
	Expenses Payable	(229)				
	Benefits Payable	(234)				
	Transfers Payable	(240)				
	Refunds Payable	(254)				
	Payable for Investments Purchased	(269)				
	Loans	(271)				
	Actuarial	(275)				
	Other Liabilities	(279)				
	TOTAL LIABILITIES	(289)				
	NET ASSETS AT PERIOD END	(299)				

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

FSC Registration No.		Period Ending	
STATEMENT OF INCOME FROM SECURITIES			
60.13			
(\$'000)			
Ref. No. to Notes		Current Period (01)	Previous Period (02)
	INTEREST INCOME FROM DEBT SECURITIES		
	Interest from Deposits (019)		
	Interest from Commercial Paper (029)		
	Interest from Securities of Governments (039)		
	Interest from Repurchase Agreements (049)		
	Interest from Bonds and Debentures (059)		
	Interest from Mortgage Loans (069)		
	Interest from Other Loans (079)		
	Interest from Promissory Notes (084)		
	Income from Leases (088)		
	Income From Other Debt Securities (090)		
	INTEREST INCOME FROM NON - DEBT SECURITIES		
	Income From Stocks & Shares (099)		
	Income From Real Estate (109)		
	Investment Arrangements Increase/(Decrease)		
	Interest (Deposit Administration Funds) ... (111)		
	Type I Pooled Funds (112)		
	Type II Pooled Funds (113)		
	Total Investment Arrangements (119)		
	Income from Derivative Activities (129)		
	Income from Other Investments (139)		
	Total Investment Income (150)		

FIRST SCHEDULE, *contd.*

FSC Registration No.		RELATED PARTY INVESTMENTS FSC 60.27				
Name of Individual, Company or Group (01)	No. of Members	Direct or Indirect (02)	Total (\$'000) (03)	Equity of Company (\$'000) (04)	% of Voting rights to shares held (05)	
	001					
	002					
	003					
	004					
	005					
	006					
	007					
	008					
	009					
	010					
	011					
	012					
	013					
	014					
	015					
	016					
	017					
	018					
	019					
	020					
Total	025					
Active Member Loans (Other than mortgages)	026					
	027					
	028					
	029					
	030					
	031					
	032					
Total	035					
Active Member Mortgages (To Directors and Senior Officers)	036					
	037					
	038					
	039					
	040					
Sub-total	045					
Aggregate of outstanding member mortgages	046					
TOTAL RELATED PARTY INVESTMENTS	050					

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, contd.

FSC Registration No.

Period Ending

INVESTMENT ARRANGEMENTS
FSC 60.40

DEPOSIT ADMINISTRATION FUNDS						
Line No.	Name	Beg. of Year Value \$'000	Net Contributions to the Fund/Scheme \$'000		End of Year	
					Total Interest Income \$'000	Total Value of Fund \$'000
	(01)	(02)	(03)		(05)	(06)
(001)						
(002)						
(003)						
(004)						
(005)						
(006)						
(007)						
(008)						
(009)						
(020)	TOTAL					

TYPE I POOLED FUNDS						
Line No.	Name	Beginning of Year Fund Value \$'000	Net Contributions to Fund/Scheme During Year \$'000	Number of Units/ Participation #	End of Year	
					Net Increase in Fund value Col. 6-(2+3) \$'000	Total Value of Fund \$'000
	(01)	(02)	(03)	(04)	(05)	(06)
(031)						
(032)						
(033)						
(034)						
(035)						
(036)						
(037)						
(038)						
(039)						
(050)	TOTAL					

TYPE II POOLED FUNDS						
Line No.	Name	Beginning of Year Fund Value \$'000	Net Contributions to Fund/Scheme During Year \$'000	Number of Units/ Participation #	End of Year	
					Net Increase in Fund value Col. 6-(2+3) \$'000	Total Value of Fund \$'000
	(01)	(02)	(03)	(04)	(05)	(06)
(061)						
(062)						
(063)						
(064)						
(065)						
(066)						
(067)						
(068)						
(070)	TOTAL					
(095)	GRAND TOTAL					

Financial Services Commission

FIRST SCHEDULE, *contd.*

FSC Registration No.

Period Ending

ALLOCATION OF FUNDS AMONG INVESTMENT MANAGERS

FSC 60.50

J\$'000

Name of Investment Manager (01)	Current Period (02)	Previous Period (03)
(001)		
(002)		
(003)		
(004)		
(005)		
(006)		
(007)		
(008)		
(009)		
Total	(010)	

FIRST SCHEDULE, *contd.*

FSC Registration No.

Period Ending

NOTES TO THE CERTIFIED FINANCIAL RETURN
FSC 60.71

**THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006**

FIRST SCHEDULE, contd.

FSC Registration No. _____

Period Ending _____

**INTERROGATORIES TO THE CERTIFIED FINANCIAL RETURN
FSC 60.80**

Where a question does not apply the response "N/A" should be provided. If the answer to any question is "Yes", written details respecting that question must be attached at the end of this report.

- (001) Does the Fund or Scheme have any material contingent liabilities or contractual obligations or other off-balance sheet liabilities that have not otherwise been disclosed? Yes No
- (002) Has the Fund or Scheme given a security interest in any of its assets, provided a guarantee or arranged for another entity to give a guarantee on its behalf? Yes No N/A
- (003) Has the Fund or Scheme granted any loans which has not been fully secured as required by the Investment Regulation? Yes No N/A
- (004) Are there any buildings or fixtures of the fund or scheme which are not insured? Yes No N/A
- (005) Are there any real properties used as collateral which are not located in Jamaica? Yes No N/A
- (006) Does the fund or scheme own non-income generating real property the value of which is more than 5% of the fair value of the fund/scheme's total assets? Yes No N/A
- (007) Were any pension adjustments made during the period T?
- No
- Yes In accordance with with constitutive documents
- Yes Voluntarily by the sponsor
- Yes Other (describe): _____
-
- (008) Pursuant to Regulation 17 of the Registration, Licensing and Reporting Regulations, were there any changes to the particulars in the application for registration of the fund/scheme which have not been filed with the Commission? Yes No N/A
- (009) Was the performance of any of the following persons found unsatisfactory during the period under review?
- (i) **the Administrator(s)** Yes No N/A
- (ii) **the Investment Manager(s)** Yes No N/A
- (iii) **other agents and advisors** Yes No N/A
- (010) Was a resolution passed during the period under review to fully or partially wind-up the superannuation fund or retirement scheme?
- No
- Yes Effective date of winding-up: | / / |
dd mm yyyy
- (011) Did a material change occur during the period under review? Yes No
- (012) Were there any proposed amendments to the fund/scheme's constitutive documents which were not submitted to the Commission for approval? Yes No
- (013) Were there any proposed amendments not disclosed to members? Yes No N/A

FIRST SCHEDULE, *contd.*

FSC Registration No.

End of Period

INTERROGATORIES TO THE CERTIFIED FINANCIAL RETURN
FSC 30.90.1

Where a question does not apply the response "N/A" should be provided. If the answer to questions 13 to 18 is "Yes", written details respecting that question must be attached at the end of this return.

(14)

(a) Was the Statement of Investment Policies and Principles (SIPP) reviewed?

Yes No

(b) Was the Statement of Investment Policies and Principles (SIPP) changed during the period under review?

Yes No

(c) What was the date of the most recent SIPP?

dd mm yyyy

(15)

Were all plan investments made during the period under review compliant with the SIPP?

Yes No

(16)

For the category of members specified below was each member provided with the following information during the period under review?

CATEGORY	INFORMATION
(i) Active Members - Deferred vested member (as required)	Benefit Statement
(ii) New Members - Retirement Scheme	Information Folder
(iii) Members whose status changed	Benefit Statement
(iv) Participants on request	Annual Report
(v) New Members	Handbook

		Yes	No
		(201)	(202)
(i)			
(ii)			
(iii)			
(iv)			
(v)			

(17)

Have there been any additions to or deletions from the list of sponsors participating in the superannuation fund/retirement scheme during the period under review?

Yes
No

(18)

Respecting any foreign investments held by the Fund/Scheme please provide details of relevant jurisdictions below:

(19)

(a) How many trustee meetings were held during the period under review?

(b) What is the date of the last trustee meeting that was held (dd/mm/yyyy)?

| / / |
dd mm yyyy

(20)

What is the date of the last actuarial valuation done for the fund (dd/mm/yyyy)?

| / / |
dd mm yyyy

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

FSC Registration No.

Period Ending

AUDITORS' REPORT
FSC 60.81

FIRST SCHEDULE, *contd.*

FSC Registration No.

Period Ending

CERTIFICATION
FSC 60.82

Under the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004 and associated regulations, we hereby certify to the best of our knowledge and belief that the foregoing information in schedules 60.10 through to 60.80.1 of the CFR is true and accurate for _____ Superannuation Fund/ Retirement Scheme for the year ended _____

TRUSTEE

Signature
Name
Title/Position
Date

TRUSTEE

Signature
Name
Title/Position
Date

TRUSTEE

Signature
Name
Title/Position
Date

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

FINANCIAL
SERVICES
COMMISSION

FORM 7

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006

FUND STATUS REPORT - FSC 45

INVESTMENT MANAGER IDENTIFICATION AND DETAILS	
(a)	Name of Investment Manager:
(b)	FSC Licence No.:
(c)	End of Period:
(d)	Period Under Review
	From:
	To:
	No. of Months:

	Responsible Officer:
(d)	Name: FSC No.:
(e)	Telephone No.:
(f)	E-mail:

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- 45.10 Funds/Schemes Under Management
45.15 Investment Portfolio Mix
45.20 Type I Pooled Funds Portfolio Mix
45.30 Interrogatories for Investment Managers
45.30.1 Interrogatories for Investment Managers (cont'd)
45.40 Responsible Officer's Certification

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

FSC Licence No.

End of Period

FUNDS/SCHEMES UNDER MANAGEMENT
FSC 45.10

	Superannuation Fund/ Retirement Scheme Name (01)	FSC Registration Number (02)	Type of Fund/Scheme (03)	Fund/ Scheme Status (04)	Fund/Scheme Value as at Current Period \$ (05)	Previous period \$ (06)
(001)						
(002)						
(003)						
(004)						
(005)						
(006)						
(007)						
(008)						
(009)						
(010)						
(011)						
(012)						
(013)						
(014)						
(015)						
(016)						
(017)						
(018)						
(019)						
(020)						
(021)						
(022)						
(023)						
(024)						
(025)						
(026)						
(027)						
(028)						
(029)						
(030)						
(031)						
(032)						
(033)						
(034)						
(035)						
(036)						
(037)						
(038)						
(039)						
(040)						
	TOTALS					

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

FSC Licence No.		INVESTMENT PORTFOLIO MIA						Period Ending
		FSC 45.13						
Ref. No. to Notes			Current Period			Previous Period		
			J\$'000	% of Total Investments	% Foreign Securities	J\$'000	% of Total Investments	% Foreign Securities
			(01)	(02)	(03)	(04)	(05)	(06)
	Deposits	(019)						
	Commercial Paper	(029)						
	Securities of Governments	(039)						
	Repurchase Agreements	(049)						
	Bonds and Debentures	(059)						
	Mortgage Loans	(069)						
	Other Loans	(079)						
	Promissory Notes	(084)						
	Leases	(090)						
	Stocks and Shares	(099)						
	Real Estate	(109)						
	Investment Arrangements	(119)						
	Derivatives	(129)						
	Other Investments	(139)						
	TOTAL INVESTMENTS	(149)						

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, contd.

Period Ending _____

TYPE 1 POOLED FUNDS PORTFOLIO MIX
FRC 43.36

Ref. No. & Notes	Current Period			Previous Period		
	AT066 (61)	% of Total Investments (62)	% Foreign Securities (63)	AT066 (64)	% of Total Investments (65)	% Foreign Securities (66)
(010)						
(020)						
(030)						
(040)						
(050)						
(060)						
(070)						
(080)						
(090)						
(100)						
(110)						
(120)						
(130)						
(140)						

POOLED FUND NAME:

Deposits
Commercial Paper
Securities of Governments
Repurchase Agreements
Bonds and Debentures
Mortgage Loans
Other Loans
Preferential Shares
Loans
Stocks and Shares
Real Estate
Derivatives
Other Investments
TOTAL INVESTMENTS

**THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006**

FIRST SCHEDULE, *contd.*

FSC Licence No.:

End of Period

**INTERROGATORIES FOR INVESTMENT MANAGERS
FSC 45.30**

(001) Has there been any change in the corporate structure of the investment manager? Yes No

If yes, give details and attach revised corporate organizational chart.

(002) Pursuant to Regulation 17 of the Registration, Licensing and Reporting Regulations, were there any changes to the particulars contained in the application for registration of the fund/scheme which have not been filed with the Commission? Yes No

If yes, please provide details

(003) Have there been any changes to the list of covered persons as submitted at registration? Yes No

If yes, please provide details

	Name	Position	Number of Shares held	Percentage of shares
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

(004) Please answer the following questions, respecting Type I Pooled Funds:

(i) Are there any Type 1 Pooled Funds under management which holds assets for a superannuation fund or retirement scheme which is not approved by the FSC? Yes No

(ii) Are there any Type 1 Pooled Funds under management holding investments or securities that would be deemed ineligible or prohibited for an approved superannuation fund or retirement scheme? Yes No

(iii) Are there any Type 1 Pooled Funds under management which is a party to or engaged in a transaction prohibited for an approved superannuation fund or retirement scheme? Yes No

FIRST SCHEDULE, *contd.*

FSC Licence No.	End of Period
-----------------	---------------

RESPONSIBLE OFFICER'S
CERTIFICATION
FSC 45.40

I hereby certify that, to the best of my knowledge and belief, the information contained in this form.

(a) is true, correct and complete,

(b) complies with the provisions of the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004 and regulations thereunder.

RESPONSIBLE OFFICER

Signature :

Name :

Title/Position :

Date :

FIRST SCHEDULE, *contd.*

FINANCIAL
SERVICES
COMMISSION

FORM B

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(Registration, Licensing and Reporting) Regulations, 2006

ADMINISTRATOR'S RETURN - FSC 50

ADMINISTRATOR IDENTIFICATION AND DETAILS	
(a)	Name of Administrator:
(b)	FSC Licence No.:
(c)	End of Period:
(d)	Period Under Review
	From:
	To:
	No. of Months:

Responsible Officer:	
(d)	Name: FSC No.:
(e)	Telephone No.:
(f)	E-mail:

CONTENTS

- 50.10 Fund/Scheme Information
- 50.20 Interrogatories for Administrators
- 50.30 Responsible Officer's Certification

FIRST SCHEDULE, contd.

_____ FSC Licence No. _____

_____ End of Period _____

**INTERROGATORIES FOR ADMINISTRATORS
FSC 50.20**

(If the answer to any question is "yes", written details respecting that question must be attached to this report)

(001) Has there been any change in corporate structure? Yes No

(002) Pursuant to Regulation 17 of the Registration, Licensing and Reporting Regulations, were there any changes to the particulars contained in the application for registration of the fund/scheme which have not been filed with the Commission? No

(003) Are there adequate systems and controls in place:

(i) to ensure that members' benefits are being determined in accordance with the Trust Deed, Plan Rules and other constitutive documents of the funds/schemes? Yes No

(ii) to identify, monitor and manage risk, in all its forms, for pension plans? Yes No

(iii) to obtain, update, maintain and secure members' records? Yes No

(iv) to supply accurate and complete data and reports to the trustees, actuary or auditor of the various funds/schemes in sufficient time to enable them to comply with the requirements of the fund/scheme? Yes No

(004) Describe the process undertaken in arriving at the opinions expressed in (003).

(005) For the category of members specified below was any of the information detailed below not provided to the trustees within the prescribed time for the period under review?

CATEGORY	INFORMATION	Yes No	
		(001)	(002)
(i) Active Members; Deferred vested members (on request)	Benefit Statement	<input type="checkbox"/>	<input type="checkbox"/>
(ii) New Members (Retirement Scheme only)	Information Folder	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Members whose status changed	Benefit Statement	<input type="checkbox"/>	<input type="checkbox"/>
(iv) Participants on request	Annual Report	<input type="checkbox"/>	<input type="checkbox"/>
(v) New Members	Handbook	<input type="checkbox"/>	<input type="checkbox"/>

(006) Have there been any changes to the list of covered persons as submitted at registration?

If yes, please provide details in the format below:

Name	Position	Number of Shares Held	Percentage of Shares

(007) In the portfolio of plans which is administered by you, are there any superannuation funds or retirement schemes which have not applied or will not be applying for registration pursuant to the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004? Yes No

If yes, please attach details inclusive of the name, status and the type of fund or scheme.

*THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006*

FIRST SCHEDULE, *contd.*

FSC Licence No.

End of period

**RESPONSIBLE OFFICER'S
CERTIFICATION
FSC 50.30**

I hereby certify that, to the best of my knowledge and belief, the information entered in this form:

- (a) is true, correct and complete,
- (b) complies with the provisions of the Pensions (Superannuation Funds and Schemes) Act, 2004 and Regulations thereunder.

RESPONSIBLE OFFICER

Signature :

Name :

Title/Position :

Date :

FIRST SCHEDULE, *contd.*

FORM 9



THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT
SCHEMES) ACT, 2004

*The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006*

Licence – Administrator

No. of Licence

This licence authorizes
ofin the Parish
ofto carry on business as an administrator in
accordance with The Pensions (Superannuation Funds and Retirement Schemes) Act
2004 and Regulations made thereunder.

This licence is not transferable.

The responsible officer for the Administrator is:

Dated thisday of20.....

.....
Chairman, Financial Services Commission

Financial Services Commission

FSC-P-9-LA

THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006

FIRST SCHEDULE, *contd.*

FORM 10



THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

*The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006*

Licence – Investment Manager

No. of Licence.....

This licence authorizes

ofin the Parish

ofto carry on business as an investment

manager in accordance with The Pensions (Superannuation Funds and Retirement Schemes) Act 2004 and Regulations made thereunder.

This licence is not transferable.

The responsible officer for the Investment Manager is:

Dated thisday of20.....

.....
Chairman, Financial Services Commission

Financial Services Commission

FSC-P-10-LIM

FIRST SCHEDULE, *contd.*

FORM 11



THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT
SCHEMES) ACT, 2004

*The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006*

**Certificate of Registration – Approved
Superannuation Fund**

Certificate of Registration No.....

Date of Certificate.....

This is to certify that.....

(Name of Superannuation Fund)

has been approved and registered as a superannuation fund by the Financial Services
Commission.

The registered trustees of the approved superannuation fund are:-

The sponsor(s) participating in the approved superannuation fund is/are:-

Dated thisday of20.....

.....
Chairman, Financial Services Commission

Financial Services Commission

FSC-P-11-CSF

FIRST SCHEDULE, *contd.*

FORM 12



THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT
SCHEMES) ACT, 2004

*The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006*

Certificate of Registration – Retirement Scheme

Certificate of Registration No.....

Date of Certificate.....

This is to certify that.....

(Name of Retirement Scheme)

has been approved and registered as a retirement scheme by the Financial Services Commission.

The registered trustees of the retirement scheme are:-

The sponsor(s) of the retirement scheme is/are:-

Dated thisday of20....

.....
Chairman, Financial Services Commission

Financial Services Commission

FSC-P-12-CRS

FIRST SCHEDULE, *contd.*

FORM 13



THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT
SCHEMES) ACT, 2004

*The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006*

Certificate of Registration – Trustee

Certificate of Registration No.....

Date of Certificate.....

This is to certify that.....
(Name of Trustee)

has been registered as a trustee of
(Name of Approved Superannuation Fund or
Approved Retirement Scheme)

Dated this day of 20.....

.....
Chairman, Financial Services Commission

Financial Services Commission

FSC-P-13-CT

FIRST SCHEDULE, *contd*

FORM 14



THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES) ACT, 2004

*The Pensions (Superannuation Funds and Retirement Schemes)
(Registration, Licensing and Reporting) Regulations, 2006*

Certificate of Registration – Responsible Officer

Certificate of Registration No.....

Date of Certificate.....

This is to certify that.....
(Name of Responsible Officer)

has been registered as a Responsible Officer of
(Name of Corporate Trustee, Administrator or Investment Manager)

Dated thisday of20.....

.....
Chairman, Financial Services Commission

Financial Services Commission

FSC-P-14-CRO

SECOND SCHEDULE

(Regulation 4)

The constitutive documents of a superannuation fund or retirement scheme shall provide for the following matters:

1. Name of fund/scheme.
2. Objects of fund/scheme for which it was established.
3. Effective date of fund/scheme.
4. Anniversary/Accounting date of the fund/scheme.
5. Composition of trustees: size and attributes (Sponsor, member nominated and pensioner) and organization (e.g. chairman, secretary, committees).
6. Appointment (nomination and election) and removal/resignation of trustees; the arrangement for filling vacancies.
7. Appointment of Chairman of participant's meetings.
8. Decision making – Board and committees.
9. Procedure at meetings.
10. Trustees' responsibility for the general management of the fund/scheme.
11. Name assets should be held in and custodian arrangements.
12. Mechanism for the payment of expenses and debts.
13. Investments—types to be made and allocation of investment earnings.
14. Method by which Constitutive Documents can be amended and the scope of the amendments.
15. Participants' meetings and the matters to be submitted thereto.
16. Duties and powers of trustees which should include—
 - (a) power to make decisions;
 - (b) power to make amendments to the Constitutive Documents;
 - (c) power to set agenda for meetings;
 - (d) power to set and amend policies and procedures;
 - (e) power to appoint, employ and remove agents and advisors;
 - (f) power to delegate functions to an agent;
 - (g) power to remunerate for services rendered to fund/scheme;
 - (h) power to take advice from advisors on relevant issues;
 - (i) power to make investments;
 - (j) power to collect and invest contributions;
 - (k) power to pay benefits and expenses of the fund/scheme;
 - (l) power to distribute assets in the event of the fund/scheme being fully or partially wound up;
 - (m) power to increase pension benefits by class of pensioner/beneficiary;
 - (n) duty to monitor and review the financial, actuarial, administrative position of the fund/scheme;
 - (o) duty to monitor, review and supervise the performance of the fund/scheme agents/advisors as far as is prudent and reasonable.
 - (p) duty to keep, maintain and safeguard (through backups etc.) documents and records;

*THE PENSIONS (SUPERANNUATION FUNDS AND RETIREMENT SCHEMES)
(REGISTRATION, LICENSING AND REPORTING) REGULATIONS, 2006*

SECOND SCHEDULE, *contd.*

- (*q*) duty to keep accurate accounts;
 - (*r*) duty to disclose and provide information to members and the Commission;
 - (*s*) duty to invest assets of the fund/scheme in a prudent manner;
 - (*t*) duty to receive and record all income earned from the assets of the pension plan; and
 - (*u*) Duty to ensure any tax due or which has to be deducted from benefits or other amounts paid are reported to the Taxpayer Audit & Assessment Department.
17. Duties of the Sponsor, which include their agreement—
- (*a*) to provide and maintain information needed so that trustees, their agents and advisors can effectively carry out their duties;
 - (*b*) to remit, in respect of a defined benefit plan, the sponsor's ordinary contributions in the amount as recommended by the actuary and in accordance with the time frame which shall be specified in the Constitutive Documents;
 - (*c*) to remit, in respect of a defined benefit plan, the sponsor's special contributions for the amortization of unfunded liabilities or solvency deficiencies in the amount and frequency as recommended by the actuary but which shall not be less frequently than quarterly;
 - (*d*) To remit, in respect of a defined contribution plan, the sponsor's ordinary contributions in accordance with the time frame which shall be specified in the Constitutive Documents, and which shall be congruent with the Act and the regulations; and
 - (*e*) Deduct members' contributions and pay them over to the Investment Manager within the time prescribed.
18. Conditions of membership and eligibility rules.
19. Vesting criteria.
20. Contributions: the method of calculating ordinary contributions by the Sponsor(s) and active members, the frequency and date of payment of such contributions.
21. Retirement date(s) and age.
22. Benefits and rights that are to accrue upon termination of employment, termination of membership, retirement, death, disability, transfer method of determining benefits payable.
23. Actuarial valuations.
24. Method of allocating gains and losses.
25. Absence from service, rejoining service and secondment.
26. Portability of benefits and transfer values—method of receiving or transferring a member's accrued benefits from or to another fund/scheme.
27. Forms of pension (default and optional).
28. Method of annuitization.
29. Pension increases.

SECOND SCHEDULE, *contd.*

30. Full termination/winding up of the fund/scheme—circumstances in which the fund/scheme can be wound-up and the method by which the surplus is to be allocated consequent on such winding-up.
 31. Partial termination of the fund/scheme.
 32. The treatment of surplus during the existence of the fund/scheme or on partial winding up; and
 33. Particulars of any predecessor funds/schemes under which members may be entitled to benefits.
- The Constitutive Documents of fund/scheme may also address the following—

- (a) Closure of fund/scheme to new members;
- (b) Sale, bankruptcy, liquidation of Sponsor(s);
- (c) Amalgamation, reconstruction of Sponsor(s); and
- (d) Consolidation and separation of funds or schemes.

THIRD SCHEDULE

(Regulation 2)

An information folder shall include the following information—

- (a) a description of a scheme's operation;
- (b) the fees and deductions for taxes management and other expenses and shall highlight changes made during the plan year;
- (c) the scope and limitation of investments of the scheme indicating the intended composition of the portfolio of the scheme according to the class of investments;
- (d) a description of the application of earnings of the scheme and an explanation of risks; and
- (e) a statement setting out the list and respective values of the categories of assets and securities in the scheme over the previous five plan years and the rates of return earned on a time-weighted basis for each year and the cumulative five year period.

FOURTH SCHEDULE

(Regulation 3)

TABLE OF FEES

SERVICE	FEE AMOUNT		
<u>LICENSING</u>			
Investment Manager (determined by assets as at December 31, immediately prior to renewal date)	0.10% of assets payable annually		
<u>APPLICATION</u>			
	Within 3 months of Commencement* (both dates inclusive)	4 to 6 months of Commencement* (both dates inclusive)	Thereafter
1. Registration—Trustees per Superannuation Fund or Retirement Scheme	\$2,500	\$2,500	\$5,000
2. Licensing— Administrator or Investment Manager	\$6,250	\$12,500	\$25,000
3. Registration— Superannuation Fund or Retirement Scheme	\$15,000	\$15,000	\$30,000
4. Registration— Responsible officer	\$2,500	\$2,500	\$5,000
<u>OTHER</u>			
1. Each amendment to Registration & Licensing Information	\$2,000		
2. Each copy of Certificate of Registration or Licence	\$1,000		

*Commencement means the date on which the Regulations come into operation.