THE OFFICIAL GAZETTE 15TH OCTOBER, 2009 LEGAL SUPPLEMENT — B

GUYANA

No. 5 of 2009

REGULATIONS

Made Under

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (No. 20 of 2009)

IN THE EXERCISE OF THE POWERS CONFERRED UPON THE BANK BY SECTION 18 OF THE MONEY TRANSFER AGENCIES (LICENSING) ACT, I MAKE THE FOLLOWING REGULATIONS:-

ARRANGEMENT OF REGULATIONS

- 1. Citation.
- 2. Interpretation.
- 3. Application for grant of licence.
- 4. Licence.
- 5. Application for renewal of licence.
- 6 Application for change of licensed premises.
- 7. Application for registration as money transfer agent.
- 8. Certificate of registration.
- 9. Application for renewal of certificate of registration:
- 10. Premises where money transfer agent will operate.
- 11. Display of exchange rates and applicable charges.
- 12. Keeping accounts and other records.
- 13. Returns.

derpretation

- 1. These Regulations may be cited as the Money Transfer Agencies (Licensing) Regulations 2009.
- In these Regulations, "Form" means a form set out in the Schedule.

Application for grant of licence. Form 1

- 3.(1) An application for the grant of a licence under section 3 of the Act shall be made in Form 1.
- (2) An application for a licence shall be accompanied by a fee of five thousands dollars.

Licence. Form 2

- 4. (1) A licence granted under section 4 of the Act shall be in Form 2.
- (2) A fee of five hundred thousand dollars shall be paid for the grant of a licence.

Application for renewal of licence.
Form 3

- 5.(1) An application under section 5 of the Act for the renewal of a licence shall be in Form 3.
- (2) An application for renewal of a licence shall be accompanied by a fee of five thousand dollars.
- (3) A fee of five hundred thousand dollars shall be paid for the renewal of a licence.

Application for change of licensed premises. Form 4

- 6. (1) An application under section 6(2) of the Act to move the licensed agency to premises other than the premises, specified in the licence, shall be in Form 4.
- (2) An application for the change of licensed premises shall be accompanied by a fee of five thousand dollars.

Application for registration as money transferagent.
Form 5

- 7. (1) An application for registration as a money transfer agent under section 8 of the Act shall be made in Form 5.
- (2) An application for registration as a money transfer agent shall be accompanied by a fee of five thousand dollars.

Certificate of registration.

- 8.(1) A certificate of registration granted under section 8(3) of the Act shall be in Form 6.
- (2) A fee of twenty five thousand dollars shall be paid for the grant of a certificate of registration.
- (3) Every certificate of registration shall be subject to the provisions of the Act and these Regulations and any conditions specified in the certificate of registration.

Application for renewal of certificate of registration

- 9.(1) An application under section 9 of the Act for the renewal of a certificate of registration shall be in Form 7.
- (2) A fee of twenty five thousand dollars shall be paid for the renewal of a certificate of registration.

Premises where money transfer agent will operate. Form 8

- 10. (1) Where a money transfer agent is desirous of operating from premises other than the premises specified in the certificate of registration issued under section 8 of the Act he shall make an application to the Bank for its prior approval.
- (2) An application under this regulation shall be in Form 8.
- (3) An application to change the premises from which a money transfer agent will operate shall be accompanied by a fee of five thousand dollars.

Display of exchange rates and applicable charges. Form 9

11. The exchange rates and applicable charges required to be displayed in accordance with section 12 of the Act shall be in Form 9.

Keeping of accounts and other records

- 12. (1) All licensees and money transfer agents shall in accordance with section 14 of the Act keep and preserve for a period of five years after the termination of the business transaction so recorded
 - a) a record of each transaction and copies of related identification data;
 - b) a general ledger, posted at least once per month containing all assets, liabilities, capital, income and expenses accounts;
 - c) bank statements and bank reconciliation records; and

- d) any other record determined by the Bank.
- (2) All licensees shall keep and preserve a list of the names and addresses of all money transfer agents and all settlement sheets received from its money transfer agents for a period of five years after the termination of the business transactions so recorded.
- (3) Books, accounts and other records required to be maintained under sub-regulation (1) shall be maintained in a form that is readily accessible.

Returns. Forms 10 and 11.

- 13. A licensee shall submit to the Bank the following reports on the operation of its money transfer business-
 - a) within three days of the end of each calendar week the particulars set out in Form10; and
 - b) within seven days of the end of each calendar month the particulars as set out in Form 11.

The Governor Bank of Guyana

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SCHEDULE

FORMS

FORM 1

APPLICATION FOR LICENCE TO CONDUCT MONEY TRANSFER BUSINESS

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (No. 20 of 2009)

Georgetown 1. 1..... the undersigned, hereby apply for a licence to conduct money transfer business in Guyana. If applicant is an individual: 2. (i) Name and Address of applicant (a) Name Address Nationality, Occupation and National Identification Card Number of the (b) applicant Nationality Occupation I. D. No.

THE OFFICIAL GAZETTE [Legal Supplement] — B 15th OCTOBER, 2009

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 State particulars of how the applicant proposes to finance the business (own funds, borrowed funds, others specify)
님이 집 모으면 이번 중 점점화하면 된 바람들은 맛이 없었다.
7. Provide name(s) and address (es) of agent(s) if any, who will carry out business on the applicant's behalf.
Names Addresses
그는 그들은 그 이 없는 이 그렇게 하는 하는 하는 것을 보았다.
8. Certification and Undertaking
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I, certify that all information contained in and accompanying this form is complete and accurate to the best of my knowledge and belief.
I also undertake to notify the Bank of Guyana forthwith of any material change in the particulars of this application.
(Signature) (Designation)
(Date)

Sworn to at Georgetown, Demerara,

This

day of

Before Me A COMMISSIONER OF OATHS TO AFFIDAVITS

Notes:

- 1. Completed form is to be submitted to the Governor, Bank of Guyana. No section of the form should be left blank. Place "Not Applicable" or "None" as the case may be. If the space provided is not adequate, the required information may be annexed. Reference shall be made in the pertinent section of the form by placing the words "Refer to Annex -----
- 2. This application shall be accompanied by;
 - A copy of the Certificate of Incorporation / the latest renewal of Business Registration.
 - ii. Latest Guyana Revenue Authority Tax Compliance certificate and Tax Identification Number.
 - iii. National Insurance Scheme Compliance.
 - iv. Recent Police Clearance of the Directors or Principal Officers.
 - v. Two letters of character reference certified and duly notarized from individuals other than relatives who have personally known the undersigned for at least three years.
 - vi. A statement from the Applicant's banker, duly notarized, setting out the performance of past and present accounts.

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SCHEDULE

FORMS

FORM 1

APPLICATION FOR LICENCE TO CONDUCT MONEY TRANSFER BUSINESS

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (No. 20 of 2009)

The Governo Bank of Guy Georgetown	ana ana			
	ansfer business in Guya		apply for a licence to conduc	τ
2. (i) If	f applicant is an indiv	idual:	*	
(a)	Name and Address o	of applicant		
	Name		Address	
			cc c 1Nanta Fal	
(b)	Nationality, Occupa applicant	tion and National Ident	tification <u>Card Number</u> of th	
Nationality	Occupa	ntion	I. D. No.	• •

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(ii)	If applicant	is a partnership/ fi	rm:	
. (a)	Names and a	ddresses of partners		
		Names			Addresses
			····	· · · · · · · · · · · · · · · · · · ·	
. ((b)	Nationality,	Occupation and Na	ional Identi	fication Card Numbers.
Natio	onali	ty	Occupat	ion	I.D. No.
:	 (iii)		is a company or o	ther body e	orporate:
(a)		e and Address	s of its registered	or principa	l office and place and date of
Name			Address	Place an	d Date of Incorporation
(b)		corporation ou orized agent in		nme, Nation	ality and Address of duly
Name			Nationality		Address

5.	State reason(s) why applicant wants to operate as a licensed agency.

6.	6. State particulars of how the applicar borrowed funds, others specify)	nt proposes to finance the business (own funds,
7.	7. Provide name(s) and address (es) of the applicant's behalf.	agent(s) if any, who will carry out business on
	Names	Addresses
8.	3. Certification and Undertaking	
I, thi	, certify that his form is complete and accurate to the	t all information contained in and accompanying best of my knowledge and belief.
I a	also undertake to notify the Bank of Goarticulars of this application.	uyana forthwith of any material change in the
	(Signature)	(Designation)
		(Date)

Sworn to at Georgetown, Demerara,

This

day of

Before Me A COMMISSIONER OF OATHS TO AFFIDAVITS

Notes:

- 1. Completed form is to be submitted to the Governor, Bank of Guyana. No section of the form should be left blank. Place "Not Applicable" or "None" as the case may be. If the space provided is not adequate, the required information may be annexed. Reference shall be made in the pertinent section of the form by placing the words "Refer to Annex -----"
- 2. This application shall be accompanied by;
 - A copy of the Certificate of Incorporation / the latest renewal of Business Registration.
 - ii. Latest Guyana Revenue Authority Tax Compliance certificate and Tax Identification Number.
 - iii. National Insurance Scheme Compliance.
 - iv. Recent Police Clearance of the Directors or Principal Officers.
 - v. Two letters of character reference certified and duly notarized from individuals other than relatives who have personally known the undersigned for at least three years.
 - vi. A statement from the Applicant's banker, duly notarized, setting out the performance of past and present accounts.

- vii. A business plan detailing the current money transfer activities if any of the applicant and /or its proposed activities for which the licence is sought. Particulars of its financing management structure, internal controls, subsidiary or affiliate relationships should be set out.
- viii. Certified statement of assets and liabilities, if any, of the applicant and or its proposed activities for which the licence is sought.

 Particulars of its financing management structure, internal controls, subsidiary or affiliate relationships should be set out.
 - ix. An application fee.

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Form 2

CO-OPERATIVE REPUBLIC OF GUYANA

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (N0.20 of 2009)



LICENCE TO CARRY ON THE BUSINESS OF MONEY TRANSFER LICENCE No:

TO:

whose registered address is at

, Guyana, is hereby granted a licence under section 4 of the Money Transfer Agencies (Licensing) Act 2009
(No. 20 of 2009), to carry on in Guyana the business of money transfer for the period 1st January to 31st December, subject to the licensee complying with all the laws and conditions relating to the conduct of the said business.

Dated the day of

Governor Bank of Guyana

reg.5

Form 3

APPLICATION FOR RENEWAL OF LICENCE

MONEY TRANSFER AGENCIES (LICENSING ACT 2009 (No. 20 of 2009)

	Name	Address	
2.	Number and approval date of the lic Licence Number	Date	4
3.	the date/dates on which the licence	oned licence was previously renewed and if so was renewed over the last five years.	
			•
		for the renewal of the licence was refused at	

4.	Address of the premises where the applicant business.	intends to carry on the licensed
5.	Name and Address of all Agents appointed to	o carry on business.
	certify that all inform owledge and belief.	ation provided is true to the best of
	er undertake to forthwith notify the Bank of a application.	ny material change in the particulars
	Signature of applicant	Designation
	. Date	
1.		
Sworn	to at Georgetown, Demerara,	
This	,,,,	

Before Me A COMMISSIONER OF OATHS TO AFFIDAVITS

Note: This Application shall be accompanied by the relevant fee.

1. Applicant's full name and address.

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Form 4

APPLICATION FOR APPROVAL TO MOVE LICENSED AGENCY TO PREMISES OTHER THAN PREMISES SPECIFIED IN LICENCE MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (No. 20 0f 2009)

	Name Address
2.	Number and date of current licence granted to the applicant
3.	Date on which the licence was last renewed, if the licence was renewed.
4.	Address of the premises at which the licenced business is being carried on.
5.	New address of the premises to which applicant desires to move the licensed business.

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		x x
ignature of Applicant((s)	Designation

The Governor

Form 5

APPLICATION FOR CERTIFICATE OF REGISTRATION FOR AGENT TO CONDUCT MONEY TRANSFER BUSINESS

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (No.20 of 2009)

Bank of Guyana Georgetown 1. I, the undersigned, hereby apply to be registered as a money transfer agent in Guyana. If applicant is an individual: 2. (i) a. Name and Address of applicant Name Address Nationality, Occupation and National Identification Card Number of the applicant Nationality Occupation I. D. No.

(ii)	If applicant is a par	tnership/ firm:		
(a)	Names and addresses	of partners		
	Names		Addresses	
1.				
(b)	Nationality, Occupat	ion and National Ide	entification Card Numbers	
Nationalit	y	Occupation	I.D. No.	
(iii)	If applicant is a com	npany or other bod	y corporate:	
(a)	Name and Address of Incorporation	of its registered or p	principal office and place	and date
Name	Addres	ss Place	and Date of Incorporation	on
(b)	If incorporation outs		ne, Nationality and Addres	ss of
Name	N	ationality	Address	

funds, borrowed funds, others s	
7. Certification and Undertaking	
	t the above information contained in and accurate to the best of my knowledge and
I also undertake to forthwith notify the particulars of this application.	Bank of Guyana of any material change in the
(Signature)	(Designation)
(Da	te)
Sworn to at Georgetown, Demerara,	
Thisday of	
	Before Me
A COMMISSIONE	R OF OATHS TO AFFIDAVITS

Notes:

1. Completed form is to be submitted to the Governor, Bank of Guyana. No section of the form should be left blank. Place "Not Applicable" or "None" as the case may be. If the space provided is not adequate, the required information may be annexed. Reference shall be made in the pertinent section of the form by placing the words "Refer to Annex -----"

- 2. This application shall be accompanied by;
- (a) A copy of the Certificate of Incorporation / the latest renewal of Business Registration.
- (b) Latest Guyana Revenue Authority Tax Compliance certificate and Tax Identification Number.
- (c) National Insurance Scheme Compliance.
- (d) Recent Police Clearance of the Directors and Principal Officers
- (e) Two letters of character reference duly notarized from individuals other than relatives who have personally known the undersigned for at least three years.
- (f) A statement from the Applicant's banker, duly notarized, setting out the performance of past and present accounts.
- (g) A business plan detailing the current money transfer activities, if any of the applicant and or its proposed activities for which the certificate of registration is sought. Particulars of its financing, management structure, internal controls, subsidiary or affiliate relationships should be set out.
- (h) Certified copies of statement of assets and liabilities, if any, of the applicant.
- (i) A copy of the written agreement between the Licensee and the proposed money transfer agent.
- (j) An application fee.

Form 6

CO-OPERATIVE REPUBLIC OF GUYANA

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (N0.20 of 2009)



CERTIFICATE OF REGISTRATION TO CONDUCT BUSINESS AS A MONEY TRANSFER AGENT ON BEHALF OF A LICENSEE

CERTIFICATE No:

TO:

whose registered address is at

Guyana, is hereby granted a certificate of registration under section 8 of the Money Transfer Agencies (Licensing) Act 2009 (No.20 of 2009), to carry on in Guyana the business of money transfer as a money transfer agent on behalf of licensee ------who holds Licence No. ------ for the period 1st January to 31st December, subject to the money transfer agent complying with all the laws and conditions relating to the conduct of the said business.

Dated the day of

Governor Bank of Guyana

Form 7

negation and the

APPLICATION FOR RENEWAL OF CERTIFICATE OF REGISTRATION

MONEY TRANSFER AGENCIES (LICENSING ACT 2009 (No. 20 of 2009)

Name	Address	
Number and approval date of	the certificate sought to be renewed.	••••
Certificate Number	Date	
to the same of the contract of		
		sed
	Number and approval date of Certificate Number (a) State whether the above-so, the date/dates on which the	Number and approval date of the certificate sought to be renewed. Certificate Number Date (a) State whether the above-mentioned certificate was previously renewed as so, the date/dates on which the certificate was renewed over the last five years.

Date	
Signature of applicant	Designation
I further undertake to forthwith notify the Bar of this application.	nk of any material change in the particulars
5. I certify that all is knowledge and belief. I further undertake to forthwith notify the Po	
Certification and Undertaking	
4. Address of the premises where the ap business.	plicant intends to carry on the registered

Note: This Application must be accompanied by the relevant fee.

Form 8

APPLICATION FOR APPROVAL TO CHANGE PREMISES FROM WHICH MONEY TRANSFER AGENT WILL OPERATE.

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (No. 20 of 2009)

1.	Applicant's full name and address.	
	Name	Address
2.	Number and date of current certificate of registratio	n granted to the applicant.
3.	Date on which the certificate of registration was last registration was renewed.	t renewed, if the certificate of
4.	Address of the premises at which the registered bus	iness is being carried on.
5,	New address of the premises to which applicant des business.	sires to move the registered

Signature of Applicant	Designation

Note: This Application must be accompanied by the relevant fee.

Form 9

EXCHANGE RATES AND APPLICABLE CHARGES

MONEY TRANSFER AGENCIES (LICENSING) ACT 2009 (No. 20 of 2009)

Name of Licensee/Agent:	
Name of Electised/rigers.	
Current Date:	

Inbound Transactions	Exchange Rate	Charges			
US\$					
GBP					
EURO					
CDN\$					
Other					
BD\$					
TT\$					
EC\$	•				
J\$					
Other					

Outbound Transactions	Exchange Rate	Charges
US\$		
GBP		
EURO		
CDN\$		
Other		
BD\$		
TT\$		
EC\$		
J\$		
Other		

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FORM 10 Weekly Report On Money Transfer Transactions Money Transfer Agencies (Licensing) Act 2009

		17.					G	BP	
	INBOUND OUTBOUND			INBOUND		OUTBOUND.			
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Form 11

MONTHLY SURVEY ON MONEY TRANSFER AGENCIES IN GUYANA MONEY TRANSFER AGENCIES (LICENSING) ACT 2009

Balance of Payments Transactions	No. of Transactions	7	Value	(0
INBOUND				
Travel and Tourism				
Remittances				
USA				20)
ÜK	Telminer teritery			The state of
Canada				
Europe	Grand Cart			
Caribbean				
Other				
Acqusition of Assets				
Other	SIVIES (SPANSE)			
				arau (578-a
TOTAL		Spatial Control		-
OUTBOUND				
Travel and Tourism				
Remittances				-
USA		and the		
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Europe				1 2 1
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Other		<u> </u>		
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Other				1020
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Made this 15th day of October, 2009

L.T. Williams Governor Bank of Guyana