

Application form

for an insurer with a branch¹ in the Caribbean Netherlands (Section 2:1(1)(b) of the BES Financial Markets Act (Wet financiële markten BES – Wfm BES).

DeNederlandscheBank

EUROSYSTEEM

De Nederlandsche Bank (DNB) will record the data submitted on the application form in a personal data processing system within the meaning of the Personal Data Protection Act (*Wet bescherming persoonsgegevens* - *Wbp*) or the Personal Data Protection (BES) Act (*Wet bescherming persoonsgegevens BES*) – *Wbp BES*). Our personal data processing system has been registered with the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens* – *Dutch DPA*). The registration form is available for inspection at our offices.

DNB will exercise due care in handling your data. We may exchange your data with third parties only if this is permitted by law, e.g. with supervisory and criminal justice authorities in the Netherlands or abroad.

You are responsible for informing us promptly of any change in circumstances that would cause you to answer the questions below differently.

Please indicate on the form which documents you have enclosed by ticking the relevant boxes.

1 General information within the meaning of Section 2:2 of the Financial Markets (BES) Decree (*Besluit financiële markten BES* – *Bfm BES*):

A) Branch details

Name of insurer	
Address of insurer	
Postal address of insurer	
Public body ²	<input type="checkbox"/> Bonaire <input type="checkbox"/> Sint Eustatius <input type="checkbox"/> Saba
Telephone number	
Email address	
Website	

B) Head office details

Legally registered name	
Trade name	
Registered office	<input type="checkbox"/> Curaçao <input type="checkbox"/> Sint Maarten <input type="checkbox"/> Other (please specify)
Registered address	
Postal address	
Telephone number	
Email address	
Website	

¹ Branch: part of a financial enterprise without legal personality permanently established outside the state of the credit institution's registered office.

² Please tick as applicable

Chamber of Commerce extract

☐ Attached as Annex A

Authenticated copy of the Articles of Association

☐ Attached as Annex B

Statement from the supervisory authority of the state of the insurer's registered office³ showing that the insurer is authorised to perform the activities subject to licence as referred to in Section 3:2 of the *Wfm BES*.

Statement of supervisory authority

☐ Attached as Annex C

Does the insurer have branches in other countries?

☐ No

☐ Yes (please specify):

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Name of branch

Business address

Notes

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Name of branch

Business address

Notes

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³ Registered office; location of the insurer's registered office in accordance to its articles of association showing that the insurer is authorised to perform the activities subject to licence as referred to in Section 3:2 of the *Wfm BES*.

2 Nature of insurance business (Section 1:1 of the Wfm BES)

Please tick as applicable

☐ **Life insurance;**

☐ **Non-life insurance, including statement of branches as referred to in Section 4:26 of the Wfm BES**

- ☐ i. Accident and health
- ☐ ii. Motor vehicles*
- ☐ iii. Marine, transport and aviation
- ☐ iv. Fire & other property damage
- ☐ v. Other non-life insurance.
- ☐ Indication of any additional risks insured
(Section 4:26(3) of the Wfm BES)

** Note: Pursuant to Section 4:32 of the Wfm BES, an insurer offering insurance to cover third-party liability arising from the use of motor vehicles must comply with the requirements set out in the BES Motor Vehicle Liability Insurance Act (Wet aansprakelijkheidsverzekering motorrijtuigen BES) with regard to the conditions of insurance.*

☐ **Benefits-in-kind funeral insurance**

** Pursuant to Section 4:25 of the Wfm BES it is prohibited to combine life and non-life insurance activities in a single legal entity.*

Did the insurer conduct business activities in the past in the Netherlands or in the former Netherlands Antilles?

- ☐ No
☐ Yes (please explain):

Do you use the services of agents or intermediaries?

- ☐ No
☐ Yes (please explain):

3 Requirements for branches (Section 2:17 of the Bfm BES in conjunction with Section 2:1(2) of the BES Financial Markets Regulation 2012 (*Regeling financiële markten BES 2012 – Rfm BES*))

Will the sum of gross premiums received by the branch in the most recently completed financial year be less than USD 35 million?

- ☐ Yes
- ☐ If no, what is the amount of the gross premiums to be received?

Will the insurer's branch office focus exclusively or primarily on residents or enterprises with registered offices in the BES area, Curaçao or Sint Maarten?

- ☐ Yes (please explain):

- ☐ No (please explain):

4 Integrity and fitness (Sections 3:4 and 3:5 of the *Wfm BES*)

Integrity and fitness of day-to-day policymakers (Sections 3:4 and 3:5 of the *Wfm BES*)

Every day-to-day policymaker of an insurer must complete the Integrity and Fitness assessment questionnaire and submit it together with the enclosures specified in the questionnaire, such as a CV and a copy of their passport.

The policymakers are:

Full name:

Date of birth

Number of Integrity and Fitness
assessment questionnaires enclosed

☐ Attached as Annex D1

Co-policymakers (information as referred to in Section 3:4 of the *Wfm BES* in conjunction with Sections 3:1 to 3:3 of the *Bfm BES*)

Every co-policymaker of a credit institution must complete the Integrity and Fitness assessment questionnaire and submit it together with the enclosures specified in the questionnaire, such as a CV and a copy of their passport. This equally applies to Supervisory Board members, other persons charged with internal supervision and persons with substantial influence on policy or decision-making regarding the long-term strategy of the financial enterprise.

The co-policymakers are:

Full name:

Date of birth

Number of assessment questionnaires
enclosed

☐ Attached as Annex D2

5 The programme of operations the insurer intends to conduct in the BES area (Section 2:2(f) of the *Bfm BES*)

☐ Life insurance;

A life insurer's programme of operations must include the information referred to in Section 2:5 of the *Bfm BES*

The programme of operations _____ ☐ Attached as Annex E1

☐ Non-life insurance;

A non-life insurer's programme of operations must include the information referred to in Section 2:6 of the *Bfm BES*

The programme of operations _____ ☐ Attached as Annex E1

☐ Benefits-in-kind funeral insurance;

A benefits-in-kind funeral insurer's programme of operations must include the information referred to in Section 2:5 of the *Bfm BES*

The programme of operations _____ ☐ Attached as Annex E1

6 The corporate structure of the group of which the insurer belongs

If the insurer is part of a larger entity, provide the name and address of the parent company here

Name

Address

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Trade Register registration number and location of Trade Register for the parent company

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Names of the directors of the parent company

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7 Sound and ethical operational management (Sections 3:8 and 3:9 of the *Wfm BES* and Sections 3 and 4 of the *Bfm BES*)

The insurer must have an adequate policy in place to ensure sound and ethical operational management and structure its operations appropriately. The insurer must submit the following documentation:

A.

A current procedures manual in accordance with the requirements of Sections 3 and 4 of the *Bfm BES* with respect to the description of the administrative organisation and internal controls. The manual must in any case address the following areas: integrity awareness in corporate culture, compliance officer, customer acceptance, compliance with the Sanctions Act, reporting suspected transactions with respect to terrorist financing and sanctions legislation, incidents procedure, procedure for preventing conflicts of interests and risk management.

☐ Attached as Annex F1

B.

An up-to-date business plan, addressing in any case the following areas:

- the insurer's mission and objectives;
- SWOT analysis;
- number of locations on each island and address details;
- deployment of local partners and operating procedure;
- A projected transaction volume (broken down into Send and Receive transactions) per public body;
- financial projections for the next three years and the annual financial statements.

☐ Attached as Annex F2

C.

An overview of where the relevant requirements of the *Wfm BES* and the *Bfm BES* can be found, i.e. in which procedure and on which page of the procedures manual.

☐ Attached as Annex F3

8 Outsourcing to third parties (Section 3:13 of the *Wfm BES* and Sections 6 of the *Bfm BES*)

If the insurer outsources activities to third parties, it must ensure that these parties comply with the *Wfm BES* regulations applying to the outsourcing enterprise in carrying out the activities.

Does the insurer outsource work to third parties:

☐ No

☐ Yes (please explain):

Copy of the outsourcing agreement:

☐ Attached as Annex G

9 Transparent control structure (Section 3:10 of the Wfm BES)

An up-to-date organisation chart, with explanations as needed, of the group to which the insurer belongs, showing:

- a) any and all legal entities, partnerships and natural persons to which the insurer is linked in a economic and/or organisational group; and
- b) the control structure, including relative controlling powers, both within the insurer and within the group to which the insurer belongs.

☐ Attached as Annex H

Indicate whether the formal structure corresponds to the actual structure.

☐ No

☐ Yes (please explain):

10 Other

Contact person

Name of contact

Position

Address

Telephone

Email address

Signing by authorised signatory or signatories

I/we, the undersigned, declare that I/we, have taken notice of the aforementioned information about the processing of personal data in accordance with the provisions of the Wbp and the Wbp BES and of the obligation to notify any changes in the answers to the questions in this form.

I/we, the undersigned, declare that I/we have filled in this form and any appendices completely and truthfully.

Date

Place

Name

Position

Signature

Date

Place

Name

Position

Signature

Please send the completed and signed form in hardcopy, with all te requested annexes, to:

De Nederlandsche Bank N.V.
Expert Centre on Market Access
Postbus 98
1000 AB AMSTERDAM

And/or by email as a PDF file to markttoegang@dnb.nl.

If you have any questions, please contact DNB's Information Desk by e-mail at info@dnb.nl