



Investor AML

Version 1.0

Driving
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1. Guidance

1.1 Due Diligence Guidance

Introduction

Apex operates in a regulated environment and anti-money laundering legislation requires us to verify the identity of a client, their residential address, source of funds and source of wealth, as appropriate. Anti-money laundering legislation is designed to make it difficult for criminals to access financial systems thereby preventing money laundering, the financing of terrorism and combating fraud. Further information may also be requested on review, if additional funds/assets are invested / settled, if third party facilities are required or if there are any changes to the ownership or control of the structure. Should you encounter any difficulty in providing any documents or supporting information please contact us as soon as possible.

Enhanced measures

Apex must apply enhanced measures to investors who present the following factors:

1. Investors who are not resident in the Bailiwick of Guernsey
2. An Investor which is a Personal Asset Holding vehicle
3. An Investor which uses nominee shareholders

Source of funds, income and wealth

Apex must take reasonable steps to establish the source of funds for all applicants for business when entering into a new relationship or carrying out a one-off transaction.

Identification and verification of individuals non-face to face

Apex must apply an effective client identification procedures for all relationships. Where identity is verified remotely through documentary evidence, adequate measures will be taken to compensate for any risk associated with not having met the individuals concerned or having sight of the original supporting documentation.

Suitable certifiers and the certification procedure

We can accept photocopies of original documents provided the copies are good quality, certified by a suitable certifier, who has seen the original documents. For identity verification documents, the certifier has to have met the individual face-to-face and checked that the photograph represents a good likeness of the individual. Suitable certifiers include:

- A practicing lawyer, notary public, accountant or company secretary who is a member of a recognised professional body; or
- A director, company secretary or manager of a financial services of a business regulated in an appendix C jurisdiction.
- Certified documents must include the statement "True copy of the original" and the certifier must:
 - (a) Sign and date the document with their name (printed in capitals underneath); and
 - (b) Indicate their position or capacity on it and provide their contact details.
 - (c) If a photo is included that it is a true likeness.

Example Certification for photo I

D:I certify this is a true copy of the original. The photograph is a true likeness of the individual, whom I have met.

Signature:.....
 Name:.....
 Position/Capacity:.....
 Date:.....
 Address:.....
 Contact details:.....

Example Certification for verification of address:

I certify this is a true copy of the original document that I have seen.

Signature:.....
 Name:.....
 Position/Capacity:.....
 Date:.....
 Address:.....
 Contact details:.....

1.2 Trust Due Diligence Guidance

Identification information required for a trust applicant

- Name of trust.
- Date and country of establishment.
- Official identification number.
- Identification information of trustees or other persons controlling or having power to direct the activities of the applicant in line with the guidance for individuals and companies.
- Mailing addresses of trustees (or controlling persons).
- Identification information of any persons whose wishes the trustees may be expected to take into account.
- Identification information of any other parties including the protectors and enforcers.
- Identification information of any persons purporting to act on behalf of the trustees.
- Where the trust/company is a personal asset holding vehicle, please advise why the entity was established

and provide copies of relevant tax and legal structuring advice received.

- Where the trust/company uses nominee shareholders, please provide an explanation as to their use and supporting tax/legal advice.
- Identification information of any person by whom binding obligations may be imposed on the applicant in line with the guidance for individuals and companies.
- Identification information of settlors (or other person making the arrangement).
- Identification information of known beneficiaries from the terms of the trust instrument or who can be identified as having a reasonable expectation to benefit from the trust capital and/or income.
- Extract of the appropriate parts of the trust deed to satisfy – name, date and country of establishment and legal status of the applicant for business - to ensure appointment of the trustee and nature of its duties.
- Names of Beneficiaries an date of birth. If in receipt of benefit their passport and recent utility bill

- A completed Trust Questionnaire is required.
- The trustees or other persons controlling or having power to direct the activities of the applicant.
- Any persons whose wishes the trustees may be expected to take into account.
- Any other parties including the protectors and enforcers.
- Any persons purporting to act on behalf of the trustees. (A copy of the resolution of the board of the
- Trustee that provides any individuals representing the trustee with the right to act on the trustee's behalf.) Any persons by whom binding obligations may be imposed on the applicant.
- The settlors (or other person making the arrangement) i.e. the initial/economic settlors and any persons subsequently settling funds into the trust.
- Beneficiaries at the time they come to benefit from the trust.

1.3 Corporate Due Diligence Guidance

Identification information required for a corporate applicant

- Name of entity and trading names.
- Date and country of incorporation/ registration.
- Official identification number.
- Whether listed, where, and which exchange.
- Principal place of business/operations.
- Identification and verification information on the underlying principals i.e. persons exercising control over the management of the company and all persons having power to direct the activities of the company. This will include directors and account signatories.

- Identification information of any persons purporting to act on behalf of the company or by whom binding obligations may be imposed on the company. This will include persons holding powers of attorney.
- Obtain identification and verification information on the beneficial owners i.e. any individual who ultimately owns or controls the customer, or on whose behalf a transaction or activity is being conducted. For companies not listed on a recognized stock exchange, this includes (but is not restricted to) any natural person who ultimately owns or controls (whether directly or indirectly) 25% or more of the shares or voting rights in the company. For all companies this includes any individual who otherwise exercises control over the management of the company,

for example, persons who may hold less than 10% of the shares or voting rights but who nevertheless hold or exercise a controlling interest.

Acceptable means of verifying the company

Items that verify, identify, address and legal status:

- Certified copy of the company's audited financial statements which may have been signed by the auditor and displays the company name, directors and registered address.

Item that verifies identity only:

- Certified copies of Certificate of Incorporation together with its Memorandum and Articles of Association (or equivalent).

Verifying associated persons, Apex must verify the identity of:

- Any person who ultimately owns or controls (whether directly or indirectly) 25% or more of the shares or voting rights in the company, but if the company formed is connected with the BVI the threshold is 10% or more.
- Any persons purporting to act on behalf of the company or by whom binding obligations may be imposed on the company.

- Any person who exercises effective control of the company or over the management of the company. This includes persons with less than 10% of the shares or voting rights but who nevertheless hold a controlling interest.
- Any persons having power to direct the activities of the company. This includes directors and account signatories. Where there are numerous directors and/or signatories the number requiring verification will be determined by

the risk of the business as assessed by Apex as follows:

- Verifying the identity of signatories and, where different, directors of the applicant.
- A completed corporate Questionnaire is required.

1.4 Natural Persons Due Diligence Guidance

Identification information required for a natural person

- Legal name including any former names.
- Permanent residential address.
- Date and place of Birth.
- All Nationalities.
- Gender.
- Occupation and name of employer/ source of income/wealth.
- Details of any public or high profile positions held.

Verifying information obtained for a natural person

Identity

- Current valid passport bearing a photograph of the individual including any extension pages, or
- Current valid driving licence or national identity card bearing a photograph of the individual.
- Valid driving licence or national identity card only acceptable if the document confirms the individual's main nationality.

Residential address (Any one of the following:

(This must show your permanent residential address i.e. not a P.O. Box address)

- A recent mortgage statement or account statement from a recognized bank, building society or credit card company (it must be no more than 3 months old and not received electronically).
- Photographic driving licence or national identity card containing current address (if not used as identification).
- A recent rates, council tax or utility bill (it must be no more than 3 months old, not received electronically and not a mobile/cell telephone bill).
- Correspondence from an official independent source such as a central or local government or agency in an equivalent jurisdiction.

2. Due Diligence Questionnaire (Natural Person)

Personal Details

Title Mr / Mrs / Miss / Ms / Other	<input type="text"/>	Surname	<input type="text"/>
Forename(s)	<input type="text"/>		
Former name(s)	<input type="text"/>		
Reason for and date of name change(s)	<input type="text"/>		
Aliases (if any)	<input type="text"/>		
Date of Birth dd/mm/yyyy	<input type="text"/>	Place of Birth	<input type="text"/>
Residential Address (means physical address, not PO Box or C/o addresses)	<input type="text"/>		
	<input type="text"/>		
	<input type="text"/>		
Mailing Address (if different from above)	<input type="text"/>		
	<input type="text"/>		
	<input type="text"/>		
Telephone (home)	<input type="text"/>	Telephone (work)	<input type="text"/>
Telephone (mobile)	<input type="text"/>	Facsimile (work)	<input type="text"/>
E-mail address (home)	<input type="text"/>		
E-mail address (work)	<input type="text"/>		
Skype address	<input type="text"/>		
Preferred method of contact	<input type="text"/>		
Nationality	1.	<input type="text"/>	
(List all if more than one held)	2.	<input type="text"/>	
	3.	<input type="text"/>	
Countries of citizenship	1.	<input type="text"/>	
(List all if more than one held)	2.	<input type="text"/>	
	3.	<input type="text"/>	
Domicile	Current:	<input type="text"/>	At Birth: <input type="text"/>

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Occupation (or former occupation)

Employer or the name of your business and the nature of this business (name registered address and business address)

Details of any public or high-profile positions held

I hereby declare that I am a Politically Exposed Person / that I was a Politically Exposed Person/ that I have never been a Politically Exposed Person** ("PEP"). (Delete as appropriate)

Source of Wealth (this is an accumulation over a lifetime, single words like savings or investments are not acceptable) you may be asked to provide evidence of accumulated, wealth investment statements etc.

Source of Funds

A company shareholder, trust settlor and the ultimate client (the persons behind the structure) are required to provide details of their source of wealth which describes the activities that have generated the total net worth of their assets. Vanilla statements such as 'earnings', 'life savings', 'inheritance' or 'investments' are not acceptable. In most cases a statement confirming your principal employment, business activities or any inheritances will be sufficient and should include dates, addresses, relationships of parties involved and the geographical area of your activities. Source of funds describes the immediate source of monies being transferred, gifted or loaned into a structure. If assets are not remitted from a person or entity already identified, we are also required to establish their identity.

**Please note that a PEP includes an individual who is an immediate family member of such a person including, without limitation, a spouse, partner, parent, child, sibling, parent-in-law or grandchild of such a person and "partner" means a person who is considered held as being equivalent to a spouse; or a close associate of such a person, including, without limitation (i) a person who is widely known to maintain a close business relationship with such a person, or (ii) a person who is in a position to conduct substantial financial transactions on behalf of such a person.

If you are a non-Guernsey resident, please advise why you are investing in a Guernsey vehicle.

Signature Capacity

Date

Capacity

3. Due Diligence Questionnaire (Corporate)

This questionnaire should be completed and signed by an authorised representative of the company. Apex will accept information requested within this form in other formats e.g. share register. Please return any additional documents together with this form, indicating where you have provided additional or supplementary documents.

Company Information

Name of Company:

Date and Jurisdiction of Incorporation:

Incorporation and Company Number:

Registered Address:

Business Address

Mailing Address:

Amount of authorised share capital:

Please attach certified share register

Number and value of shares in issue:

Full names of all company directors:
Please attach certified register of directors

Note: Due Diligence Questionnaires and COD will be required for all directors and authorised signatures

Full names of shareholders holding directly or indirectly more than or equal to 10% of the issued shares or voting rights in the company.

Note: Due Diligence Questionnaires will be required for each shareholder with 10%+, and they must contain a Source of Wealth statement.

What are the activities of the company?

Note: Please comment on both company and group activities, company value, products, services, areas of operation, turnover, assets etc.

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What is the Source of Funds used to specifically finance the company?

Note: Source of funds explains the origins of the transfer of funds into the company and is not concerned with the Source of Wealth of the shareholder(s), this will be asked separately.

If you/your client is investing through a nominee holding, please advise why and provide copies of legal/tax advise

If you are investing through a Personal Asset Holding Vehicle, please advise why you are not investing as a beneficial owner holding the asset directly and provide copies of legal/tax advise

Company Information

Primary contact in

Please attach certified authorised signature history

Work / Home / Mobile

Phone: Work / Home

Email

I/We declare that I/we am/are certifying in my/our own name and the information provided in this form and any annexures are, to the best of my/our knowledge and belief, accurate and complete. I/We undertake to advise the recipient promptly and provide an updated Due Diligence Questionnaire form within 7 days where any change in circumstances occurs which causes any of the information contained in this form to be materially incorrect or inaccurate.

Signature Capacity

Date

Print name

Position

4. Due Diligence Questionnaire (Trust)

This questionnaire should be completed and signed by an authorised representative of the trust. Apex will accept information requested within this form in other formats e.g. trust deed. Please return any additional documents together with this form, indicating where you have provided additional or supplementary documents.

Trust Information

Name of the Trust

Please provide certified copy of trust deed

Date established

The type of Trust

(E.g. discretionary, life interest)

Full name(s) of the Settlor(s):

Note: Due Diligence Questionnaire(s) will be required and they must contain a Source of Wealth statement as defined in the attached guidance

Full name(s) of Trustee(s):

Note: Due Diligence Questionnaire will be required

Full name(s) of Protector(s) and/or Enforcer(s) (if applicable):

Note: Due Diligence Questionnaire(s) will be required

Full names and date of birth of all the Beneficiaries:

What are the activities of the Trust?

Note: Please comment on the Trust and any underlying companies and group structure - the activities undertaken, the values, services, areas of operation, turnover, assets etc

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What are the Source of Funds of the Trust?

Note: Source of funds explains the origins of funds into the trust

Please advise why you have chosen to invest through a trust structure and provide copies of relevant tax/legal advise

Where a Trust uses nominee arrangements, please advise why and provide relevant tax/legal advise

I/We declare that I/we am/are certifying in my/our own name and the information provided in this form and any annexures are, to the best of my/our knowledge and belief, accurate and complete. I/We undertake to advise the recipient promptly and provide an updated Due Diligence Questionnaire form within 7 days where any change in circumstances occurs which causes any of the information contained in this form to be materially incorrect or inaccurate.

Signature

Date

Print name

Position

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Abu Dhabi | Australia | Bahamas | Bahrain | Bermuda | Brazil | Bulgaria | Canada | Cayman | China | Cyprus | Denmark | Dubai | France | Germany | Gibraltar | Guernsey | Hong Kong | Hungary | India | Ireland | Isle of Man | Israel | Japan | Jersey | Luxembourg | Malta | Mauritius | New Zealand | Serbia | Singapore | South Africa | Spain | Sweden | Switzerland | The Netherlands | UK | Uruguay | USA