



FORWARD GROUP
Private Client | Corporate | Funds

GUIDANCE NOTE

CLIENT DUE DILIGENCE FOR COMPANIES

Introduction

When providing a service to a new corporate entity, Forward Group has a legal obligation to ensure that we understand who the ultimate individual or individuals that own and control the entity are. These individuals are our client/s.

When this involves a service to a corporate entity, we need to understand what connections there are to that entity, and what connections may exist with any other companies that sit between the client and the entities to whom we are providing services.

To meet these obligations, we obtain Client Due Diligence (“CDD”) documentation in accordance with this Guidance Note. We require this when we are transferring in an existing company, or for any parent companies where a new or existing company sits within a wider structure, in order to confirm that the client or ownership structure is as expected.

The requirement to obtain CDD on a company occurs when we are taking over an existing corporate structure from another service provider. It also applies when the structure we are taking on, or incorporating, sits beneath or within a larger group structure, and we need to be able to follow the ownership and control arrangements to our client/s and so will obtain company CDD on the entities forming part of that wider group.

Forward Group will also use the CDD provided on corporate entities to identify and verify that the ultimate beneficial owners and controllers of any structure to which we provide a service is as anticipated, and that any entities sitting between the entity to which we provide services and the owner, are not owned and/or controlled by some other party.

This Guidance Note explains what documentation is needed to satisfy our regulatory requirements and to ensure that those relationships are documented and evidenced in accordance with the law.

Provision of the below mentioned CDD allows us to identify, and subsequently verify, that the information provided is correct in relation to corporate entities as required by Jersey’s Anti-Money Laundering legislation. It is also required so that we can ensure that the beneficial ownership and control information provided to the Jersey Company Registry is correct and the administered companies themselves comply with the requirements of the law.

It is important to ensure that any changes to the overlying structure are communicated to us in a timely manner so that this information can be correctly maintained, and also that we are provided with the relevant CDD in respect of the overlying structure changes.



Information required

The following information must be obtained for a company being a parent or other parental companies within a wider ownership structure:

- Name of company.
- Any trading names.
- Date and country of incorporation/registration.
- Official identification number.
- Registered office address.
- Mailing address (if different).
- Principal place of business/operations (if different).
- Names of all persons having a senior management position. A senior management position means those who have and exercise strategic decision taking powers or who have and exercise executive control.

For a corporate entity for whom we are requested to provide a service, we do not need to verify the information as per below, but a CIF will still be required.

Verification of identity

To satisfy the requirements of Anti-Money Laundering legislation, the Trust Company Business Code of Practice and the Fund Services Business Code of Practice under which all regulated trust company / fund services businesses must act, it is not sufficient to only identify the company information stated above, but this information must then be checked to verify that it is correct.

To **verify the identity of a company** we must receive:

- The memorandum and articles of association (or equivalent) or a copy of such document certified by a suitable certifier.

Together with any **one** of the following:

- Certificate of incorporation (or other appropriate certificate of registration or licensing) or copy of such a certificate certified by a suitable certifier.
- Latest audited financial statements or a copy of such statements certified by a suitable certifier.

In addition, to **verify the beneficial owners and controllers** of a company the following will also be required:

- A structure chart showing the full structure or statement setting out each step in the structure to include details of ownership and control;
- Register of members or a copy of such register certified by a suitable certifier; and
- Register of directors or a copy of such register certified by a suitable certifier.

All documents must be in English or accompanied by a certified English translation.

CDD for individuals will also be required for all beneficial owners holding 10% or more of the company, or 5% or more for individuals being Politically Exposed Persons (“PEPs”), as well as CDD for all persons having a senior management position (directorships etc).

All persons identified as requiring to provide CDD should complete a [Personal Information Form](#) and also provide the individual CDD (generally proof or identify and address) as stated in our Certification Guidance Note (see below for link).



Certification requirements

All certified documents must be certified in line with the Forward Group certification requirements. Please see our [Guidance Note on Acceptable Certification](#) for details.

Complex structures

Where ownership or control of a client entity is a complex or has several layers, there may be acceptable circumstances where elements of the structure may be seen through; for instance, layers with the same 100% beneficial ownership and control.

Please contact us for specific guidance if you feel this applies to you or your structure.





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