

DECLARATION

We certify that all the information contained in and accompanying this form is complete and accurate to the best of our knowledge, information and belief, and that there are no other facts relevant to this application of which the BSS should be aware.

We undertake to inform the BSS of any material changes to the application that may arise while the BSS is considering the application. We undertake that, in the event that the institution is granted a license, we will notify the BSS of any material changes to, or affecting the completeness or accuracy of the answers to the questions above as soon as possible, but in any event no later than twenty one days from the day that the changes come to our attention.

Sworn this _____ day of _____ 20____

(1) Name. _____ Position held _____
Signature _____ Date _____

(2) Name. _____ Position held _____
Signature _____ Date _____

Deponent understands the contents of this affidavit.

Before me,

COMMISSIONER FOR OATHS



BANK OF SOUTH SUDAN (BSS)

(b) be free from any lien, charge, right of setoff, credit, or preference in connection with any claim against the foreign bank.

59. The capital equivalency deposit shall not be withdrawn without the approval of the BSS.

60. If a foreign bank maintains more than one branch in South Sudan, one capital equivalency deposit shall apply to all such branches on an aggregate basis. The foreign bank shall aggregate business transacted by all such branches in determining its compliance with capital-based limitations or restrictions. The branch described in section 54 shall maintain consolidated information so that the BSS can monitor compliance with such limitations and restrictions.

61. Each branch of a foreign bank operating in South Sudan shall maintain a capital equivalency account and keep records of the amount of liabilities requiring capital equivalency coverage in a manner and form prescribed by the BSS.

X. Representative Offices

62. A bank licensed in a foreign country that wishes to open a representative office in South Sudan shall submit a notification to that effect to the BSS at least 30 days prior to the proposed establishment of the representative office. The notification shall contain the following information and documents:

- (a) the name and address of the headquarters of the bank;
- (b) confirmation that the bank holds valid licence or equivalent authorisation in its home country;
- (c) current financial statements of the bank;
- (d) data relating to any enforcement measures or sanctions currently in effect, or taken with regard to the applicant bank by the competent authority in its home country, or any country in which it operates, within the past three years;
- (e) name and proposed address of the representative office;
- (f) proposed activities of the representative office;
- (g) names and business background of the proposed senior employees of the representative office;
- (h) authorisation of the person responsible for the activities and representation of the representative office; and
- (i) a certified statement from the applicant foreign bank confirming the bank's commitment to be responsible for all of the financial obligations resulting from the operation of the representative office.

63. The BSS will confirm to the bank the receipt of such a notification. The representative office may commence its activities only after the bank has received such confirmation from the BSS.

64. The BSS may refuse to permit the establishment of a representative office by a foreign bank in South Sudan if, in the judgment of the BSS, it would not be in the public interest to permit such establishment.

