

## 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)

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 The capital equivalency deposit shall not be withdrawn without the approval of the BSS.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



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65. A foreign bank that has received a confirmation from the BSS under section 63 must report the commencement of activities, the relocation, or closure of the representative office to the BSS within 10 days.

66. The BSS shall require a foreign bank to close its representative office in South Sudan if:

- (a) the foreign bank loses its licence to conduct banking operations in its home country; or
- (b) the representative office engages in activities not permitted for representative offices of banks.

67. Banks licensed in South Sudan must notify the BSS at least 10 days prior to opening a representative office outside of South Sudan.

Made under my hand on

This 19<sup>TH</sup> day of SEPT. 2012

Kornelio Koriom Mayik

Governor  
Bank of South Sudan



# PERSONAL DECLARATION FORM

*(For individuals who are, or are proposing to become directors, managers, or substantial shareholders of a bank)*

**Name and capacity of person making this declaration:**

1	Name of institution in connection with which this form is being filled ("the institution")
2	Full names of the person making this application
3	Former surname(s) and /or forenames by which you may have been known:
4	Please state the capacity under which you are completing this form, i.e. as a current or prospective director, or manager or any combination of these. Please state your full title and describe the particular duties and responsibilities attaching to the position(s) which you hold or will hold. If you are completing this form in the capacity of director, indicate whether, in your position as director, you have or will have executive responsibility for the management of the institution's business. In addition, please provide a copy of your curriculum vitae unless it is already provided.
5	Your date and place of birth:
6	Citizen of: <span style="float: right;">(country)</span>
	Since: <span style="float: right;">(year)</span>
6	Resident of: <span style="float: right;">(country)</span>
	Since: <span style="float: right;">(year)</span>
7	Present business address (in South Sudan since - year):
7	Present business address (outside South Sudan since - year):



12	<p>Bodies corporate (other than the institution) where you are now a director, officer, shareholder, or manager? Give relevant dates</p>
13	<p>Bodies corporate other than the institution and those listed above where you have been a director, shareholder, controller or manager at any time during the last three years. Give relevant dates</p>
14	<p>Have you, in South Sudan or elsewhere, been dismissed from any office or employment, or subjected to disciplinary proceedings by your employer or barred from entry to any profession or occupation? If so, give particulars:</p>
15	<p>Past and present business affiliations (direct and indirect):</p> <p>(i) Nature of Business -</p> <p>(ii) Nature of affiliation (i.e. director, officer, share holder with...% holdings specified etc.) -</p> <p>(iii) Period (month &amp; year) -</p> <p>a)</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>b)</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>c)</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>d)</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p>

16	<p>Do any of the above business affiliations maintain a business relationship with the institution? If so, give particulars.</p>
17	<p>Do you hold or have you ever held or applied for a license or equivalent authorisation to carry on any business activity in the South Sudan or any other country? If any such application was refused or withdrawn after it was made or any authorization was revoked, give particulars:</p>
18	<p>State whether the institution with which you are, or have been, associated as a director, officer, shareholder or manager holds, or has ever held or applied for a licence or equivalent authorisation to carry on any business activity? If so, give particulars. If any such application was refused, or was withdrawn after it was made or any licence revoked, give particulars.</p>
19	<p>State whether any of your past or current employer(s) or institution in which you were affiliated as shareholder, director, officer, etc has ever been under criminal investigation, placed under receivership or insolvent liquidation by any regulatory body or court of law.</p>
20	<p>Family group - State a full name and business affiliation (name of business and nature of affiliation i.e. director, officer, shareholder with...% holdings specified)</p>
	<p>Spouse:</p>
	<p>Children:</p>
	<p>Parents:</p>
<p>Brothers and sisters:</p>	



21	<p>Have you failed to satisfy any debt adjudged due and payable by you as a judgment debtor under an order of a court in South Sudan or elsewhere, or made any compromise arrangement with your creditors within the last three years? If so, give particulars</p>
22	<p>Have you been adjudicated bankrupt by a court in South Sudan or elsewhere, or has a bankruptcy petition ever been served on you? If so, give particulars</p>
23	<p>Have you, in connection with the formation or management of any body corporate, partnership or unincorporated institution, been adjudged by a court in South Sudan or elsewhere, civilly liable for any fraud, misfeasance or other misconduct by you towards such body or company or towards members thereof? If so, give particulars</p>
24	<p>Has any body corporate, partnership or unincorporated institution with which you are associated as a director, shareholder, controller or manager, in South Sudan or elsewhere, been wound up, made subject to an administrative order, otherwise made any compromise or arrangement with its creditors or ceased trading either while you were associated with it or within one year after you ceased to be associated with it or has anything analogous to any of these events occurred under the laws of any other jurisdiction? If so, give particulars</p>
25	<p>Have you been concerned with the management or conduct of affairs of any institution which, by reason of any matter relating to a time when you were so concerned, has been censured, warned as to future conduct, disciplined or publicly criticized by, or made the subject of a court order at the instigation of any regulatory authority in South Sudan or elsewhere? If so, give particulars.</p>
26	<p>In carrying out your duties will you be acting on the directions or instructions of any individual or institution? If so, give particulars.</p>



27	Do you, in your private capacity, or does any related party, undertake business with the institution? If so, give particulars.
28	How many shares in the institution are registered in your names or the names of a related party? If applicable, give name(s) in which registered and class of shares.
29	In how many shares in the institution (not being registered in your names or that of a related party) are you or any party beneficially interested?
30	Do you or does any related party, hold any shares in the institution as trustee or nominee? If so, give particulars.
31	Are any shares in the institution mentioned in answer to questions 27, 28, and 29 above equitably or legally charged or pledged to any party? If so, give particulars.
32	What proportion of the voting power, at any general meeting of the institution (or another body corporate of which it is a subsidiary) are you or any related party entitled to exercise or control the exercise of?