



Financial Services Regulatory Commission

The International Trust Act, 2007, No. 18 of 2007 [Section 17]

SCHEDULE 1

APPLICATION FOR ENTRY ON REGISTER OF INTERNATIONAL TRUSTS

Please forward completed form with any supporting material to:

Manager, IBCs & CMTSPs

Financial Services Regulatory Commission

P.O. Box 2674
St. John's, Antigua

Tel: (268)481-1170 • Fax: (268)463-0422
Email: registryandCMTSP@fsrc.gov.ag
Website: <http://www.fsrc.gov.ag>

SECTION I. INSTRUCTIONS FOR COMPLETING SCHEDULE 1: APPLICATION FOR ENTRY ON REGISTER OF INTERNATIONAL TRUST

1. This application must be submitted with all supporting documentation listed at the end of the form and a non-refundable application fee which will not be contingent on the approval of the application.
2. The form can be downloaded from our website in Adobe Acrobat format, with boxes that will expand to fit the text. Alternatively, the applicant can print the form and complete it with the use of a typewriter, or by using **black ink** and **BLOCK CAPITALS** or typescript for all responses.
3. Any information provided on additional sheets must be signed and dated.
4. Where there is a question which is not applicable, please write "N/A" beside the question.
5. All dates must be completed in the form: Day/Month/Year.
6. Questions left unanswered or do not disclose all information will affect the Commission's assessment, and may result in significant delays in processing.
7. The Commission's employees are available for consultation in the course of the preparation of this application and will try to give appropriate guidance where it is sought. However, in order that the role of the employees of the Commission is not misunderstood, the Commission wishes to emphasize: (1) *the preparation and submission of this application for a licence is the sole responsibility of the applicant; (2) the decision whether or not to issue a licence is the responsibility of the Commission; and (3) the Commission normally takes legal advice on questions of law that it is required to address and applicants for licences must similarly be prepared to seek legal advice on questions of law that they are required to adhere.*

SECTION II. REGISTRATION PROCESS

1. An international trust that specifies the laws of Antigua and Barbuda for any part of its administration must be registered on the Register of International Trusts.
2. An application for entry on the Register as an International Trust must be made to the Commission within forty-five days of the date on which the trust deed of settlement is executed by the Antigua and Barbuda trustee.
3. **DOMICILE OF SETTLOR AND BENEFICIARY**
Neither the settlor nor the beneficiaries of an international trust shall be domiciliaries of Antigua and Barbuda.
4. **DOMICILE OF TRUSTEE**
At least one of the trustees of an international trust shall at all times be a domiciliary of Antigua and Barbuda.
5. **GOVERNING LAW OF INTERNATIONAL TRUST**
The governing law of the trust shall be the law of Antigua and Barbuda unless the trust deed of settlement specifies the law of a different jurisdiction.

Where the law of Antigua and Barbuda is the governing law of the trust, the trust shall be subject to the exclusive and continuing jurisdiction of the High Court of Antigua and Barbuda, which is the exclusive forum for the adjudication of all disputes relating to the administration of the trust.

Where the governing law of a foreign trust is changed to the law of Antigua and Barbuda, the trustee is required to make

SCHEDULE 1: APPLICATION FOR ENTRY ON REGISTER OF INTERNATIONAL TRUST

an application for entry on the Register as an international trust to the Commission within forty-five days of the date on which the amendment was made to provide for the law of Antigua and Barbuda to be the governing law of the trust.

6. TRUSTEE NOT TO BE BENEFICIARY

A trustee may not be a beneficiary of the trust for which he or she is the trustee.

7. SETTLOR AS TRUSTEE OR PROTECTOR OF AN INTERNATIONAL TRUST

A settlor shall not serve as trustee or protector of the trust which he or she settled.

8. TRANSLATIONS

Every document filed with the Commission that is not in English shall be accompanied by an English translation certified as true and correct by a translator, to the satisfaction of the Commission.

9. If the trustee fails to submit an application for entry on the Register of International Trusts within the forty-five day period, the trustee may, on application made in accordance with Schedule 3, and payment of the prescribed extension fee, request an extension of time to register. The Commission may extend the registration period for an additional forty-five days, if satisfied that there are sufficient grounds for the delay in registration.

10. A Certificate of Registration issued in accordance with this application will be valid and effective for a period of one (1) year from the date of registration as specified on the Certificate and shall be renewable in accordance with section 18 of the International Trust Act, 2007, No. 18 of 2007.

1. Date of Application:

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SECTION III. LICENSEE'S INFORMATION

2. Name of the institution licensed by the Commission to provide trust services:

Name:			
Address:			
Date Initial Licence Issued:		Licence Number:	
Contact Person:		Telephone Number:	
E-mail Address:		Fax Number:	

SECTION IV. TRUST'S DETAILS

3. Name of Trust:

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4. Select the type of trust being registered:

<input type="checkbox"/> Charitable	<input type="checkbox"/> Non-charitable	<input type="checkbox"/> No Purpose	<input type="checkbox"/> Other	
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5. The trust is a re-domiciled foreign trust:

<input type="checkbox"/> Yes (details provided on Schedule 2)	<input type="checkbox"/> No
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6. Select the governing law of the international trust:

<input type="checkbox"/> Antigua and Barbuda	<input type="checkbox"/> Other	
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7. Date of Execution by Settlor:

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8. Input the Number of Trustees (a minimum of 1 trustee and a maximum of 4 trustees are allowed):

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SECTION V. ANTIGUA AND BARBUDA TRUSTEE'S DETAILS

9. Name and Address of Antigua and Barbuda Trustee and Registered Office:

Trustee 1/(Registered Office):			
Address:			
Contact Name:		Contact Number:	
Date of Execution of Trust:		E-mail Address:	
Website address, if any:			
Trustee Name 2:			
Address:			
Contact Name:		Contact Number:	
Date of Execution of Trust:		E-mail Address:	

SECTION VI. NON-RESIDENT TRUSTEE'S DETAILS

10. Name and Address of All Non-Resident Trustees:

Trustee Name 3:			
Address:		Date of Execution of Trust:	
Trustee Name 4:			
Address:		Date of Execution of Trust:	

SECTION VII. PROTECTOR'S DETAILS

11. Name, Address and date of All Protectors:

Protector's Name (1):			
Address:		Effective Date:	
Protector's Name (2):			
Address:		Effective Date:	

SECTION VIII. DECLARATION

DECLARATION: This declaration must be signed by the applicant

The applicant hereby declares that all the information provided in this application and any other document provided in support of this application is true and correct. The applicant further undertakes to inform the Commission without delay of any changes to the information supplied with this application.

Authorised Name:		Signature:	
Title:		Date:	

SECTION IX. DOCUMENTATION WHICH FORMS PART OF THIS APPLICATION

An application for entry on the Register shall be made to the Commission in accordance in Schedule 1, and shall be accompanied by the following:

Documents	Attached
1. Prescribed Fee of US\$300.00	<input type="checkbox"/>
2. Schedule 2: Certificate from Antigua and Barbuda	<input type="checkbox"/>
3. Proof that one (1) of the trustee is a:	<input type="checkbox"/>
▪ domiciliary of Antigua and Barbuda; or	<input type="checkbox"/>
▪ company or other entity incorporation or registration under the Antigua and Barbuda Companies Act; or	<input type="checkbox"/>
▪ company licensed under the Antigua and Barbuda Corporate Management and Trust Service Providers Act, 2007.	<input type="checkbox"/>

SECTION X. ADMINISTRATION - FOR FSRC USE ONLY

Date Application Received		
Received by (employee's name):		
Date Application fee received by Commission		Receipt Number:
Decision taken by the Commission:		