



International Payment Processing Services

STANDARD CONDITIONS

FSC/SC/001-3-1

Dated the 16th day of October 2023



ANNEX TO THE LICENCE

Granted to

[XXXXXXXXXXXXXXXXXXXXXX]

("The Licensee")

International Payment Processing Services

(License No. XXXXXXXXXXXXXXXXX)

This Licence is issued subject to the following conditions:

- A. The standard terms, conditions and limitations as specified in section 27(1) of the Financial Services Commission Act, Act No. 8 of 2023 (the "Act").
- B. The following standard terms, conditions and limitations authorized pursuant to section 27(3) and (4) of the Act:
 1. The Licensee shall at all times comply with all relevant laws of Belize, inclusive of the following:
 - i) Accounting Records (Maintenance) Act, Chapter 261:01 of the Substantive Laws of Belize, Revised Edition 2020, and its subsequent amendments.
 - ii) Mutual Administrative Assistance in Tax Matters Act, Chapter 103:03, Revised Edition 2020.
 - iii) Income and Business Tax Act, Chapter 55 of the Substantive Laws of Belize, Revised Edition 2020.
 - iv) Economic Substance Act, Chapter 273:01 of the Substantive Laws of Belize, Revised Edition 2020.
 - v) Money Laundering and Terrorism (Prevention) Act, Chapter 104 of the Substantive Laws of Belize, Revised Edition 2020, and its subsequent amendments.
 2. The Licensee is required to fully disclose in advance to customers the charges for services provided by the licensee and shall not be discriminatory between customers.

3. The Licensee shall report to the Financial Services Commission (the “FSC”) not later than five business days after the event whenever the Licensee or any of its agents or employees:
 - i) is the subject of any written customer complaint involving allegations of manipulation, deception, forgery, fraud, theft or misappropriation of funds or securities, together with the action taken to address the complaint;
 - ii) is named a defendant or respondent in any criminal or regulatory proceeding or any civil proceeding exceeding **US\$25,000.00**, whether in Belize or abroad.
4. (1) The Licensee shall promptly address any complaints from its customers and do everything possible to satisfy them so as to avoid any damage to the reputation of Belize as a well-regulated jurisdiction.
- (2) The Licensee shall report to the FSC on a monthly basis the actions taken to address the complaints from its customers.
5. The Licensee shall submit to the FSC by electronic means by the tenth of the end of each month (or at such other times as may be specified by the FSC) the following information, as applicable:-
 - (a) the value of cash settlements between the Licensee and its customers, including supporting reports from the database.
 - (b) the following information on each payment processing transaction during the preceding month:
 - i) name and address of the sender;
 - ii) name and address of recipient;
 - iii) country of origin;
 - iv) date of transaction;
 - v) amount of the transaction;
6. (1) The Licensee is required to complete the FSCREP2 and AML/CFT Questionnaire, which both can be accessed on the FSC’s website and shall file the referenced forms by electronic means by the tenth day of January of each calendar year (or at such other times as may be specified by the FSC) in respect of facts and information of the preceding calendar year.
- (2) The Licensee shall immediately supply any other information relating to the forms specified at subparagraph (1) above, as required by the FSC from time to time.

7. The Licensee shall put in place special measures to guard against money laundering and terrorist financing and shall ensure that all of its officers and employees are aware of and comply with the relevant provisions of the following laws of Belize, or any other laws in substitution of such laws:-
 - i) Money Laundering and Terrorism (Prevention) Act, Chapter 104 of the Substantive Laws of Belize, Revised Edition 2020 (the “MLTPA”).
 - ii) Money Laundering (Prevention) Regulations and Guidance Notes (S.I. No 6 of 1998).
 - iii) Misuse of Drugs Act, Chapter 103 of the Substantive Laws of Belize, Revised Edition 2020.
 - iv) FS Practitioners (Code of Conduct) Regulations, 2001 (S.I. 94 of 2001), as amended.
8. The Licensee shall at all times comply with Section 19 of the MLTPA in regard to the originator information on all payment processing transactions.
9. The Licensee shall pay special attention to transactions in excess of **US\$10,000.00** (or its equivalent in any currency) in a single transaction or several transactions that appear to be linked and report all suspicious transactions to the Financial Intelligence Unit of Belize forthwith.
10. The Licensee is prohibited from conducting any banking business, such as receiving money from the public through the acceptance of deposits on current account, deposit account or other similar accounts which may be withdrawn on demand by cheque, draft, order or notice by customers and using that money to make advances, loans, extensions of credit, guarantees and investments.
11. In the event of insolvency, whether deemed insolvent in Belize or any other jurisdiction, the Licensee is prohibited from conducting any payment processing transaction and must provide immediate notice to the FSC. For this purpose, insolvency is defined by:
 - i) the placement in a voluntary or involuntary bankruptcy or similar proceeding; or
 - ii) the appointment of a trustee, receiver, or similar official; or
 - iii) a general assignment by the Licensee for the benefit of its creditors; or
 - iv) an admission of insolvency; or

- v) the protracted inability to make computations necessary to establish compliance with FSC's net capital licensing requirement.
- 12. The Licensee shall not, without the prior written approval of the FSC:
 - i) enter into a merger, amalgamation or consolidation;
 - ii) transfer the whole or any substantial parts of its assets or liabilities;
 - iii) change its name, address, from that set out in its license;
 - iv) alter its Memorandum or Articles of Association.
- 13. The Licensee shall not make any changes in the beneficial ownership, shareholdings, directorate or management of the Licensee, without the prior written approval of the FSC.
- 14. The Licensee is required to meet with the FSC at least once a year to review the Licensee's performance in the preceding year and prospects for the ensuing year, unless granted a specific waiver for the meeting by the Director General. These meetings may be conducted by teleconference at the discretion of the Director General.
- 15. The Licensee shall not establish a branch, subsidiary or representative office without the prior approval of the FSC; and accordingly, shall not outsource any of its activities unless prior approval of the FSC is obtained.
- 16. The Licensee shall submit to the FSC as soon as possible (upon its making or after a revision, as the case may be) a manual (or a revised manual if relevant) of operating procedures, including liquidity and money laundering prevention controls.
- 17. (1) The Licensee shall at all times keep deposited with a bank or other licensed financial institution that is located in a Zone A country the minimum paid up and unimpaired capital of **US\$75,000.00** as approved by the FSC.
- (2) The Licensee shall:
 - i) conduct its own assessment of the country risk of the Zone A country in which the bank holding its capital is located, including the credit risk of the bank or financial institution holding its capital requirement.
 - ii) Provide to the FSC within ninety (90) days of the end of each calendar year (or at such other times as may be specified by the FSC), a report of the results of the assessments stated at subparagraph 2(i) above.

18. The Licensee shall immediately notify the FSC of any material changes in the information previously supplied by the Licensee.
19. The Licensee shall not change its name or corporate or management structures without the prior written permission of the FSC.
20. The Licensee shall not use any other trade name and/or domain name without the prior written approval of the FSC.
21. A breach of or non-compliance with any of the above conditions may result in the revocation of the Licence.

DATED this XX day of XXXXX, XXXX.

CLAUDE B. F. HAYLOCK (MR.)
(Director General)
Financial Services Commission