



Cayman Monetary Regulatory Authority International

At the forefront of financial regulation, the Cayman Monetary Regulatory Authority International (CMRAI) is dedicated to upholding the highest standards of financial oversight and compliance. Our mission is to safeguard the stability and integrity of the global financial system by ensuring that financial services operate within a framework of transparency, accountability, and excellence.

As a trusted partner to financial institutions worldwide, CMRAI provides rigorous supervision, innovative solutions, and strategic guidance to foster a secure and thriving financial environment. With decades of experience and a commitment to global standards, we stand as a pillar of trust and security in an ever-evolving financial landscape.

With a legacy of excellence in financial oversight, the Cayman Monetary Regulatory Authority International (CMRAI) is a beacon of trust in the international financial community. Our role extends beyond regulation; we are innovators, collaborators, and protectors of the global financial ecosystem. By fostering compliance, promoting best practices, and embracing technological advancements, CMRAI ensures that financial services remain resilient and adaptable in a dynamic global market.

Our comprehensive approach to regulation encompasses a deep understanding of financial risks and a proactive stance on emerging challenges. We are committed to empowering financial institutions with the tools and guidance necessary to navigate complex regulatory landscapes, thereby contributing to global economic stability and growth.

Maintaining Physical Presence for Banks Minimum Criteria for Maintaining Physical Presence for Banks Minimum Criteria for Maintaining Physical Presence for Banks Minimum Criteria for Maintaining Physical Presence for Banks Subject to Section 6(6) of the BTCL Subject to Section 6(6) of the BTCL Subject to Section 6(6) of the BTCL Subject to Section 6(6) of the BTCL

1. 1.1. 1. STATEMENT OF OBJECTIVES

To provide guidance on the requirements of Section 6(6) of the Banks and Trust Companies Law (2003 Revision) (BTCL).

2. 2.2. 2. INTRODUCTION

Section 6(6) of the BTCL requires certain holders of a B licence to establish a place of business in the Islands with such resources (including staff and facilities) and such books and records as the Authority considers appropriate having regard to the nature and scale of the business (i.e. establishing a physical presence). The establishment of a physical presence by these banks facilitates the Authority's ongoing supervision in accordance with international banking principles.

3. 3.3. 3. SCOPE

3.1. This Statement of Guidance applies to a bank, which holds a Category B licence, that is not a subsidiary or branch of a bank licensed in a country or territory outside the Cayman Islands.

3.2. This Statement of Guidance should be read in conjunction with the Authority's Statements of Guidance on the Nature, Accessibility and

1 This category of banks includes a bank that is not subject to consolidated supervision by another banking regulator but itself is subject to prudential supervision by the Authority, i.e. the Authority is the home regulator. March 2007

PERSONNEL

4.1. Pursuant to section 6(2) of the BTCL, a bank should have a senior manager appointed as the Managing Director and a Deputy Manager or support staff, who may act in the absence of the Managing Director. This is commonly referred to as the four eyes principle. A bank should at all times comply with the four eyes principle.

4.2. The officers referred to in paragraph 4.1 should be resident in the Cayman Islands and involved in the daily operations and decision-making process of the bank.

4.3. The staffing levels should be commensurate to the size, scope and complexity of the bank's operations. The need for additional resources will depend on changes in the bank's activities and business plan.

5. 5.5. 5. PREMISES AND FACILITIES

5.1. A bank should have premises at a physical address in the Cayman Islands from which business is conducted.

5.2. The premises should display exterior identification of the bank's presence.

5.3. The bank licence should be prominently displayed on the premises where a bank conducts business.

5.4. The premises should be identifiable by office space that is commensurate with the size, complexity, and nature of the bank's operations. The

