

AML/CFT/CPF Controls present within The Bahamas' Real Estate Sector

Compliance Commission of The Bahamas

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Objective & Methodology

The Compliance Commission of The Bahamas (“CC”) is committed to maintaining The Bahamas as a highly effective Anti-Money Laundering, Countering the Financing of Terrorism and Proliferation Financing (“AML/CFT/CPF”) regime. In this instance, we have considered the controls in place for purchasers and sellers of Bahamian real estate, including luxury homes purchased by offshore borrowers.

There are extensive controls present throughout the real estate transaction process in The Bahamas. We will identify the steps involved in real estate transactions and explain the AML/CFT/CPF controls in place to mitigate ML/TF/PF risks. Based on this study and other information to hand, the CC is satisfied that, although luxury real estate requires constant monitoring as a potential money laundering risk, The Bahamas currently has satisfactory controls in place to mitigate money laundering and other financial crime risks flowing through luxury real estate, and particularly cross border real estate.

In this study, we utilize data and information provided by The CC, The Bahamas Department of Statistics, Bahamas Real Estate Association, the CBOB, Bahamas Investment Authority, the Department of Immigration, commercial banks, real estate companies and law firms.

Acknowledgements

We thank the Central Bank of The Bahamas for contributions made to this paper.

Acronyms

AML/CFT/CPF	Anti-Money Laundering/Counteracting the Financing of Terrorism/ Counteracting/Proliferation Financing
BBA	Bahamas Bar Association
BIA	Bahamas Investment Authority
BMLS	Bahamas Multiple Listing Service
BREA	Bahamas Real Estate Association
BSD	Bahamian Dollar
CBOB	Central Bank of The Bahamas
CC	Compliance Commission of The Bahamas
CDD	Customer Due Diligence
CFATF	Caribbean Financial Action Task Force
CO	Compliance Officer
DNFBP	Designated Non-Financial Businesses and Professions (for the purpose of this paper, DNFBPs refer solely to real estate brokers/agents, land developers and lawyers)
EDD	Enhanced Due Diligence
FATF	Financial Action Task Force
FI	Financial Institution
FIU	Financial Intelligence Unit
FTRA	Financial Transactions Reporting Act
GB	Gaming Board of The Bahamas
GDP	Gross Domestic Product
GFSR	Group of Financial Services Regulators
IBC	International Business Companies Act
ICB	Insurance Commission of The Bahamas
IPLA	International Persons Landholding Act

KYC	Know Your Customer
LOI	Letter of Intent
LPA	Legal Profession Act
MER	Mutual Evaluation Report
ML/TF/PF	Money Laundering/Terrorist Financing/Proliferation Financing
MLRO	Money Laundering Reporting Officer
NEC	National Economic Council
PEP	Politically Exposed Person
RBA	Risk-based Approach
SCB	Securities Commission of The Bahamas
SFI	Supervised Financial Institution
SRB	Self-regulatory body

Introduction

The Compliance Commission of The Bahamas has conducted this study to identify the AML/CFT/CPF controls present in the Bahamian real estate sector. The Financial Action Task Force (“FATF”) has recognized that the real estate sector is attractive for potential misuse by money launderers and terrorist financiers.¹ Real estate is often chosen globally as a vehicle for criminals to launder ill-gotten gains because property offers a path to legitimacy and will appreciate over time. This allows criminals to enjoy their property and eventually the proceeds of sale.

The Bahamas’ political and financial stability, international accessibility and tropical climate make it one of the most sought-after real estate investment destinations in the world.² The real estate market offers Bahamians and foreigners opportunities for medium to long-term price appreciation and rental yields. The market attracts local citizens as well as foreigners in search of primary and secondary homes.

Luxury properties including upscale condominiums, tourist resorts and second home developments have long drawn wealthy foreign investors. The large sums associated with this market, along with the enhanced lifestyle make Bahamian luxury property a potentially attractive option for laundering the proceeds of crime. For this reason, the high-end real estate market continues to present a substantial potential ML/TF/PF risk to the economy.³

We note that offshore property owners are generally entitled to vacation in or live in their Bahamian properties, but this does not trigger Bahamian citizenship by investment.

The Bahamas has implemented international standards through AML/CFT/CPF legislation in 2018 and 2019. Each financial services regulator issues Codes of Practice and directives to FIs within its remit to provide guidance and ensure compliance with AML/CFT/CPF laws in The Bahamas, and FATF standards. Both the public and private sectors have put various measures in place to prevent and mitigate ML/TF/PF. Under the guidance and supervision of financial services regulators, strict controls have been imposed at all levels of the real estate transaction process.

The Bahamian domestic commercial banking sector is dominated by Canadian banks, who control about three quarters of total assets and 98% of cross border deposit flows. Based upon international peer group assessments, these Canadian banking conglomerates enjoy a strong reputation for astute risk management, which would be similarly applied in The Bahamas.⁴

¹ FATF-GAFI, “Money Laundering and Terrorist Financing through the Real Estate Sector”, (2007).

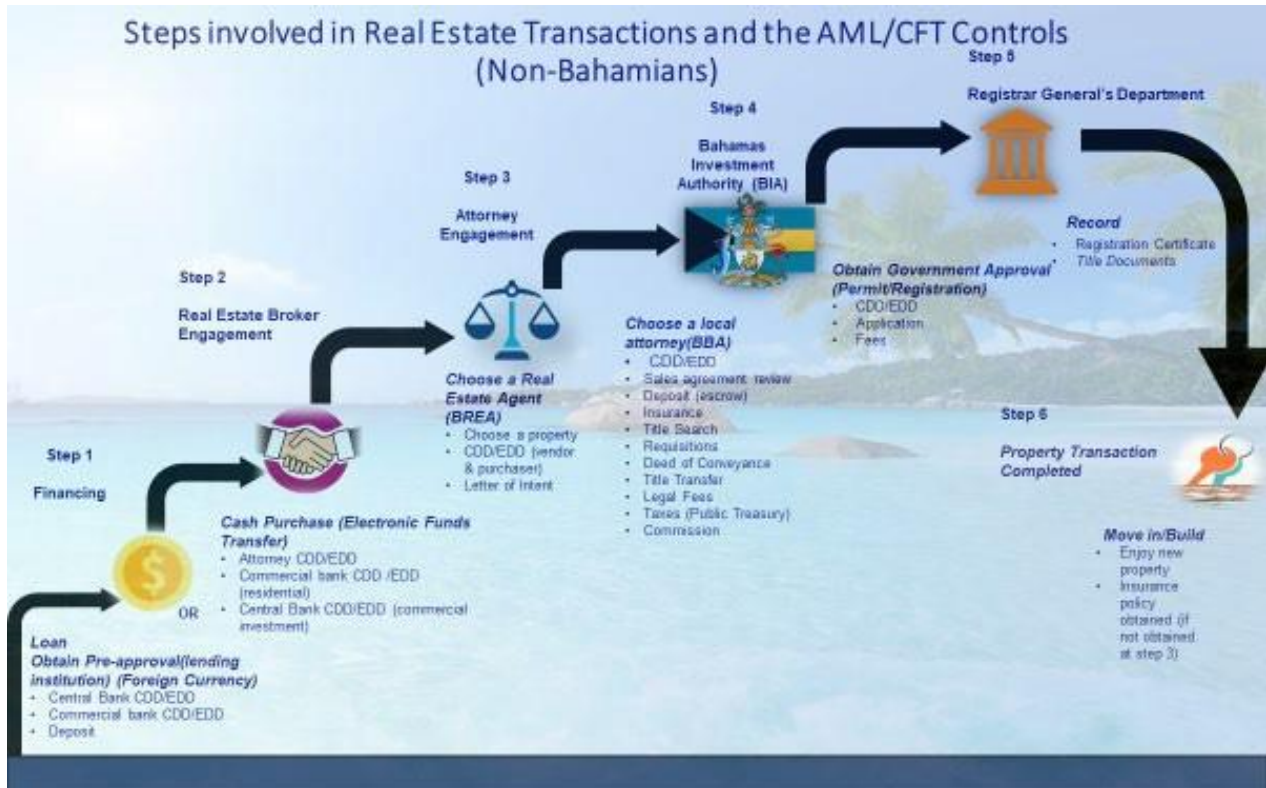
² Damianos Sotheby’s International Realty, “Why Invest in The Bahamas”, Accessed June 11, 2021. <https://www.sirbahamas.com/eng/real-estate-investment-bahamas>

³ National Risk Assessment (NRA) of The Bahamas published in 2017 assessed real estate as high risk. The NRA is currently being updated and expected to be completed in the first half of 2022.

⁴ Central Bank of The Bahamas, “Is The Bahamian Domestic Banking System a Material Money Laundering Risk?”, (2019), p 4.

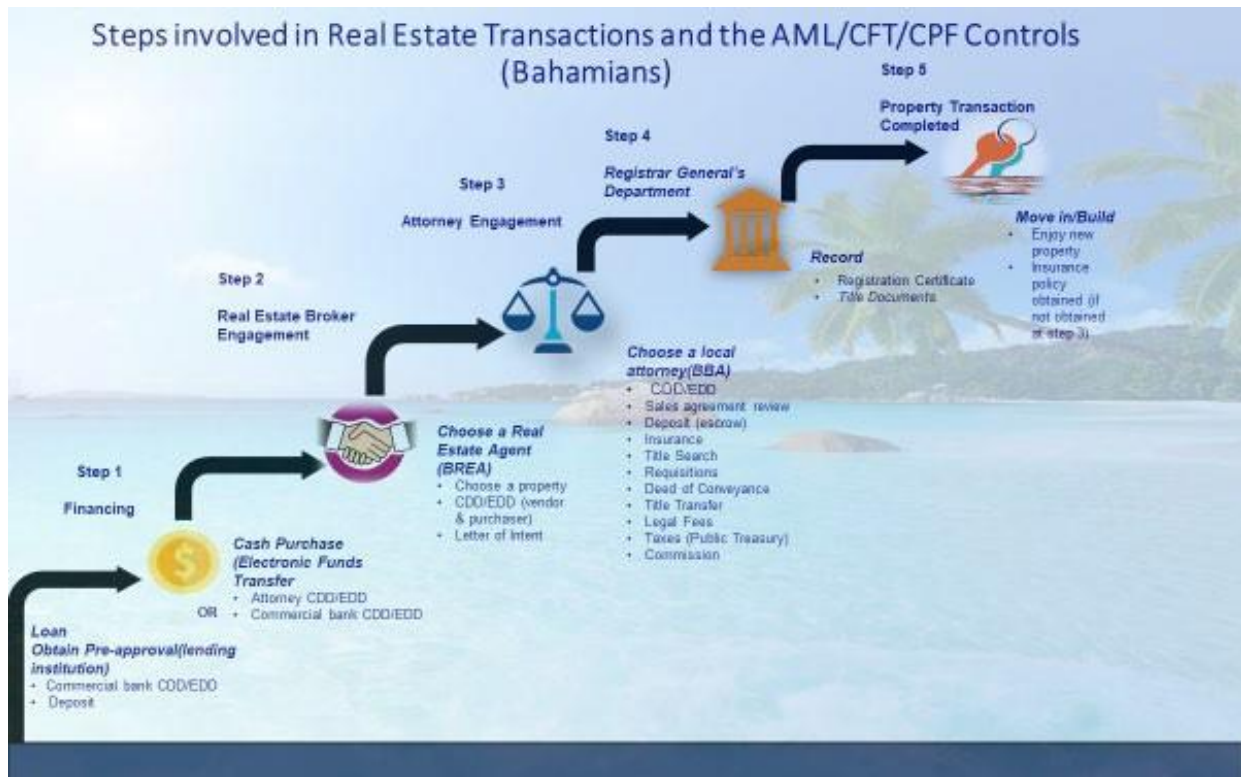
As illustrated overleaf, every Bahamian real estate transaction requires the involvement of many stakeholders including lawyers, real estate brokers, land developers, lending institutions and the government of The Bahamas, each entrusted with a responsibility for performing proper customer due diligence (“CDD”). The role of each will be explained throughout the paper. Moreover, factors including the size and value of the real estate market in addition to regulatory supervision of the sector will be examined.

Illustration A:



This is an illustration of the steps in a real estate transaction in The Bahamas and when financial institutions (“FIs”) and designated non-financial businesses and professions (“DNFBPs”) undertake due diligence measures for AML/CFT/CPF purposes at each step of the transaction chain.

Illustration B:



This is an illustration of the steps in a real estate transaction in The Bahamas and the AML/CFT/CPF obligations completed/taken by FIs and DNFBPs at each step of the transaction chain.

Real Estate Industry

The Department of Statistics, in its release of the 2020 advance estimates of Gross Domestic Product (“GDP”), estimated \$9.7 billion in real GDP for 2020, a 14.5% contraction from 2019 (\$11.3 billion) as a result of the Covid-19 pandemic. Industries such as construction⁵ and real estate⁶ remained significant contributors to GDP. The construction industry stood at \$509 million in 2020, a 35% decrease from 2019 (\$784 million). Similarly, real estate activities decreased by 1.7%, from \$1.68 billion in 2019 to \$1.65 billion in 2020. Of the industries assessed, construction and real estate represent 5% and 17% of GDP respectively for 2020.⁷

In a research study conducted by the CBOB, domestic bank deposit cash inflows from 17 potentially problematic AML sectors were examined for the 2018 calendar year. The study found that deposits received from real estate brokers and agents, attorneys and legal firms, and land and real estate developers respectively accounted for a substantial proportion of potentially worrisome deposits. The real estate industry was found to be large enough to constitute a potential threat, arising from BSD (Bahamian dollar) and non-BSD flows, but not from currency-based money laundering. Nearly the entirety of Bahamian real estate deposit inflows are already in the banking system. Non-BSD accounts are substantially associated with real estate transactions, most of which stem from foreigners purchasing Bahamian property. There has been no evidence for many years that foreign real estate purchases are a major AML conduit.⁸ (See Figure 1)

Figure 1 depicts industry segments outlined by the CBOB as posing a potentially higher risk for money laundering. As indicated by the bar graph, attorneys and legal firms present the greatest inflow of deposits. These inflows are in the main associated with real estate settlements. Land and real estate developers present the third greatest inflows, with real estate broker and agents coming in the fifth.

In materiality terms, legal firms are by some distance the largest segment among the 17 under consideration, with close to half the deposit inflows. This reflects the legal industry’s engagement in real estate settlements. Real estate related deposits comprised more than half the 2018 deposits in the 17 sectors.

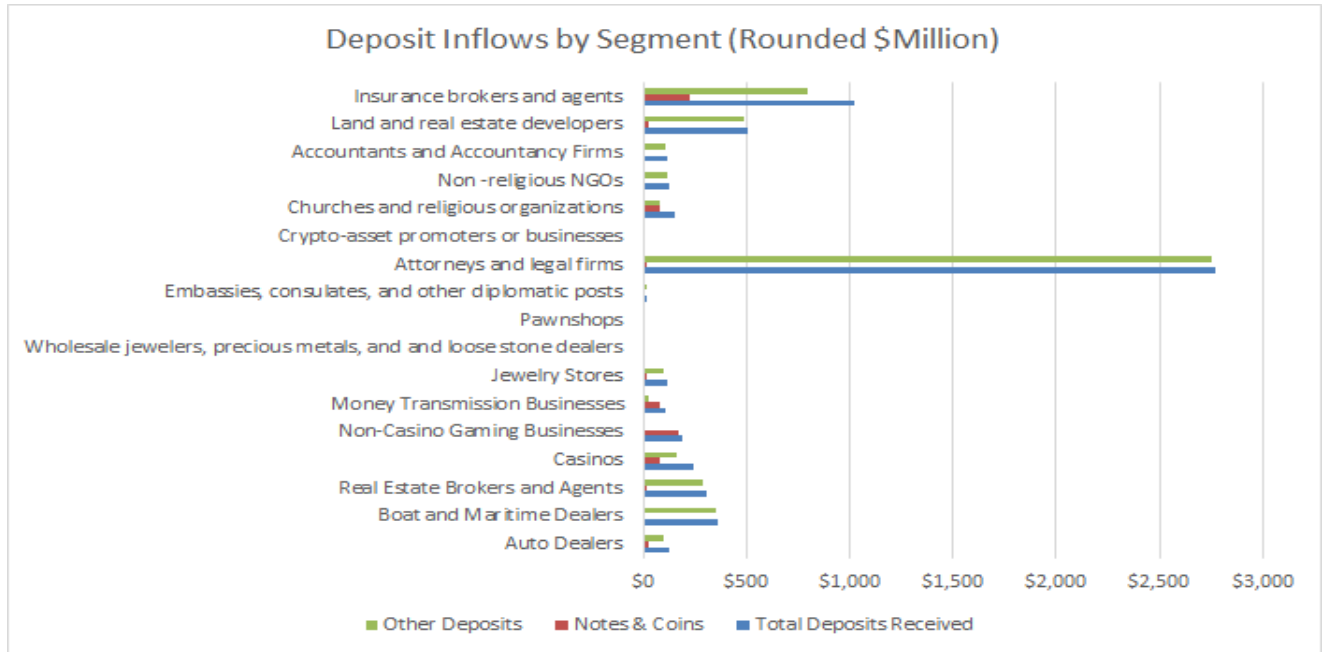
⁵ Includes new construction work within that year, in addition to any new improvements, taking into account the import of construction materials matched with permits issued and starts.

⁶ Includes actual revenue from real estate agents, actual rents, value assigned for houses owned (owner-occupied).

⁷ Department of Statistics, “Advance Estimates for Gross Domestic Product:2020”, (2021).

⁸ Central Bank of The Bahamas, “Is The Bahamian Domestic Banking System a Material Money Laundering Risk?” (2019).

Figure 1⁹



Bahamas Multiple Listing Service (BMLS)

The BMLS is a database governed by the Bahamas Real Estate Association (“BRE”) that hosts real estate listings in The Bahamas, inclusive of homes, lots, resorts, condominiums and private islands. One of the roles of BRE is to maintain a high standard of conduct with respect to real estate transactions, and to prevent unauthorized persons from engaging in real estate brokerage in The Bahamas. The BMLS allows for the exchange of information among agents/brokers and ensures the market exposure of sellers’ listings. Buyers have access to all available properties. The database is accessible by everyone and serves as a means for better disseminating information. At this point, the database does not capture all Bahamian real estate transactions, but it captures the bulk of luxury transactions.

When an owner is interested in listing a property, the owner lists with one agent/broker, forming a mutually binding relationship. The owner is committed to that agent/broker for the length of the agreement. Given the exclusivity of the relationship, the agent/brokerage is then able to invest in the listing, marketing, and advertising of the property. The listing appears on all participating broker websites, giving it significant exposure to potential buyers. Although a listing is with only one agent/broker, all parties are able to sell it on a co-brokerage¹⁰ basis with

⁹ Adapted from “Is The Bahamian Banking System a Material Money Laundering Risk?” by The Central Bank of The Bahamas, 2019, p.5.

¹⁰ Co-brokerage is when two agents/brokers work together; one representing the buyer, and the other for the seller to complete the deal. The commission is split between the two agents/brokers.

the listing party. Instead of one broker or agent, a BMLS listing is exposed to all brokers, agents and all of their potential buyers.

Real Estate Industry Analysis

Data on the Bahamas' real estate industry derived from BREA and sourced from the BMLS was analyzed based on the years 2015 through 2021. Figures 2-4 show trends in relation to sales, prices and volume within the non-luxury market and luxury markets. It is important to note that the data supplied does not represent all market transactions. As the BMLS is in development and currently evolving, the number of units sold does not reflect coverage of all transactions. However, real estate brokers/agents estimate that the BMLS captures approximately 50 percent of sales.¹¹ Sales from some distressed properties, by private owners, foreclosures, new development condominiums and community sales where the developer is not a part of the BMLS or where a real estate agent/broker is not part of a transaction, are excluded. Transactions are only recorded when a sale is closed.

New Providence and Paradise Island, which comprise about three quarters of the Bahamian economy and population, were used as a benchmark for analyzing the Bahamian real estate market. Residential¹² properties and lots for luxury and non-luxury markets, private islands and commercial properties are also shown. Residential homes within the luxury market are considered to be homes exceeding \$2 million, whereas lots within the luxury market are deemed to be greater than \$1 million.

Luxury market properties captured by the BMLS are restricted to the Lyford Cay, Old Fort Bay and Ocean Club communities¹³ which typically have fewer lots available for sale. Albany, a luxury resort community in New Providence, is not usually captured by the BMLS but accounts for additional high valued transactions. However, one \$39 million property transaction was recorded on the BMLS for this community at the end of 2021.¹⁴ Some high-end properties are not listed on the BMLS as terms are negotiated privately.

The figures¹⁵ below show the activity, overall attractiveness of the real estate sector in The Bahamas for 2015 through 2021 and the large amounts of money involved in real estate transactions, particularly in the luxury market.

The majority of foreign investors seeking to purchase real estate in The Bahamas come from the US and Europe, with many buyers in search of vacation properties which will allow them to live

¹¹ Timothy Smith in article by Neil Hartnell (2021, April 13). Real Estate 'On Fire' With \$400m In Deals, *The Tribune* [Real estate 'on fire' with \\$400m in deals | The Tribune \(tribune242.com\)](https://tribune242.com). The exact proportion of BMLS based sales is not exactly known.

¹² Inclusive of homes, condominiums, and duplexes.

¹³ Exclusive luxury developments.

¹⁴ Sale not reflected in figures below.

¹⁵ Data in figures 2-10 retrieved from BMLS.

in and rent when they are absent.¹⁶ These properties can be resold for profit or used for investment purposes (long or short-term rentals)

Luxury & Non-Luxury Markets
BMLS, Figure 2

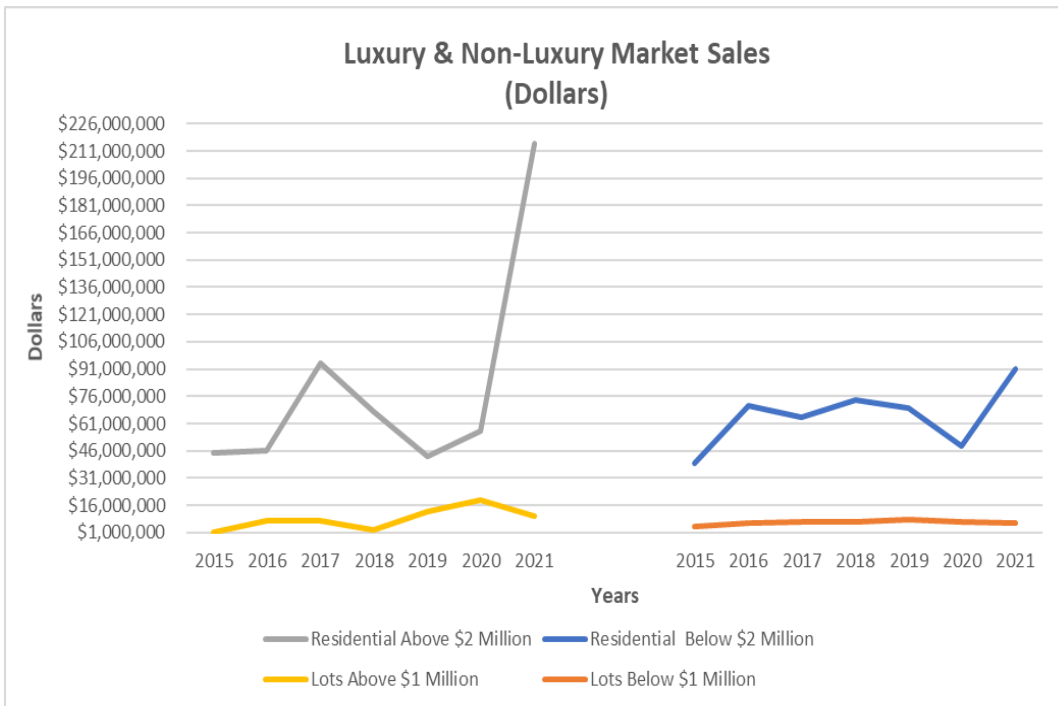


Despite the limitations of the available data on luxury property transactions, based on industry sources, it is estimated that Bahamian property sales flowing through real estate brokers typically amount to a few hundred per year, much less than is the case in larger countries.¹⁷ This allows for a more careful and considered financial crime risk assessment on each transaction. Even more so than with non-luxury sales, there are relatively few luxury real estate sales in The Bahamas, which facilitates a close review of each sale.

¹⁶ The Bahamas Investor, "Real Estate Boom in Paradise", (2019).

¹⁷ Estimate provided by leading real estate companies in the luxury market.

Figure 3



In the luxury market, total residential sales were highest in 2021 (\$215 million), while total lot sales were highest in 2020 at \$18.7 million. One lot was sold for \$12 million in 2020, representing an anomaly compared to other years. Average residential total sales for this period were approximately \$81 million while average total lot sales were \$8.3 million.

In the non-luxury market, total residential sales increased significantly from 2015 (\$38.8 million) to 2016 (\$70.5 million), with slight variances from 2016 through 2019. 2021, like the luxury market, saw a sharp increase in residential sales, as total sales were \$91.2 million. It should be noted that this increase can be attributed to the closing of transactions that were started in 2020. Total sales for lots increased marginally from 2015 through 2019, decreasing in 2020 and 2021. Average residential total sales for this period were approximately \$65 million while average total lot sales were \$6.4 million.

Figure 4



In the luxury market, the average residential sales price ranged between \$2.8 million and \$5.5 million. Average luxury lot sales prices were between \$1.2 million and \$4.6 million.

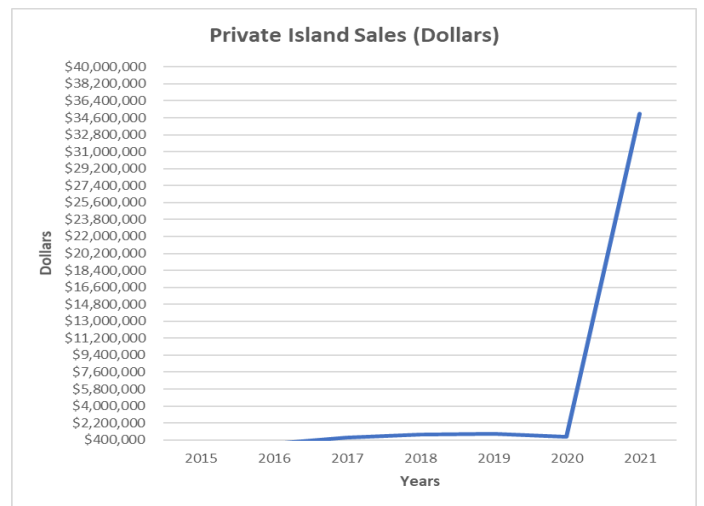
In the non-luxury market, the average residential sales prices ranged between \$415,000 and \$652,000. Average lot prices ranged between \$122,000 and \$179,000.

Private Islands

Figure 5



Figure 6



One private island was sold every year between 2017 and 2020. Four were sold in 2021. From 2017 to 2021, total private island sales were between \$650,000 and \$35 million.

Commercial Market

Figure 7

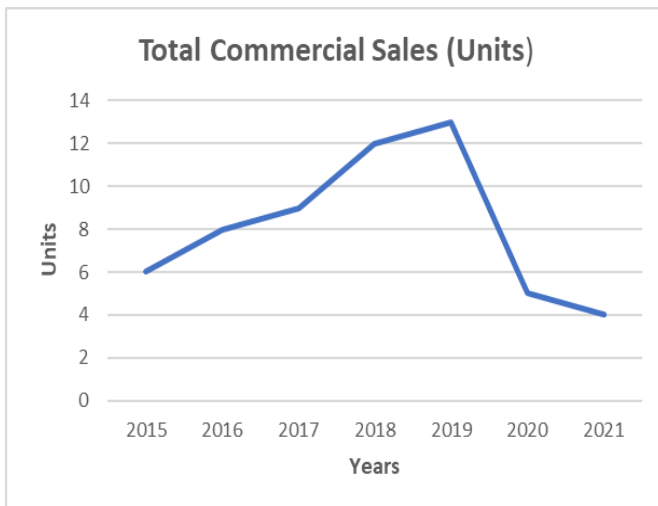
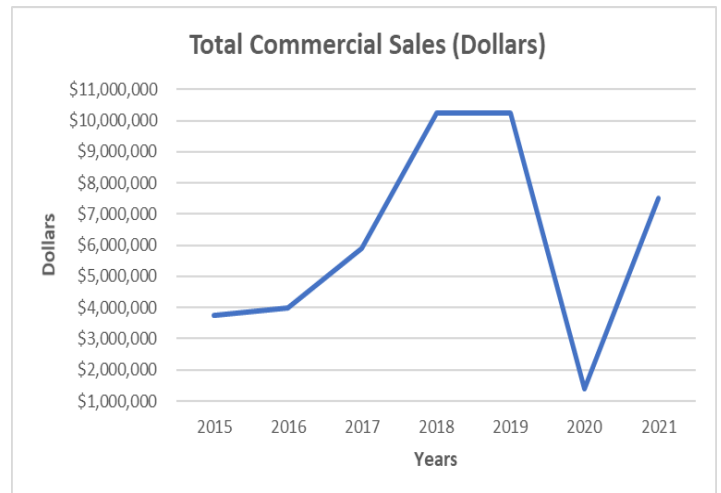


Figure 8



Total commercial sales units increased from 2015 through 2019 but saw a drastic decrease in 2020 and 2021. Total commercial sales increased from 2015 through 2019 but saw a drastic decrease in 2020, followed by a sharp increase in 2021 despite the few units sold.

Figure 9¹⁸

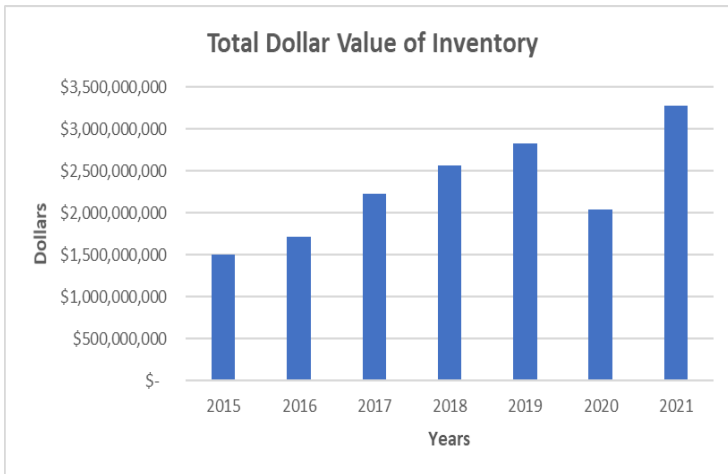


Figure 10¹⁹



The average total value of existing stock of properties (“inventory”) over the 2015-2021 period is \$2.3 billion. The year 2021 experienced the highest sales of the 2015-2021 period.

Covid-19 Impact

Despite the Covid-19 pandemic, real estate companies have reported achieving record sales from international buyers in the high-end property market in the first half of 2021.²⁰ Wealthy international buyers are said to be in search of warmer and remote locations from which to work. The luxury market experienced relatively high total residential sales in 2020, as total sales exceeded 2015, 2016 and 2019. However, 2021 experienced record-breaking sales, supporting the claims made by real estate companies. Total luxury lot sales were also highest in 2020 when compared to previous years.

While there were fewer luxury residential properties and lots sold yearly from 2015-2021 than non-luxury residential properties and lots, luxury market average total residential and lot sales is significant. Average total sales through brokers amounted to approximately \$90 million.

The Compliance Commission prioritized maintaining clear and direct communication with registrants in the real estate sector to raise awareness on ML/TF risks in the challenging Covid-19 pandemic circumstances. In particular, distributing articles on Covid-19 related emerging ML/TF risk and trends, along with the FATF guidance on digital identity. The AML/CFT/CPF training for registrants was intensified using webinars and podcasts on topics including suspicious transaction reporting and indicators, UN sanction obligations, PEPs, ML/TF red flag indicators in the real estate sector, frequently asked questions with answers on AML supervision and obligations and typologies in the Covid-19 environment. The website²¹ was upgraded and

¹⁸ Includes all islands and property types (Homes, Condos, Duplexes, Triplexes, Fourplexes, sixplexes lots, farms, resorts, hotels, private islands, apartment complexes, docks and rentals).

¹⁹ Includes all islands and property types (Homes, Condos, Duplexes, Triplexes, Fourplexes, sixplexes lots, farms, resorts, hotels, private islands, apartment complexes, docks and rentals).

²⁰ The Tribune “Realtor: ‘Best Sales in 99-Year History’”, (2021) <http://www.tribune242.com/news/2021/jul/13/realtor-best-sales-99-year-history/>.

²¹ <https://ccb.finance.gov.bs>

provides easy access to all AML training, publications, and educational material. Further development of the digitalization of core functions including registration, data analytics and the examination program was launched. A business continuity survey of registrants was conducted to assess operational resilience and understand how AML programs was impacted during Covid-19. The ML/TF risk assessments of registrants in the real estate sector used to determine the frequency and intensity of the risk-based examination program were updated and the supervisory plans re-evaluated on the basis of risk. The risk-based approach (“RBA”) and prioritization of AML/CFT/CPF on-site examinations based on the risk assessments is implemented.

Role of Financial Service Regulators

AML/CFT/CPF supervisors play an essential role in protecting the financial system and other sectors from misuse by criminals and terrorists. They are responsible for ensuring the effective operation of the AML/CFT/CPF regime in The Bahamas.²² Regulators take appropriate measures where deficiencies are identified and implement a risk-based supervisory framework in order to effectively supervise.²³

In The Bahamas, each member of the Group of Financial Service Regulators (“GFSR”) is empowered through legislation to license or register and regulate their registrants in accordance with the relevant laws and policy guidelines governing their respective financial services industry. The scope of each GFSR member’s regulatory authority is described in Figure 11. The members of the GFSR are also responsible for identifying and understanding the ML/TF/PF risks faced by its licensees/registrants by conducting risk assessments, then ensuring that institutions under their supervision understand their ML/TF/PF risks and obligations to effectively assess, manage and mitigate ML/TF/PF and related risks. This is done through a combination of measures: registration, conducting on- site and off-site examinations, and effectively communicating, educating and increasing awareness through training, releasing directives, and notices. They are empowered to take appropriate action in the form of imposing sanctions and penalties if their registrants fail to comply with their AML/CFT/CPF obligations.

Moreover, their aim is to ensure a sound and stable financial marketplace and maintain customer confidence in the financial services industry through timely and effective exchange of information between regulators and coordinate supervisory efforts. Together with the CC²⁴ and the CBOB²⁵, the GFSRs consists of:

- Securities Commission of The Bahamas (“SCB”)²⁶;
- Insurance Commission of The Bahamas (“ICB”)²⁷;
- Gaming Board of The Bahamas (“GB”)²⁸; and

²² The Bahamas, 2018 AML/CFT Report (2018) <https://www.centralbankbahamas.com/viewPDF/documents/2019-06-17-10-10-51-The-Bahamas-2018-AMLCFT-Report.pdf>.

²³ The Bahamas National Identified Risk Framework Coordinator, Ministry of Finance, (2020, September 24) “Bahamas Makes Significant Strides in Fight Against Financial Crime: Update on The Bahamas’ National Identified Risk Framework”.

²⁴ <https://ccb.finance.gov.bs/>

²⁵ <https://www.centralbankbahamas.com/>

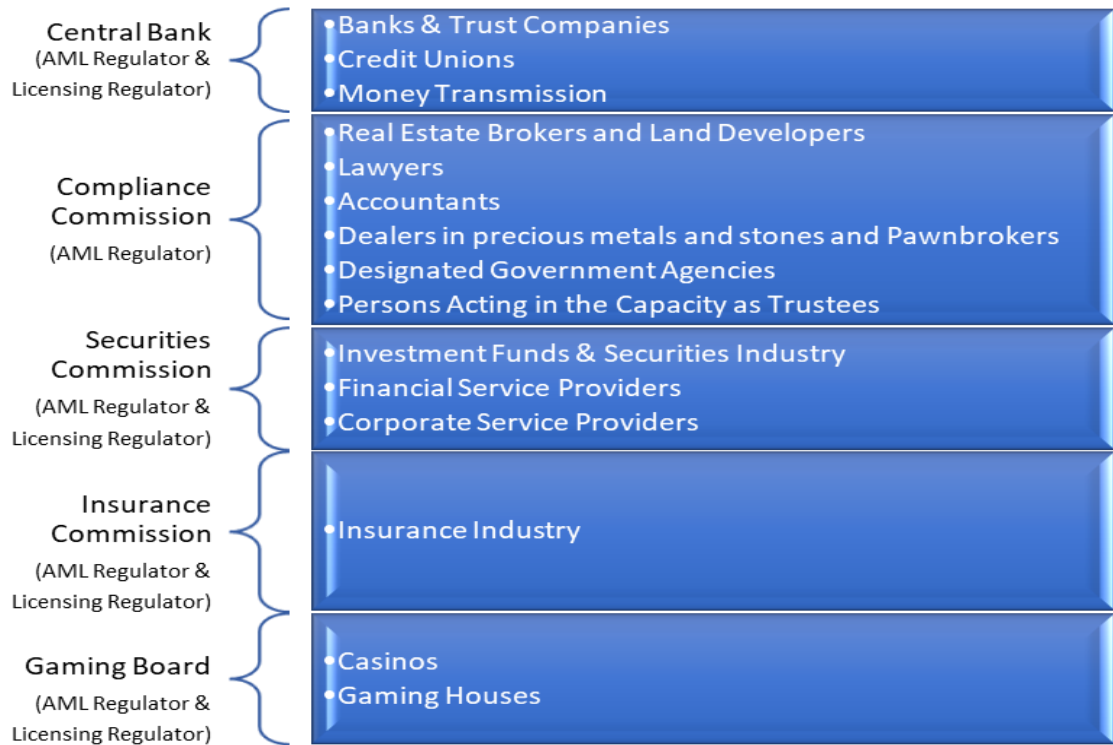
²⁶ <https://www.scb.gov.bs/>

²⁷ <https://insurancecommissionbahamas.com/>

²⁸ <https://www.gamingboardbahamas.com/>

- The Financial Intelligence Unit (“FIU”) (Observer)²⁹

Figure 11



In December 2015, the Caribbean Financial Action Task Force (“CFATF”) conducted a Mutual Evaluation Report (MER) of The Bahamas’ compliance with the Financial Action Task Force (FATF) 40 Recommendations. The MER of The Bahamas was published in July 2017. By October 2018, significant measures were taken by The Bahamas to strengthen its AML/CFT/CPF regime and remedy the deficiencies identified in the MER.

These measures include financial sector legislation in 2018 and 2019 such as the Financial Transaction Reporting Act 2018 (“FTRA 2018”), Anti-Terrorism Act, 2018, Travelers Currency Declaration Act, 2005, International Obligations (Economic and Ancillary Measures) Act, 1993, Proceeds of Crime Act, 2018 (“POCA 2018”), Register of Beneficial Ownership Act, 2018, and all relevant amendments and regulations (see Appendix A). Furthermore, there has been strengthening of the regulatory regime by the issuance of revised AML/CFT/CPF guidelines to supervised financial institutions (“SFIs”) and DNFBPs through the development and implementation of an AML/CFT/CPF penalty regime and risk based supervisory frameworks. As a result of these measures, on 18 December 2020 The Bahamas was removed from the FATF’s Grey List of “Jurisdictions under Increased Monitoring”.³⁰ In November 2021, the CFATF

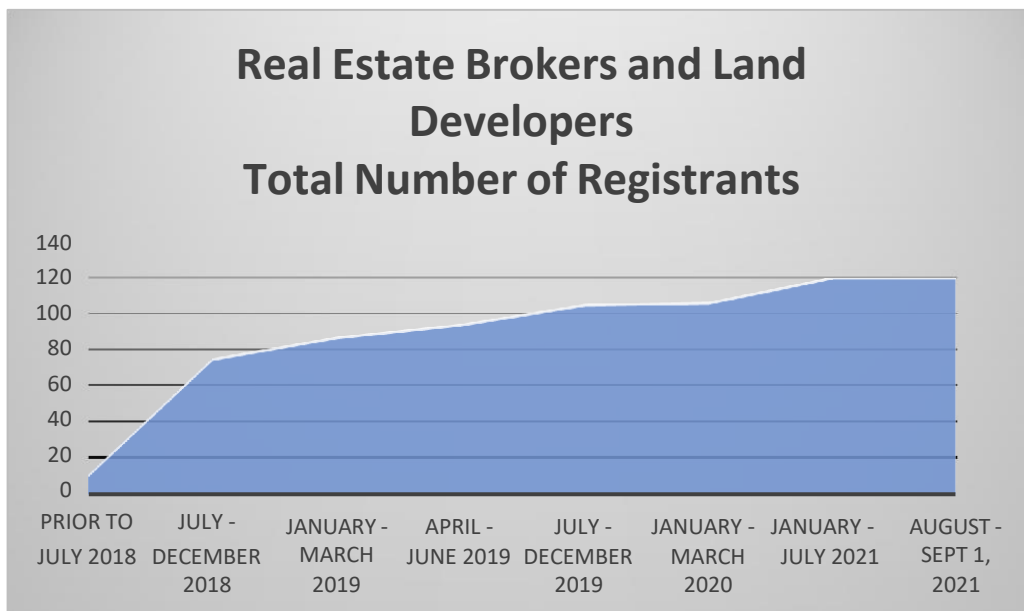
²⁹ <http://www.fiubahamas.org.bs/>

³⁰ Office of the Attorney General (2020, December 18) “Bahamas Delisted from Financial Action Task Force’s Grey-List of “Jurisdictions under Increased Monitoring” <https://www.cfatf->

assessed The Bahamas’ Technical Compliance as compliant or largely compliant with 38 out of 40 of the FATF recommendations, placing The Bahamas in the top category of Technical Compliance world rankings.³¹ Moreover, having addressed systemic deficiencies in its AML/CFT regime, in January 2022, The Bahamas was removed from the European Union’s AML blacklist.³²

The impact of these measures is shown, among other metrics, by the significant increase in the number of real estate brokers and land developers registered with the CC (see Figure 12(a)). These increased from 11 in 2018 to 120 as of September 2021. As for law firms, the number of registrants with the CC increased from 88 in July 2018 to 167 as of September 2021 (See Figure 12(b)). This is due to the measures taken by The Bahamas to strengthen its AML/CFT/CPF regime and the significant enforcement and detection program conducted by the CC. These measures include the expansion of services conducted for DNFBPs to register and be supervised for AML/CFT/CPF purposes under the FTRA 2018.

Figure 12(a)



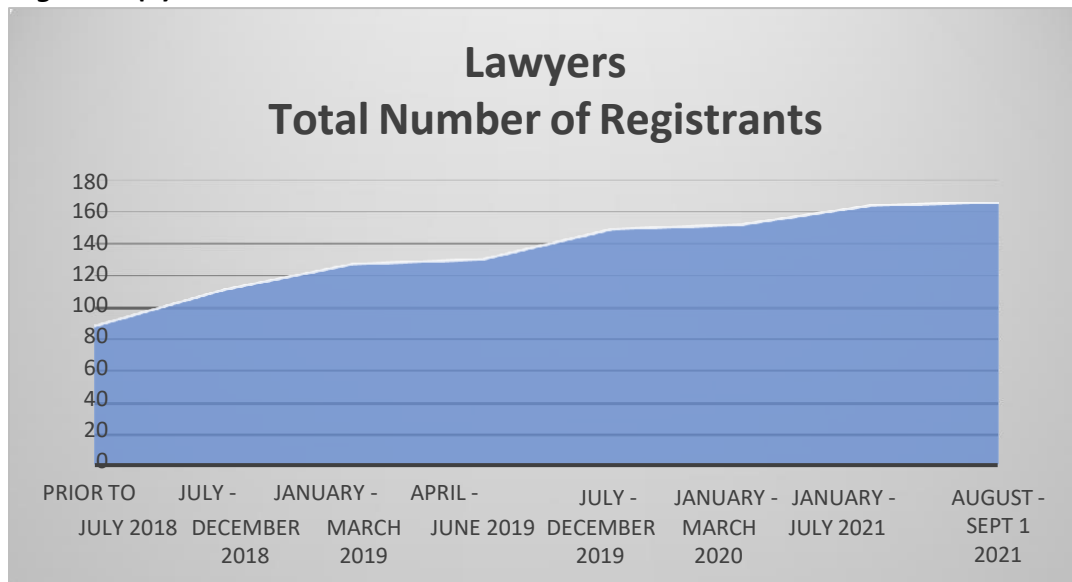
The FTRA 2018 expanded the services conducted for real estate brokers and land developers to register and this also contributed to the increase in registration.

gafic.org/home/cfatf-news/687-press-release-bahamas-delisted-from-fatf-grey-list

³¹ CARICOM (2021, December 26) “Bahamas Largely Compliant With AML/CFT Requirements: CARICOM Business” <https://Caricom.Org/Bahamas-Largely-Compliant-With-Aml-Cft-Requirements/>

³² Office of The Attorney General and Ministry of Legal Affairs, “Update on the Delisting of The Bahamas From the European Union List of Third-country Jurisdictions which have Strategic Deficiencies in their Anti-Money Laundering / Counter Terrorist Financing (AML/CFT) Regimes”, Accessed July 2021. <https://ccb.finance.gov.bs/wp-content/uploads/2022/01/Press-Release-THE-BAHAMAS-Update-revised.pdf>.

Figure 12(b)



FIs and DNFBPs are supervised by their respective regulators to ensure compliance with their AML/CFT/CPF obligations and are empowered to take appropriate action if they fail to do so. The GFSR members may become aware of non-compliance based on examinations, evaluations, complaints or market intelligence. Registrants must familiarize themselves with the penalties and obligations under FTRA 2018 and POCA 2018. The CC established an ongoing enforcement unit in 2019 which is charged with implementing the policy on administrative penalties and raise awareness of the administrative penalty regime through training and public notices.³³ The enforcement unit also serves to detect unregistered companies and non-compliance with the provisions of the FTRA 2018.

Pursuant to section 57 of the FTRA 2018,³⁴ notwithstanding any penalties under the FTRA 2018, the GFSR are empowered and have implemented policies on administrative penalties. The CC's policy, for example, sets out the process that the CC will follow when a DNFBP or individual of a DNFBP fails to comply with the FTRA 2018 or POCA 2018.

In one instance, the CC fined a law firm on 24th January 2020 in the amount of \$5,000 for failure to supply information (i.e., the risk assessment questionnaire) requested by the CC. The next chart shows the penalties imposed on law firms by the CC for failure to supply information.

³³ <https://ccb.finance.gov.bs/regulatory-legal-framework/enforcement-sanctions-penalties/>.

³⁴ FTRA 2018, s 57.

The Compliance Commission of The Bahamas		
Penalties Imposed on Law Firms 2019-2020		
Date	Type of Penalty	Amount
November 8th 2019	Failure to supply information requested (i.e., Risk Assessment Questionnaire)	\$1,000
July 23rd 2020	Failure to supply information requested (i.e., Risk Assessment Questionnaire)	\$250
January 24th 2020	Failure to supply information requested (i.e., Risk Assessment Questionnaire)	\$5,000

The chart below shows that for the period 2018-2021, the CC detected and sent letters to 84 law firms and 43 real estate brokers and land developers for failing to produce information, i.e., risk questionnaire.

COMPLIANCE COMMISSION'S ENFORCEMENT REPORT				
Letters sent to Registrants for Failure to Produce Information (i.e. Risk Questionnaire)				
	Law Firms	Real Estate	Compliant	Non-Compliant
2018	--	--	--	--
2019	69	39	108	--
2020	5	4	9	--
2021	10	0	10	--
(to date)				
TOTAL	84	43	123	--

The CC has detected a significant change whereby DNFBPs are registering because they are aware of the obligations rather than enforcement actions.

COMPLIANCE COMMISSION'S ENFORCEMENT REPORT				
Letters sent to Registrants for Failure to Register				
	Law Firms	Real Estate	Compliant	Non-Compliant
2018	14	--	14	
2019	27	4	31	--
2020	7	3	10	--
2021 (to date)	15	0	15	--
TOTAL	63	7	70	--

This chart shows the warning letters sent to DNFBPs for years 2018-2021 for failing to register despite providing services that required registration with the CC. All firms that received warning letters are registered and compliant.

Regulation of DNFBPs

Pursuant to section 4 of the FTRA 2018, which is in line with Recommendation 22 of the FATF recommendations, real estate brokers, land developers and lawyers when engaging in the buying and selling of real estate³⁵ fall within the remit of the CC's supervision. This means that they must be registered with the CC who provides regulatory oversight and maintains a general review of its registrants in relation to the conduct of financial transactions and ensures compliance with the provisions of AML/CFT/CPF laws. This is important because these DNFBPs tend to be the first point of contact for clients interested in purchasing property. They work closely with the client and may get to know them better than other gatekeepers, therefore they may be in a better position to determine plausibility with these often-one-off transactions. Based on what they know about the client, they may be able to determine whether the real estate transaction makes sense based on the client's background, source of funds, the purpose of the transaction and other factors.

The CC does not license the DNFBPs it supervises. However, real estate brokers and land developers are required by law (Real Estate (Brokers and Salesmen) Act 1995, Ch. 171) to be licensed by The Real Estate Board. BREA is mandated to regulate and control the practice of real estate business. The Real Estate Board, which comprises of BREA members, is also responsible for the management of the affairs of BREA. Only licensed brokers and land developers that have satisfied BREA's professional training and examination requirements can conduct real estate transactions in The Bahamas, except for property being sold directly by the owner. Upon application, the applicant must submit a copy of their passport, police certificate and four (4) references, one of which must be a personal bank reference. The real estate broker's licence may be cancelled or suspended by BREA if the broker, agent or land developer commits an offence such as fraud or dishonesty or procured his/her licence as a result of any misleading, false or fraudulent representation.

³⁵ FTRA, 2018, s 4(a) and (b).

In The Bahamas, membership in The Bahamas Bar Association (“BBA”) is mandatory for attorneys practicing law in accordance with the Legal Profession Act 1992, Ch. 64 (“LPA”). The LPA governs the legal profession inclusive of the process of joining the Bar and the rights and responsibilities of persons admitted to practice of law. Section 10(1) of the LPA provides that persons must satisfy the qualifications for admission to practice law in The Bahamas as laid out in the First Schedule (see Appendix B³⁶) or as a registered associate (Fourth Schedule of the LPA). Affidavit in support of the person’s petition for admission to The Bahamas Bar must include documentation such as a copy of the applicant’s passport, police certificate and three reference letters, two of which must be from financial members of the Bar. The Bar Council (the body which ensures the BBA meets its obligations under the LPA) may disqualify or suspend attorneys from practicing law if they are not of good character and fail to abide by the LPA and Code of Professional Conduct.

As licensing authorities of DNFBPs both SRBs have codes of ethics, review panels and disciplinary panels that oversee the conduct and ongoing operations of their licensees. The list of licensed members of the BBA & BRE is posted on their websites.

The CC applies at registration, fit & proper obligations contained in the CC Codes of Practice³⁷ and reviews factors such as honesty, integrity, reputation, competence, capability and financial soundness of the beneficial owners, directors, and senior management. This review is continuous; registrants are required by law to report any change in beneficial owner, director, partner, compliance officer (“CO”) or money laundering reporting officer (“MLRO”) to the CC within three (3) months of the change and new individuals taking on those roles are required to satisfy the fit and proper obligations. Penalties apply for non-compliance as per CC administrative penalty regime. The CC conducts annual (and immediately for new registrants) background checks on persons in these positions using KYC screening technology and local law enforcement. These measures and obligations prevent criminals or their associates from holding significant or controlling interest or holding a management function in DNFBP entities.

To date, the CC has not detected any law firm or real estate company registered that have beneficial owners, directors, partners, or senior management that are not members of the BBA or BRE or involved in the real estate activities.

On 13 August, 2021, the CC went live with an online registration portal that allows registrants to register and update information, for example, any change of beneficial owners, partners, directors, MLROs, COs or as required. Whenever a change is made via the electronic portal the CC is automatically notified to immediately begin conducting background checks on the new persons. The online portal allows the CC to track changes to registration information more efficiently. An annual update of registration information is required for registrants and to confirm that the firms remain operational.

³⁶ <http://laws.bahamas.gov.bs/cms/en/legislation/acts/by-alphabetical-order.html>.

³⁷ The Compliance Commission, ‘Codes of Practice for Lawyers and Real Estate Brokers and Land Developers’, <https://ccb.finance.gov.bs/regulatory-legal-framework/codes-of-practice/>.

The registrants of the CC are also guided by the Know Your Employee (KYE) procedures for screening new employees including personal character, competence, qualifications, background and employment checks, and police record. This guidance is included in the CC Codes of Practice for DNFBPs.

AML/CFT/CPF Obligations

In their role as gatekeepers, SFIs and DNFBPs must comply with FTRA 2018 requirements and other relevant AML/CFT/CPF legislation and applicable guidelines. This includes implementing a compliance program that encompasses the obligations listed below:

- Conduct and document a risk assessment of the company/firm's inherent risks to determine the level of exposure to the risks of ML/TF/PF, other identified risks and controls to mitigate risks;
- Establish written risk-based policies and procedures that comply with the provisions of AML laws and guidelines this is to be kept up to date, approved by senior management and/or Board of Directors, available to the competent authority and includes enhanced measures to mitigate risk;
- Identify and verify customers when opening an account, establishing a business relationship or carrying out the transaction and their source of funds and source of wealth;
- Appoint a senior management CO and a MLRO;
- Keep transaction, identification and verification records;
- Conduct on-going monitoring of customer transactions;
- Report suspicious transactions to the FIU, the agency charged with, amongst other things, receiving and analyzing suspicious transactions reports from financial institutions;
- Ensure the management and appropriate staff receive AML/CFT/CPF training annually;
- Conduct internal compliance effectiveness reviews of its operations at least once every two (2) years;
- Submit to AML examination by the relevant regulatory authority and its appointed agents;
- The compliance program must effectively address the firm's ML/TF/PF threats and mitigate those that are high risk;
- High risk client relationships (for example, high risk PEPs) have to be approved by senior management in compliance with guidelines in their policies and procedures manual;
- The firm must have a risk management system for customers and beneficial owners and screen clients to determine and monitor if they are listed on the United Nations Sanctions list; and have procedures to address the risk of a potential breach or non-implementation of targeted financial sanctions.
- The firm should have a risk management system for customers and beneficial owners and screen clients to determine if they are PEPs and higher risk relationships, and/or originate from a higher risk country as defined by FATF and apply the appropriate measures defined by the FATF.

Where a SFI or DNFBP is unable to comply with relevant CDD requirements or is unsatisfied that the transaction for which it may be involved is sound, as per section 11 of the FTRA 2018, SFIs and DNFBPs shall not establish a business relationship nor carry out a transaction if it is unable to identify and verify a facility holder.

Figure 13 – AML/CFT/CPF Obligations



Real Estate Transaction Process

(Refer to step 1, Illustrations A and B on pages 8 and 9)

By law, all real estate transactions involving brokers or agents in the sale or purchase of property in The Bahamas must be conducted in collaboration with a BREA-registered broker/agent. Any persons engaging in the practice of real estate business or in any branch of such practice without holding a valid licence will result in a penalty as stipulated in section 4 of the Real Estate (Brokers and Salesmen) Act, Ch. 171. Furthermore, only lawyers (who conduct the vast majority of real estate transactions) and persons listed under section 22(2) of the LPA are qualified to prepare conveyances or other documents relating to real property and if any unqualified person prepares any document relating to real property is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars, (\$1,000) unless he proves that the act was not done for or in expectation of any fee, gain or reward pursuant to Section 22(1) of the LPA.

Individuals may purchase the property outright or seek to purchase residential or commercial

property³⁸ in The Bahamas by way of financing through lending institutions. For financed purchases, potential buyers will attain prequalification so that they may receive an estimate of what they can borrow. Each lending institution has its own requirements, but the list of documentation generally required by FIs at the pre-approval stage can be found in Appendix C.³⁹

If the purchaser intends to hold the property in a company, which is often the case with foreign buyers, the company must be incorporated or registered in The Bahamas, have a registered office in The Bahamas where books and records are maintained, and meet other requirements as laid out in the Companies Act 1992, Ch. 308, or International Business Companies Act 2000, Ch. 309 (“IBC Act”), respectively. If the property is being purchased in the name of a corporate entity that is incorporated under the IBC Act, it must also have a registered agent⁴⁰ in the Bahamas provided by a licensed corporate service provider under the Financial and Corporate Services Act 2020, Ch. 369.

As shown in Figure 11, all financial and corporate service providers must be supervised, including for AML/CFT/CPF purposes, by the Securities Commission of The Bahamas. The corporate service provider must adhere to AML/CFT/CPF obligations⁴¹ and serves as another AML control in the real estate process.

The purchaser is required to provide a deposit by way of wire transfer or cheque, which will be placed in their lawyer’s client trust account to be held in escrow. Some purchasers may buy the property outright and will utilize banks to transfer the purchase price. In accordance with the Financial Transactions Reporting (Wire Transfers) Regulations, 2018, every beneficiary FI is responsible for taking reasonable measures to identify cross-border wire transfers and verifying the payee’s identity as provided under section 7(1) of FTRA 2018 and the Regulations.

Broker Engagement

(Refer to step 2, Illustrations A and B on pages 8 and 9)

The vendor would engage a real estate broker who will assist with the listing, marketing, advertising and viewing of the property. The broker/agent for the purchaser will assist with searching for and viewing properties based on the criteria provided by the purchaser. Once a property has been decided on by the purchaser, the purchaser’s broker/agent contacts the owner directly or by way of the owner’s broker/agent with the offer. Once an offer is accepted, a letter of intent (“LOI”) is prepared and contains the initial terms of the agreement, including particulars of the offer such as:

- The names of the parties, their respective legal representatives and the description of the

³⁸ Property according to the Conveyancing and Law of Property Act, Ch. 38 includes real and personal property and any estate or interest in any property, real or personal, and any debt and any thing in action, and any other right or interest. This is inclusive of vacant land, dwellings for first time owner occupiers, commercial buildings, condominiums, tenements or other structures attached to the land, timeshares and buildings constructed for sale by contractors who are the owners.

³⁹ http://www.rbcroyalbank.com/caribbean/bahamas/docs/Residential_Mortgage_Checklist.pdf.

⁴⁰ IBC Act 2000, s 38 (1).

⁴¹ Financial and Corporate Service Providers (Anti-Money Laundering and Countering the Financing of Terrorism) Rules, 2019.

property;

- The offer, date of offer and deposit;
- Who is responsible for the broker's fees and at what percentage;
- Who is responsible for payment of legal fees and the transfer tax (value added tax);
- Conditions;

Information in the LOI assists with the preparation of a formal Agreement of Sale.

Attorney Engagement (Refer to step 3, Illustrations A and B on pages 8 and 9)

The attorneys for the vendor and purchaser prepare the Agreement which provides the particulars of the transaction, inclusive of the closing date, which on average, can take anywhere between thirty (30) to ninety (90) days from the date of the agreement. The Agreement will also list conditions precedent to the completion of the transaction such as the purchaser obtaining financing (if applicable). Another common condition precedent is obtaining regulatory approvals by non-Bahamians. The agreement will also contain a clause stating whether the property is insured and either the purchaser is endorsed on the current policy or is assisted by the vendor in obtaining a policy to protect the investment until closing. The purchaser may also opt to obtain an insurance policy on the property at closing. If the purchase is financed, then it will be a requirement by the bank that insurance is obtained once title has been transferred. As an SFI, the Insurance sector/market is subject to the licensing, regulation and supervision by the ICB, which will ensure the AML/CFT/CPF requirements and compliance are met⁴², thereby providing another stage of AML controls throughout the real estate transaction.

Once the Agreement is agreed, the parties attend to execution, and the deposit is sent to the vendor's attorney to be held in escrow in the vendor attorney's client trust account pending successful completion of the transaction.

A title search is then performed by the purchaser's attorney to investigate whether the title is good and marketable. This includes conducting searches against the vendor and predecessors in title with the Supreme Court Civil Registry, the Registry of Deeds and Documents, Probate Registry and the Companies Registry, to satisfy themselves that the vendor can convey good and marketable title to the property. Title review by the attorney includes checking for regulatory approvals obtained for foreign predecessors.

Once the purchaser's attorney is satisfied that the vendor can convey good and marketable title to the property and all other conditions precedent (if any) are satisfied, the title document

⁴² Insurance Commission of The Bahamas, Guidelines For Insurance Companies: Anti-Money Laundering, Combating The Financing Of Terrorism & Proliferation Financing (2018, September 16) <https://insurancecommissionbahamas.com/wp-content/uploads/2019/10/AML-CFT-PF-Guidelines-for-Insurance-Companies-Sept-2018-1.pdf>.

transferring the property is then finalized and executed by the parties and remaining purchase price is paid, with the broker(s) receiving their commission from the proceeds. The purchaser's attorney then attends to other closing matters, including the payment of value added tax on the transfer of property. The purchaser's attorney also advises the Department of Inland Revenue of the change of ownership for real property tax purposes and sends the conveyance/title document to the Registry of Records at the Registrar General's Office. **(See steps 5 and 4 of Illustrations A and B, pages 8 and 9 respectively)**

Regulatory Approval

Foreign real estate investors must obtain government approval from the Bahamas Investment Authority ("BIA"). For such regulatory approvals, applicants are required to provide proof of identification and source of funds, along with character and financial references from independent, reputable sources issued by reputable third parties such as attorneys, notaries, accountants, etc. There are different regulatory approval applications depending on the intended use and size of the property being acquired.

Application for a Permit to Purchase/Register or Acquire Property

The BIA is empowered by the International Persons Landholding Act, Ch. 140 ("IPLA"), to regulate the ownership of Bahamian land by non-Bahamians and legal arrangements under their control.

The BIA operates as the administrative arm of the National Economic Council ("NEC"), the decision-making body in respect of all commercial projects by foreign direct investors, established for the purpose of simplifying investing in The Bahamas. The BIA is mandated to evaluate and approve project proposals, navigate legal and regulatory coordination, monitor and coordinate project implementation and administer the government's investment concessionary legislation.⁴³

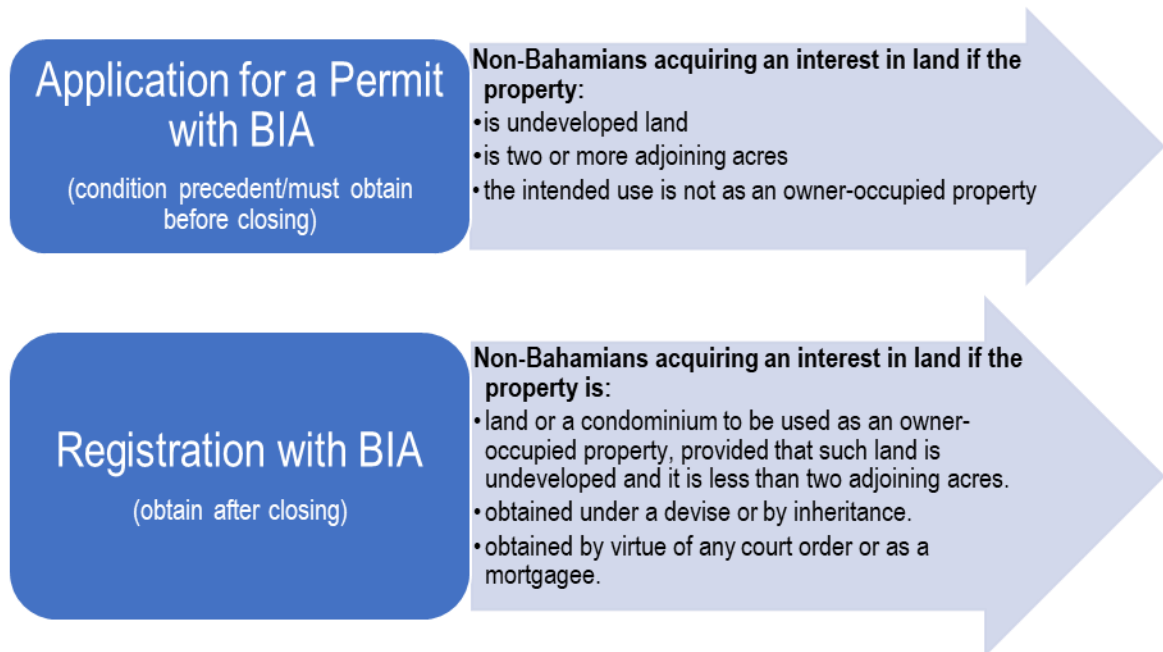
The intended use and size of the Bahamian land determines whether the non-Bahamian applies for permission, or registration, of their proposed acquisition of Bahamian land in accordance with the IPLA (see Figure 14). The application must include written confirmation that due diligence has been completed to meet CDD requirements pursuant to the FTRA 2018. See copies of the forms for permission or registration attached hereto as Appendix D.⁴⁴

⁴³ Bahamas Investment Authority, "Overview of the Bahamas Investment Authority", Accessed March 1, 2021.

https://www.bahamas.gov.bs/wps/portal/public/About%20Us/Overview%20of%20BIA/!ut/p/b1/vc_HkpswAMbxZ9kH8CKahl8U08GmlwsDxsaWTFGCaU8f7ySHXDa5JCudNPMf_eYjUilm0iyfr1U-XNsmv3--U5jRyt5yRlazOMhsgUb6tibtdrSiiiiijWZZonTKlnzM-9SKtyd7fjY200Ysoln3zGrwugp3cvFNrqX7eU5jk-zOm1s21pOfwjtQYqaedMogIHpttBkjm-gBoeSuj1XdA28YWT8MtwmW9wcD2fw2BirgQ_aBT7TpVrRlhRaroLKOqSihimuYFLGmMklZ30sLiqVy52rMPX0MM8bHoqmivm317DkNqX8cXjw993pzwQoFs-_kj3lfyYiCY2ABYZH_gr-QCSvAH35gwmJn4gBk3l46bT1trp4dU0LO4sdVCSJo9XbraHty7ZVCrb34WqgCIB1a4GfK9m6TcAupUMZuoHAC3PXP_w_gx6Lvhc0nO8GIFxfYoiX6BJmzYnkp4Jvxtk_zmoE-m1qN-nY_003kmKBSzkOJoCgKYgjYgQBxBlvTbtDs_QxGfydaDpimOo10OczkFg3HLH_GtHf3ijpjaipRrgsz90JNqLVD8_rSI1V3Wu7tIFgUjR3vU6sbOP_Nx5OnFRhTqxbZgKRmqB7zZht2m9PMcPtU0pVutVasPqgezJbcP30EDaqZDmbk_X7EOYgijph8uYzZ4cmcnJT9L023TX6Z1rVtQpJLlVXWhqU2ilCWSbyY6Spe2wF1EMK7DCF5mErbb1iejq0YQuR_526Yp_e_sBTC8ASQ!!/dl4/d5/L2dBISevZ0FBIS9nQSEh/

⁴⁴ https://www.bahamas.gov.bs/wps/portal/public/!ut/p/b1/04_Sj9CPykssy0xPLMnMz0vMAfGjzOKNDdx9HR1NLHz9jUisDTwNnQ3NvENNDbyDjYEKIoEKDHAARwNC-sP1o_ArMYQgwGOFn0d-bqg-QW6EQZaJovlA06v6_A!!/dl4/d5/L2dBISevZ0FBIS9nQSEh/

Figure 14



In addition to applying for a permit to acquire privately held land, non-Bahamian investors seeking to engage in major resort or residential developments, must submit a project proposal to the NEC detailing specifics about the project. The Project Proposal Guidelines are attached hereto as Appendix E.⁴⁵

Once the BIA approves the acquisition, the Permit or Certificate of Registration is attached to the title document and recorded with the Registry of Records at the Registrar General’s office. **(Refer to steps 4 and 5, Illustration A, page 8)**. Any title document recorded without a Certificate of Registration or Permit renders the registration of the title document null and void and without effect for all purposes of law and will prevent the owner from securing financing or selling the property.

Central Bank of The Bahamas Exchange Control Approval (Refer to Step 4 Illustration A on page 8)

In addition to its regulatory and supervisory authority, the CBOB is mandated to regulate access to foreign currency, the holding of foreign assets and register certain investment applications involving non-residents, inclusive of investments or business developments that require prior

⁴⁵ <https://www.bahamas.gov.bs/wps/wcm/connect/23db16c4-9972-49b9-ac60-87a6138cb860/Project+Proposal+Guidelines.pdf?MOD=AJPERES&CACHEID=23db16c4-9972-49b9-ac60-87a6138cb860>

approval from the NEC or the Investments Board. Under the Exchange Control Regulations, non-Bahamians who want to purchase real estate in their individual capacity or through an entity, must register their investments with CBOB. Once the registration of the transaction is approved, the transaction is granted Approved Investment Status (AIS), recognizing that foreign capital has been used by a non-Bahamian for investment in the local economy, and it also ensures foreign investors will be permitted to repatriate, upon application, any rental income received or income derived from the sale of any real property. During the application process, it must be evidenced to the CBOB that the investor seeking AIS was the source of funds for the investment by requiring copies of identification and other supporting documentation listed in Appendix F.⁴⁶

With regards to real estate transactions, the application to Exchange Control is from 2019 required solely for commercial or financed purchases and sales. If the mortgagee is a private lender, they are also subject to approval and CDD measures by Exchange Control (See Appendix G).⁴⁷ For commercial real estate investments, approval is required at the development stage; subsequent sales of subdivided residential units or constructed dwellings do not need approval. Also, with the 2019 liberalization measures, non-financed residential transactions do not need CBOB approval. However, the funds transfers for those transactions will continue to be subject to the due diligence and internal protocols that commercial banks and DNFBPs undertake to satisfy statutory and regulatory obligations for AML/CFT/CPF in real estate transactions. The CBOB is obligated to withhold exchange approvals whenever there are suspicions regarding ML or other illicit activities associated with proposed transactions and report such suspicious transactions.

Economic Permanent Residency/Annual Home Owners Resident Card

Foreign investors who purchase residential property at a value of \$750,000⁴⁸ or more to be used as either a primary or secondary home in The Bahamas, are entitled to apply to the Department of Immigration for a certificate of permanent residency. Economic permanent residency allows the foreign purchaser (along with their spouse and children under the age of 18) the right to enter the jurisdiction as often and for as long as they would like. There is no path to citizenship or local working rights associated with the Home Owners Resident Card.

The application⁴⁹ requires identification and verification of the applicant. Any applicant(s) are interviewed by a Bahamian immigration officer and must provide supporting documents including their passport, birth certificate, and police certificate.⁵⁰ Because economic permanent residency does not give these persons a right to work in The Bahamas, they must also provide proof that they have sufficient financial means to support themselves without the need to be

⁴⁶ <https://www.centralbankbahamas.com/exchange-control-notes-and-guidelines/approved-investment-status/exchange-control-department-approved-investment-status>

⁴⁷ <https://www.centralbankbahamas.com/exchange-control-notes-and-guidelines/loan-security-arrangements/exchange-control-department-loans>

⁴⁸ In the 2021/2022 budget debate, the Government of The Bahamas tabled the Immigration (Amendment) Bill, 2021. In the Bill, the government is considering expanding applications for economic permanent residency for non-real estate investments in The Bahamas at a minimum of \$1 million; “investments” would be in endowment funds targeted at education, sports, the arts and culture, and social development projects - <http://www.tribune242.com/news/2021/jun/15/govt-mulling-1m-investment-floor-permanent-residen/?news>.

⁴⁹ <https://www.immigration.gov.bs/permits-and-residencies/permanent-residence/>.

⁵⁰ All documents issued from countries outside The Bahamas must be properly verified (by apostille or Legalization) and have signature of authentication by the Ministry of Foreign Affairs before they can be submitted. An apostille is required for birth, marriage and death certificates issued by countries that are members of the Hague Apostille Convention.

employed in The Bahamas. Proof that there are no outstanding property tax payments on the relevant properties must also be provided. If the application is approved, the spouse of the primary applicant and children under the age of 18 can be endorsed on the Certificate.

Alternatively, an application (similarly, the applicant is to provide a copy of their passport and a police certificate) may be made for a Home Owners Resident Card⁵¹, which also allows seaport entry. This card expires after one year and the renewal application must be made annually. The economic permanent residency, on the other hand, is a one-time application. Similarly, the annual home owners card does not give the holder the right to work or hold citizenship in The Bahamas. Both application forms can be found at Appendix H.

Conclusion

It has always been the case that persons wishing to invest in Bahamian real estate face a substantial series of hurdles and checks to confirm the legitimacy of their assets. This applies with additional steps for foreign property purchasers.

The Bahamas further strengthened its framework in the real estate sector through the implementation and enforcement of AML/CFT/CPF legislation such as the FTRA 2018. The enactment of the FTRA 2018 expanded the list of services and obligations in line with the FATF standard for DNFBPs due to their involvement in real estate transactions, rendering them financial institutions for AML purposes. Through on-going supervision by the CC and other GFSR members these DNFBPs understand how they can be misused for ML/TF/PF purposes, and their obligations to effectively assess, manage and mitigate ML/TF/PF and related risks.

The financial service regulators ensure their licensees/registrants are aware of and understand the ML/TF/PF risks and AML/CFT/CPF obligations; they enforce and monitor compliance with the obligations to effectively assess, manage and mitigate ML/TF/PF and comply with preventative measures. Overall, they play an essential role in protecting the financial system and other sectors from misuse by criminals and terrorists.

Whether via loan financing or electronic funds transfer, individuals and entities acquiring property in The Bahamas must follow the steps outlined in illustrations A or B. As shown in these illustrations, supervisors, gatekeepers and government agencies are involved in real estate transactions. Non-Bahamians must obtain approval from, or register with the BIA to purchase property, thereby strengthening the AML controls in place to mitigate the threat of ML by non-Bahamians in the real estate sector.

Before establishing the relationship and agreeing to act on behalf of the vendor or purchaser in real estate transactions, SFIs and DNFBPs are obligated to undertake identification and verification measures on the client. If they are unable to identify the client, they are required to terminate the business relationship. They are responsible for preparing and having in place AML/CFT/CPF internal controls, policies and procedures and a risk management system,

⁵¹ <https://www.immigration.gov.bs/permits-and-residencies/home-owners/>.

maintaining client records and having them available for examination. Subsequently, DNFBPs must perform and document an internal compliance effectiveness review.⁵² SFIs and DNFBPs must also scrutinize, monitor and report suspicious transactions to the FIU.

From the licensing and registration of SFIs and DNFBPs by their respective regulatory bodies, to the close of a transaction, there are strong AML/CFT/CPF controls at each step of the real estate transaction process to mitigate and manage the risk of ML/TF/PF, therefore making it unlikely that The Bahamas is a real estate-based money laundering center. These AML/CFT/CPF controls strengthen the integrity of the financial sector and help to safeguard against the risk of ML/TF/PF.

Disclaimer: The views, opinions, findings and assessments expressed in this paper are strictly those of the CC and no other regulatory authority or government agency. This document is for information purposes only.

⁵² A review to assess the effectiveness of the Registrant's compliance program, inclusive of reviewing the risk assessment, policies and procedures and compliance training program and ensuring it covers the current legal requirements, guidelines and all obligations applicable to the DNFBPs sector.

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AML/CFT/CPF Controls present within The Bahamas' Real Estate Sector

Compliance Commission of The Bahamas

Appendices

May 2022

The legal basis of AML/CFT/CPF obligations and legal framework are outlined in the following Key Legislations:

- Anti-Terrorism Act, 2018
- Anti-Terrorism (Amendment) Act, 2019
- Anti-Terrorism Regulations, 2019
- Anti-Terrorism (Amendment) Regulations, 2019
- Financial Intelligence Unit Act, 2000
- Financial Intelligence (Transactions Reporting) Regulations, 2001
- Financial Transactions Reporting Act, 2018
- Financial Transactions Reporting Regulations, 2018
- Financial Transactions Reporting (Wire Transfer Regulations), 2018
- International Obligations (Economic and Ancillary Measures) Act, 1993
- International Obligations (Economic and Ancillary Measures) (Amendment) Act, 2019
- Proceeds of Crime Act, 2018
- Travellers Currency Declaration (Amendment) Act, 2018
- Register of Beneficial Ownership Act 2018
- Register of Beneficial Ownership (Amendment) Act, 2019
- Register of Beneficial Ownership (Amendment) (No 2) Act, 2019
- Register of Beneficial Ownership (Amendment) Act 2020

(3) In subsection (2) the expression “subject to affirmative resolution of both Houses of Parliament” in relation to an order means that any such order is not to come into operation unless and until approved by a resolution of each House of Parliament.

FIRST SCHEDULE (Sections 10, 11, 19(3), 57)

QUALIFICATIONS FOR ADMISSION

PART A

A person is qualified for admission to practice under this Part of this Schedule if —

- (a) he has been called to the Bar of England, Scotland, Northern Ireland or Eire, or of such other country, whether within the Commonwealth or not, as may be prescribed; or
- (b) he has been admitted to practice as a solicitor in the Supreme Court of England, Scotland, Northern Ireland or Eire, or of such other country, whether within the Commonwealth or not, as may be prescribed.

PART B

A person is qualified for admission to practice under this Part of this Schedule if he has been awarded a Legal Education Certificate by the Council of Legal Education of the West Indies.

PART C

A person is qualified for admission to practice under this Part of this Schedule if he —

- (a) holds a degree in law from a university or institution approved by the Bar Council and the Council of Legal Education of the West Indies as being academically equivalent to a Bachelor of Laws degree from the University of The West Indies;
- (b) is a person who completed the period of articleship required by subsection (2) of section 43 with a counsel and attorney in actual practice in The Bahamas and such articles began on or before the expiration of two years from the appointed day or on such later date as the Attorney-General may by order designate;
- (c) has passed the examinations approved by the Bar Council and the Council of Legal Education of the West Indies for the purposes of this Part.

6 of 1997, s 2

Mortgage checklist

Required documentation for Mortgages

› **New clients**

- Two (2) of the following valid forms of photo identification: Passport, National Identification card or Driver's License. Where applicable, name changes must be evidenced by Marriage License, Affidavits, Deed poll etc...
- Proof of permanent address (not older than 1 year) e.g. Utility bill, Tax assessment
- Proof of occupational income (where applicable) e.g. Job letter stating employment (not older than 3 months) and last pay slip
- Bank reference letter for non-residents only

› **Supporting evidence of mortgage**

- Deed for property to be purchased or Mortgage purchase agreement
- Land & building taxes receipt (up to date)
- Current valuation report - see panel of valuers below (where applicable)
- Approved building plans; Copy of builder's/ Contractor's estimates (where applicable)
- Quantity surveyor's report
- Confirmation of equity (minimum 5%)

› **All existing salaried clients**

To ensure that your personal information is updated on our records, please provide the following:

- Valid photo Identification
- Proof of permanent address (not older than 1 year)
- Proof of current occupational income (Where applicable)

› **All existing Self-employed clients**

- Two (2) of the following valid forms of photo identification: Passport, National Identification card or Driver's License. Where applicable, name changes must be evidenced by Marriage License, Affidavits, Deed Poll etc...
- Financial statements for the last three (3) years supported by income tax assessment notices
- Cash flow projection for the next twelve (12) months

› **Additional Documents****Company**

- Audited financial statements for the last three years
- Cash flow projection for the next twelve (12) months
- Certificate of Incorporation or Continuance
- Annual returns
- Company profile

Townhouse/ Condominium/ Apartment

- Property Management Company - Article of association, Bylaws and Certificate of Continuance
- Copy of owner's Share Certificate.

For Construction or Renovation, in addition to the above, the following is required

- Approved building plans
- Copy of Builder's/ Contractor's estimates (Where applicable)
- Quantity Surveyor's Report from an approved Quantity Surveyor
- Copy of site plan and approved plans stamped by Town & Country Planning Department



**THE INTERNATIONAL PERSONS LANDHOLDING ACT CH. 140
REQUIREMENTS FOR PERMIT**

Applicants wishing to apply for a Permit are required to complete the whole form over leaf and submit along with the following:

- (A) Copy of National Photo Identification (Passport, Driver's Licence, etc.)
- (B) Written confirmation that due diligence has been completed to meet "Know Your Customer" requirements, pursuant to the Financial Transactions Reporting Act, 2000.
- (C) Police Record / Certificate from Country of residence or Sworn Affidavit where applicable
- (D) Character Reference
- (E) Copy of site plan of land being acquired / purchased (please include size)
- (F) Bahamas Immigration Status
- (G) Social Security Number / National Identification Number
- (H) Real Property Tax Assessment Number
- (I) Evidence of Payment of Real Property Tax (must be current)
- (J) If applicant is a Bahamian Registered Company a copy of Certificate of Incorporation / Registration in The Bahamas is required
- (K) Financial Reference
- (L) Source of Wealth (If self employed, state in which field and provide proof thereof)

Note:

In respect of Companies, due diligence documents are required for each of the beneficial owners.

In respect of Trusts due diligence documents are required on Trustees as well as the ultimate beneficiaries of the Trust

Properties valued under \$15,000 do not require due diligence (Identifying Particulars Only)

Fee of \$500.00 payable AT the Public Treasury upon approval of the permit and prior to the issuance of the permit

FOR OFFICIAL USE ONLY

- | | | |
|---|--|----------------------------|
| () Character Reference | () Copies of Photo Identification | () Social Security Number |
| () Police Record/ Certificate | () Copy of Proof of Immigration Status | () Source of Wealth |
| () Copy of Site Plan | () Evidence of payment of Real Property Tax | () Financial Reference |
| () Copy of Certificate of Incorporation / Registration in The Bahamas on Behalf of applicant Company | | |

THE INTERNATIONAL PERSONS LANDHOLDING ACT

S. I. NO. 61 OF 2007

FORM 3

APPLICATION FOR PERMIT

To: Secretary to the Board
Investments Board
P.O. Box CB - 10980
Nassau, The Bahamas

Full Name of Applicant(s):

Residential/Registered address of Applicant(s):

Date of Birth: _____ Place of Birth: _____
Dd/mm/yr: _____

Nationality of Applicant (s) _____
Occupation: _____ (If Self Employed, please state nature of business)

Bahamas Immigration Status (if any)

Permanent Residence Residence Spouse Work Permit
 Annual Residence Other _____

Description and location of property held/to be acquired by the Applicant
(exact size, i.e. acreage or dimensions and site plan required)

Condition of Property: Developed Undeveloped

Intended use of property being acquired:

A list of properties (if any) in The Bahamas presently held by the Applicant(s)
(Provide condition of property – state whether vacant or developed)

Name, Address, Nationality of Vendor or (Beneficial owners of Vendor Company)

Purchase price and state how funded and whether by local or foreign source
(Value where applicable – i.e. for Inherited Property, Deed of Gift, Deed of Exchange etc.)

Purpose for which property is being or to be used – where land is to be used for development purposes, state the nature and extent of the development, the period of time within which such will be carried out and how the cost thereof will be funded

Signature of Applicant or Attorney

1 In case of a foreign person who is a body corporate state the amount of shares or stock issued, the respective nationality of the beneficial owners thereof and the liens existing against such shares or stock on a separate sheet of paper. Where needed further details may be submitted on an attached sheet and signed.



**THE INTERNATIONAL PERSONS LANDHOLDING ACT CH. 140
REQUIREMENTS FOR CERTIFICATE OF REGISTRATION**

Applicants wishing to apply for a Certificate of Registration are required to complete the whole form over leaf and submit along with the following:

- (A) Copy of National Photo Identification (Passport, Driver's Licence, etc.)
- (B) Written confirmation that due diligence has been completed to meet "Know Your Customer" requirements, pursuant to the Financial Transactions Reporting Act, 2000.
- (C) Police Record / Certificate from Country of residence or Sworn Affidavit where applicable
- (D) Character Reference (current)
- (E) Copy of site plan of land being acquired / purchased (please include size)
- (F) Proof of Bahamas Immigration Status
- (G) Social Security Number / National Identification Number
- (H) Real Property Tax Assessment Number
- (I) Evidence of Payment of Real Property Tax (must be current)
- (J) If applicant is a Bahamian Registered Company a copy of Certificate of Incorporation / Registration in The Bahamas is required
- (K) Financial Reference (current)
- (L) Source of Wealth (If self employed, state in which field and provide proof thereof)
- (M) Copy of relevant conveyance evidencing payment of Stamp Duty thereon as well as backing sheet

Note:

In respect of Companies, due diligence documents are required for each of the beneficial owners.

In respect of Trusts due diligence documents are required on Trustees as well as the ultimate beneficiaries of the Trust
Properties valued under \$15,000 do not require due diligence (Identifying Particulars Only)

Fee of \$250.00 for Certificate of Registration payable AT the Public Treasury prior to issuance of Certificate

FOR OFFICIAL USE ONLY

- | | | |
|---|---|---|
| <input type="checkbox"/> Character Reference | <input type="checkbox"/> Copies of Photo Identification | <input type="checkbox"/> Social Security Number |
| <input type="checkbox"/> Police Record/ Certificate | <input type="checkbox"/> Copy of Proof of Immigration Status | <input type="checkbox"/> Source of Wealth |
| <input type="checkbox"/> Copy of Site Plan | <input type="checkbox"/> Evidence of payment of Real Property Tax | <input type="checkbox"/> Financial Reference |
| <input type="checkbox"/> Copy of Certificate of Incorporation / Registration in <u>The Bahamas</u> on Behalf of applicant Company | | |

THE INTERNATIONAL PERSONS LANDHOLDING ACT
S. I. NO. 61 OF 2007
FORM 1
APPLICATION FOR CERTIFICATE OF REGISTRATION

To: Secretary to the Board
Investments Board
P.O. Box CB - 10980
Nassau, The Bahamas

Full Name of Applicant(s):

Residential/Registered address of Applicant(s):

Date of Birth: _____
Dd/mm/yr: _____

Place of Birth: _____

Nationality of Applicant (s)¹: _____
Occupation: _____ (if Self Employed, please state nature of business)

Bahamas Immigration Status (if any, please provide proof)

Permanent Residence Residence Spouse Work Permit
 Annual Residence Other _____

Description and location of property held / to be acquired by the Applicant
(exact size, i.e. acreage or dimensions and site plan required)

Condition of Property: Developed Undeveloped

Intended use of property being acquired:

A list of properties (if any) in The Bahamas presently held by the Applicant(s)
(Provide condition of property – state whether vacant or developed)

Name, Address, Nationality of Vendor or (Beneficial owners of Vendor Company)

Purchase price and state how funded and whether by local or foreign source
(Value where applicable – i.e. for Inherited Property, Deed of Gift, Deed of Exchange etc.)

Purpose for which property is being or to be used – where land is to be used for development purposes, state the nature and extent of the development, the period of time within which such will be carried out and how the cost thereof will be funded

Signature of Applicant or Attorney

¹ In case of a foreign person who is a body corporate state the amount of shares or stock issued, the respective nationality of the beneficial owners thereof and the liens existing against such shares or stock on a separate sheet of paper. Where needed further details may be submitted on an attached sheet and signed.

BAHAMAS INVESTMENT AUTHORITY
 4th Floor, Sir Cecil Wallace Whitfield Building, Cable Beach
 P. O. Box CB-10980
 Nassau, The Bahamas
 Tel: (242) 327-5826/7 Fax: (242) 327-5806

Project Proposal Guidelines

NAME	Please give us the name of the applicant, whether corporate or personal. For a corporate entity, it could be a proposed or reserved name.
ADDRESS	Please include telephone and/or fax.
DESCRIPTION OF PROPOSAL	Please provide a comprehensive executive summary of the project.
PRINCIPALS	Please list all of the principals in the venture (major beneficial owners), along with identifying particulars such as place and date of birth and passport or social security number for each one.
PROPOSED LOCATION	It is important to state where in The Bahamas the project will be located.
LAND REQUIREMENTS	If a request is being made for publicly owned land, please state the acreage and location. Applicants who wish to acquire privately held land must also apply for a permit to do so.
PROPOSED START-UP DATE	Please indicate the maximum time for the commencement, and if possible, completion of the project.
MANAGEMENT/PERSONNEL REQUIREMENTS	Please state the number of work permits that may be required for key personnel, for administration and financial management.
CAPITAL INVESTMENT	Please indicate the total capital investment to be made in the project, and provide a breakdown of the items involved and an estimate for start-up costs. Note: Minimum capital investment of B\$250,000 for foreign investors.
EMPLOYMENT PROJECTION	Please indicate the number of Bahamians to be employed in construction and/or operation of the project in the first year.
FINANCIAL ARRANGEMENTS	Please provide proof of financial capability, that is, a letter of credit from a financial institution or a net worth statement for each principal or verification of deposit of funds in a Bahamian bank.
ENVIRONMENTAL IMPACT	Please indicate any possible harmful environmental effects and list the mitigating measures that would be employed to deal with them.
ECONOMIC IMPACT and BUSINESS PLAN	Please indicate potential benefit to the national economy, including NIB revenues, utilities, possible entrepreneurial spin-offs.

All information shall be held in the strictest confidence



EXCHANGE CONTROL DEPARTMENT

Approved Investment Status

Individual Applicant

- i. a copy of the relevant pages of the applicant's passport; and
- ii. documentation to confirm the applicant's Bahamas immigration status, if applicable.

Corporate Applicant

- i. a copy of the applicant's Certificate of Incorporation/Registration;
- ii. a copy of the relevant pages of the passport of each of the applicant's beneficial owners; and
- iii. documentation to confirm the Bahamas immigration status for each beneficial owner, if applicable.

Property Purchase (All Applicants)

- i. a copy of the vatted conveyance to the purchaser;
- ii. a copy of the Bahamas Investments Board Permit/Certificate of Registration in the purchaser's favour;
- iii. a copy of the recorded conveyance to the vendor;
- iv. a copy of the Bahamas Investments Board Permit/Certificate of Registration in the vendor's favour, if applicable; and
- v. documentary evidence (i.e., a copy of a bank statement, wire transfer instructions, cancelled cheque, etc.) to confirm that the purchase funds emanated from a foreign currency source and were paid to the vendor.

Property Purchase (Individual Vendor)

- i. a copy of the relevant pages of the vendor's passport; and
- ii. documentation to confirm the vendor's Bahamas immigration status, if applicable.

Property Purchase (Corporate Vendor)

- i. a copy of the vendor's Certificate of Incorporation/Registration;
- ii. a copy of the relevant pages of the passport of each of the vendor's beneficial owners; and

- iii. documentation to confirm the Bahamas immigration status for each beneficial owner, if applicable.

Share Purchase:

- i. documentary evidence (i.e., a copy of a bank statement, wire transfer instructions, cancelled cheque, etc.) to confirm that the purchase funds emanated from a foreign currency source and were paid to the vendor; and
- ii. a copy of the Bahamas Investment Authority's approval of the applicant's shareholding.

All Inherited Assets

- i. a copy of the relevant pages of the passport for the decedent(s);
- ii. documentation to confirm the decedent's Bahamas immigration status, if applicable; and
- iii. a copy of the decedent's resealed Will & Grant of Probate/Letters of Administration in the Supreme Court of The Bahamas.

Inherited Property

- i. a copy of the recorded conveyance to the decedent;
- ii. a copy of the Bahamas Investments Board Permit/Certificate of Registration in the decedent's favour, if applicable;
- iii. a copy of the vatted conveyance to the applicant; and
- iv. a copy of the Bahamas Investments Board Permit/Certificate of Registration in the applicant's favour, if applicable.

Inherited Shares

- i. copies of the share certificates in the decedent's favour; and
- ii. a copy of the Bahamas Investment Authority's approval of the applicant's shareholding.



EXCHANGE CONTROL DEPARTMENT

Loans

Individual Borrower(s)

- i. a copy of the relevant pages of the passport for each borrower; and
- ii. a copy of each borrower's Bahamas immigration document, if applicable.

Corporate Borrower(s)

- i. a copy of the entity's incorporating document (i.e., Certificate of Incorporation, Partnership Agreement, Declaration/Certificate of Trust, etc.);
- ii. a copy of the relevant pages of the passport for each beneficial owner;
 - i. a copy of each beneficial owner's Bahamas immigration document, if applicable;
 - ii. a copy of the entity's *current* Business License (*required for all corporate borrowers licensed to do business in The Bahamas*);
- iii. a copy of the executed Directors/Board Resolution authorizing the proposed financing arrangement; and
- iv. copies of all other relevant government licenses, if applicable.

Loan Details

- i. appropriate documentary evidence to confirm the purpose of the financing arrangement;
- ii. a copy of the lender's Commitment Letter/Loan Agreement;
- iii. copies of the executed Promissory Notes/Guarantees/other documents to support the loan arrangement, if applicable;
- iv. a copy of the Bahamas Investments Board Permit (*required for all non-Bahamians and/or non-Bahamian owned entities seeking foreign currency loan approval to purchase local real estate for commercial or mixed use (residential/rental)*); and

- v. a copy of the Bahamas Investment Authority's approval for local real estate or local shares to be pledged as security to a foreign lender, if applicable.

Individual Lender

- i. a copy of the relevant pages of the lender's passport;
- ii. a copy of the lender's Bahamas immigration document, if applicable; and
- iii. a copy of a financial reference letter to evidence the lender's ability to extend the proposed loan.

Corporate Lender

- i. a copy of the lender's incorporating document (*not required for regulated financial institutions, whether local or abroad*); and
- ii. copies of the lender's most recent audited financial statements (*required for lenders that are not publicly traded or regulated financial institutions*)

Mortgage Loans and Mortgage-Back Arrangements

- i. a copy of the vatted conveyance in the borrower's favour;
- ii. a copy of the Bahamas Investments Board Permit/Certificate of Registration in the borrower's favour, if applicable;
- iii. a copy of the recorded conveyance in the vendor's favour;
- iv. a copy of the Bahamas Investments Board Permit/Certificate of Registration in the vendor's favour, if applicable;

Individual Vendor

- i. a copy of the relevant pages of the vendor's passport; and
- ii. a copy of the vendor's Bahamas immigration document, if applicable.

Corporate Vendor

- i. a copy of the entity's incorporating document (i.e., Certificate of Incorporation, Partnership Agreement, Declaration/Certificate of Trust, etc.);
- ii. a copy of the relevant pages of the passport for each beneficial owner; and
- v. a copy of each beneficial owner's Bahamas immigration document, if applicable.

N.B.: *If shares in any of the corporate entities involved in the transaction are held by an entity or in a nominee capacity, we require copies of the incorporating documents for each entity along with documentation to confirm the identity and Bahamas immigration status (items ii. and iii.), if applicable, for each beneficial owner.*

SCHEDULE

(Regulation 2)

FORM IV

(Regulation 8)

THE BAHAMAS

APPLICATION FOR A CERTIFICATE OF PERMANENT RESIDENCE

(Persons other than spouses of citizens of The Bahamas)

WARNING: The giving of false information on this form or in support of this application may lead to prosecution.

PERMANENT RESIDENCE — ECONOMIC

Please note that your application WILL NOT be processed without these documents.

NOTE: Application forms are to be completed in duplicate.

- 1. Birth Certificate Certified English translations & originals, if Certificates are in a foreign language
2. Marriage Certificate
3. Wife's / husband's birth certificate
4. A recent police certificate
5. A recent medical certificate
6. 2 passport-size photographs
7. 2 written character references
8. A \$4.00 Bahamian postage stamp
9. Financial reference(s) verifying economic worth including cash and property owned and citing a figure range
10. Application must be notarized by a lawyer or Justice of the Peace

- 1. Date of first arrival in The Bahamas
2. Date of arrival in relation to Permanent Residence
3. Name in full (in block letters)
4. Nationality
5. Nationality at birth
6. Religious Denomination
7. Place and date of birth
8. If naturalized, state when and where
9. Nationality of father and mother
10. Name of wife (or husband)
11. Nationality of wife (or husband)
12. Particulars of children as follows:-

Table with 5 columns: Names, Age, Sex, Nationality, Country of Birth

13. Passport number, date and place of issue
-
14. Date passport expires
15. Present domicile
16. Present immigration status of applicant (state whether Work Permit holder, Annual Resident, Visitor)
.....
17. Details of periods of residence in The Bahamas
18. Other places of residence during the past five years
-
-
19. Present address
(STREET) (P.O. BOX NO.) (TELEPHONE NO.)
20. Have you ever been convicted of a criminal offence?
- (If so, give details).....
-
21. Education at home and /or abroad
-
-
22. Character references (Names and addresses of at least two)
-
-
23. Financial references
-
24. Present Occupation
25. Normal Occupation (if not as above)
26. Does the applicant own his own home in The Bahamas? (Note: It is immaterial whether or not
subject to mortgage)
27. If the answer to No. 26 is in the negative, does the applicant intend to build a home in The Bahamas?
-

28. FINANCIAL

- (a) Do you wish to seek employment in The Bahamas?
- (b) Have you a private income?
- (c) Is the source of your income mainly outside The Bahamas?
-

- (d) How much is your income?
 - (i) \$10,000 to \$20,000 p.a. ()
 - (ii) \$20,000 to \$30,000 p.a. ()
 - (iii) over \$30,000 ()
- (e) Have you any investment in The Bahamas?
- (f) If so, how much? Less than \$50,000 ()
 More than \$50,000 ()
- (g) Do you own any real estate in The Bahamas?
- (h) How much do you undertake to invest in The Bahamas?

29. TRAINING AND EXPERIENCE

- (a) What special expertise or skills do you possess?

- (b) What special distinction have you achieved?
- (c) Are you willing to make your special expertise/skills available to The Bahamas?
- (d) Is there any special contribution which you feel you can make to the development of The Bahamas?

30. LOCATION

In what part of The Bahamas would you wish to reside?

31. I declare that it is my intention to reside permanently within The Bahamas and that the foregoing

Particulars are correct

Signature

Date

Dated the day of 20

Declared before me this day of

20

Notary Public/Justice of the Peace

APPLICATION FOR HOME OWNERS RESIDENT CARD

A PROCESSING FEE OF \$200.00 IS REQUIRED (Cash/Money Order payable to the Public Treasury)

Applicants wishing to be issued a Home Owner Resident Card are required to complete the whole form and submit the following documents with this application:

- a. Letter of request addressed to the Director of Immigration
b. Two (2) passport size photographs (2x2 inches, captured within 6 months, signature on reverse)
c. Copy of valid passport (must be signed and readable with minimum of two (2) months validity)
d. Medical (issued within 30 days of application) & Police Certificates (issued within 6 months)
e. Documentary proof of payment of current Real Property Tax
f. Registered Deed of Conveyance of ownership of a home in The Bahamas
g. International Landholding Certificate

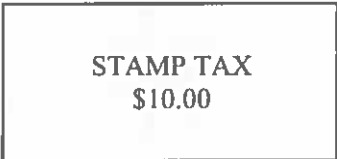
PERSONS INTENDING TO RESIDE IN THE BAHAMAS MUST BE IN POSSESSION OF A VALID PASSPORT

- 1. Full Name: Mr./Mrs./Miss
2. Place of Birth:
3. Date of Birth:
4. Present Nationality:
5. Previous Nationality:
6. Particulars of any change of name:
7. Local Address:
8. Home Address:
9. Single, Married, Divorce:
10. Full name of wife/husband:
11. Nationality of wife/husband:
12. Particulars of children under 18 years of age:

Table with 3 columns: NAME, DATE OF BIRTH, PLACE OF BIRTH

- 13. Profession or Occupation:
14. Particulars of Passport (number, place and date of issue):
15. Have you been convicted of any criminal offence? State YES or NO
16. If YES give full detail of the offence(s):

Signature: Date:



NOTARY PUBLIC/JUSTICE OF THE PEACE