

<p>SUPERVISION PROFILE</p> <p>BANK OF GUYANA</p>
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1 (a) NAME OF SUPERVISORY AGENCY

Bank of Guyana

1 (b) CATEGORY/IES OF FINANCIAL INSTITUTIONS FOR WHICH IT HAS REGULATORY OVERSIGHT

SUPERVISORY AGENCY	CATEGORY OF FINANCIAL INSTITUTIONS ¹
Bank of Guyana	1) Commercial Banks 2) Trust Companies 3) Investment Companies 4) Stockbrokers 5) Merchant Banks 6) Building Societies 7) Insurance Companies 8) Cambio Dealers 9) Money Transfer Services

Pursuant to Section 8 (1) of the Credit Reporting Act 2010, the Bank of Guyana is the Supervisory Authority for the Credit Bureau.

¹ Larparkan Financial Services Limited and Development Finance Limited of South America Incorporated (DFLSA) voluntarily wound up their financial business with effect from July 19, 2013 and October 21, 2013 respectively.

2. NUMBER AND NAMES OF ENTITIES SUPERVISED UNDER EACH CATEGORY

FINANCIAL INSTITUTIONS		
Type	Number	Names
Commercial Banks	6	- Republic Bank (Guyana) Limited - Guyana Bank for Trade & Industry Limited - Bank of Nova Scotia - Demerara Bank Limited - Citizens Bank (Guyana) Incorporated - Bank of Baroda (Guyana) Incorporated
Trust Companies	2	- Hand-in-Hand Trust Company - Trust Company (Guyana) Limited
Investment Companies	1	- Secure International Finance Company Incorporated
Stockbrokers	1	- Beharry Stockbrokers Limited
Merchant Banks	1	- Guyana Americas Merchant Bank
Building Societies	1	- The New Building Society

FINANCIAL INSTITUTIONS		
Type	Number	Names
Insurance Companies	15	<ul style="list-style-type: none"> - Assuria Life (GY) Incorporated - Assuria General (GY) Incorporated - Caricom General Insurance Company Limited - Diamond Fire & General Insurance Incorporated - Frandec & Company (Insurance) Incorporated - Guyana Co-operative Insurance Services Limited - Guyana & Trinidad Mutual Fire Insurance Company Limited - Guyana & Trinidad Mutual Life Insurance Company Limited - Hand-in-Hand Mutual Fire Insurance Company Limited - Hand-in-Hand Mutual Life Assurance Company Limited - North American Fire & General Insurance Company Limited - North American Life Insurance Company Limited - The Demerara Fire and General Insurance Company Limited - The Demerara Mutual Life Assurance Society Limited - United Insurance (represented by John Fernandes Insurance services Limited)
Insurance Brokers	6	<ul style="list-style-type: none"> - Abdool & Abdool Incorporated Insurance Brokers and Financial Consultation - Apex Insurance Brokers Incorporated - Insurance Brokers Guyana Limited - M. P. Insurance Brokers & Consultants Limited - P & P Insurance Brokers & Consultants Limited - Raj Singh Insurance Brokers & Risk Management Consultants
Insurance Agents	206	As at December 31, 2013
Money Transfer Services	5	<ul style="list-style-type: none"> - Excel Capital Incorporated - Grace Kennedy Remittance Services (Guyana) Limited - Laparkan Financial Services Limited - N. M. Services Limited - First Global Money (Guyana) Inc

FINANCIAL INSTITUTIONS		
Type	Number	Names
Money Transfer Agents	103	As at June 30, 2014
Cambio Dealers	16	<ul style="list-style-type: none"> - A & N Sarjoo Cambio - Bank of Baroda (Guyana) Incorporated - Bank of Nova Scotia - Cambio Royale - Citizens Bank (Guyana) Incorporated - Confidential Cambio - Commerce House Cambio - Demerara Bank Limited - F & F Foreign Exchange Enterprise Cambio - Guyana Bank for Trade & Industry Limited - Hand-in-Hand Trust Corporation Incorporated - L. Mahabeer & Son Cambio - Martina's Cambio - Mohamed's Cambio - R. Sookraj Cambio - Republic Bank (Guyana) Limited
Pension Plans	21	<ul style="list-style-type: none"> - Courts (Guyana) Incorporated Pension Plan - Demerara Distillers Limited Pension Plan - Fogarty's Pension Scheme - General Equipment (Guyana) Limited Pension Plan - Guyana Bank for Trade & Industry Limited Pension Plan - Guyana Geology & Mines Commission Pension Plan - Guyana Revenue Authority Pension Scheme - Hand-in-Hand Pension Plan - Hand-in-Hand Trust Corporation Incorporated Pension Plan - John Fernandes Limited Pension Plan - NALICO Pension Plan - Neal & Massy Group (Guyana) Pension Scheme - New Building Society Limited Pension Scheme - Republic Bank (Guyana) Limited Pension Plan - Sterling Products Limited Pension Plan - Guyana Sugar & Trading Enterprises Pension Scheme - TCL Guyana Incorporated Group Annuity Scheme

FINANCIAL INSTITUTIONS		
Type	Number	Names
		<ul style="list-style-type: none"> - The Pension Fund of the Guyana and Trinidad Mutual Fire Insurance Company - The Pension Plan for the Sales Representative of the Guyana and Trinidad Mutual Insurance Companies - Caribbean Containers Incorporated Pension Plan - Trading and Distribution Incorporation Pension Plan²

OTHER INSTITUTIONS		
Type	Number	Name
Credit Bureau	1	- Creditinfo (Guyana) Incorporated ³
Mobile Banking Service	1	- Mobile Money Guyana Incorporated ⁴

3. PRUDENTIAL INFORMATION/DATA REQUIRED OF THE LICENSED FINANCIAL INSTITUTIONS AND PUBLICATION INTERVALS

REPORT /DATA		INTERVAL/ FREQUENCY
1.	Clearing House Facilities	Daily
2.	Foreign Exchange Market Information System (FEMIS) (Forms I, II & III)	Daily
3.	Cash Projections	Weekly
4.	Daily buying and selling Rates for Caricom Transactions	Weekly
5.	Liquid Assets Requirements	Weekly
6.	Report on Caricom Currency Transactions	Weekly
7.	Report on daily buying and selling of foreign currencies	Weekly
8.	Report on daily buying and selling rates of foreign currencies	Weekly
9.	Report on Money Transfer Transactions	Weekly
10.	Reserve Requirement	Weekly

² Formerly known as T. Geddes Grant (Guyana) Limited Pension Scheme.

³ Creditinfo (Guyana) Incorporated was licensed on July 15, 2013 and was officially launched on August 29, 2014.

⁴ Not supervised by Bank of Guyana but submits statistical data.

REPORT /DATA		INTERVAL/ FREQUENCY
11.	Capital Adequacy Ratio	Monthly
12.	Foreign Currency Assets	Bi-monthly/ Monthly
13.	Anti-Money Laundering Compliance Report	Monthly
14.	Creditinfo Prudential Reporting	Monthly
15.	Foreign Exchange Market Information System (FEMIS) (Forms IV)	Monthly
16.	Gold Miners' Report	Monthly
17.	Low Income Mortgage Loans Report	Monthly
18.	Mobile Money Transactions	Monthly
19.	Monthly Survey of Purchases and Sales of Foreign Exchange	Monthly
20.	Past Due and Non-performing Loans Per Economic Sector	Monthly
21.	Public Sector Balances	Monthly
22.	Report on Foreign Currency Accounts	Monthly
23.	Report on Real Estate Credit	Monthly
24.	Statement of Assets and Liabilities	Monthly
25.	Survey on Money Transfer Agencies	Monthly
26.	Women of Worth Loans Report	Monthly
27.	Financial Indicators	Quarterly
28.	List of shareholders	Quarterly
29.	Report on aggregate loans to shareholders, officers and other related persons	Quarterly
30.	Report on loans to Top Twenty Borrowers	Quarterly
31.	Statement of Income	Quarterly
32.	Supervision Guideline No. 10 Publication – Financial Statements	Quarterly
33.	Trust Accounts and Investment Dispositions	Quarterly
34.	Branch Financial Report	Half Yearly
35.	Loan Portfolio Review Summary	Half Yearly
36.	Reposessed Assets	Half Yearly
37.	Audited Financial Statements	Annually
38.	Internal Auditor's work programme vs. actual audits conducted	Annually
39.	Payment System Report	Annually
40.	Report on Fraud	As fraud is detected
41.	Information Sheet - contains information relating to Principal Business Activities, Organizational Structure, Board of Directors, etc.	Where there is material change
42.	Personal Declaration Sheet (PDS) (to be submitted by Directors, Officials and Officers)	Where there is material change

4. PRUDENTIAL INFORMATION/DATA PUBLISHED BY THE AUTHORITY AND PUBLICATION INTERVAL

Selected ratios for all licensed financial institutions are published on a quarterly basis on the Bank's website.

5. PRINCIPAL PIECES OF LEGISLATION GOVERNING THE OPERATION OF BANKING/FINANCIAL LICENSEES

- Dealers in Foreign Currency (Licensing) Act 1989
- Companies Act 1991
- Financial Institutions Act 1995
- Financial Institutions (Amendment) Act 2004
- Foreign Exchange (Miscellaneous Provisions) Act 1996
- Bank of Guyana Act 1998
- Bank of Guyana (Amendment) Act 2004
- Securities Industry Act 1998
- Insurance Act 1998
- Anti-Money Laundering and Countering the Financing of Terrorism Act 2009
- Money Transfer Agencies (Licensing) Act 2009
- Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Act 2010
- The New Building Society (Amendment) Act 2010
- The Credit Reporting Act 2010

6. MAJOR CHANGES TO BANKING/FINANCIAL STATUTES OVER THE PAST TEN YEARS

In the past ten years the following pieces of legislation were enacted:

- The Financial Institutions Act 1995 was amended in 2004 to:
 - a. Prohibit the granting of loans by an LFI for the purpose of purchasing shares in the said LFI or its related companies;
 - b. Prevent insiders from colluding with others to obtain credit facilities by fraudulent means;
 - c. Improve the BOG's ability to deal speedily with problematic LFIs, particularly in relation to unsafe or unsound practices which may pose a threat of loss to depositors.
- The Bank of Guyana Act 1998 was amended in 2004 to:
 - d. Increase the Bank's authorized capital;
 - e. Strengthen the policy making capabilities of the Bank and for the efficient discharge of its responsibilities as a modern central bank;
 - f. Assist the Bank in conducting business efficiently and in meeting its principal objective;
 - g. Redefine the Bank's relationship with the Government and specified entities and re-affirm the Bank's independence in matters of monetary management.

- The Money Transfer Agencies (Licensing) Act 2009 was passed on August 21, 2009 and took effect on October 1, 2009. This Act seeks to:
 - h. Provide for the licensing of persons carrying on the business of money transfer.
 - i. Make provisions for the registering of money transfer agents and for connected purposes.
- The Insurance (Supplementary Provision) Act 2009 took effect on July 1, 2009. Pursuant to this Act, the Bank of Guyana is now the Supervisory Authority for the insurance companies.
- The new Anti-Money Laundering and Countering the Finance of Terrorism Act 2009 was passed on April 30, 2009 by the National Assembly and assented to on August 14, 2009.
- The Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Act No.15 of 2010 - an act to amend the length of time by which reporting entities shall verify the identities of their customers.
- New Building Society (Amendment) Act No.12 of 2010 - an act to amend the New Building Society Act and to provide for the licensing and supervision of the institution by the Bank of Guyana.
- The Credit Reporting Act 2010 - an act to establish a credit reporting industry, enabling more reliable, competitive and responsible credit lending, while protecting borrowers' rights.

7. AREAS IDENTIFIED FOR FURTHER LEGISLATIVE CHANGES AND DETAILS/ STATUS OF ANY NOW IN PROCESS

- Proposed legislative amendments to the Financial Institutions Act (FIA) 1995 are currently with the Minister of Finance for review. Amendments include:
 - j. Provision for the sharing of information among domestic regulators and confidentiality issues related thereto;
 - k. Deletion of the need to consult with the Minister of Finance with respect to the supervision and regulation of the LFIs;
 - l. Provision for the reimbursement of cost for defending any legal suit that may be instituted against an officer of the bank while discharging his/her duties;
 - m. Provision for revoking a licence based on a false declaration made by a licence holder in his/her application;
 - n. Definition of control to address the concept of significant ownership and controlling interest.
- Proposed legislative recommendations to the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill 2013 are currently with the Parliamentary Special Select Committee.

8. FORMAL DIRECTIVES, POLICIES, GUIDELINES/GUIDANCE NOTES ISSUED BY SUPERVISORY AUTHORITY TO LICENSEES

These guidelines listed below were issued under the authority of the Financial Institutions Act 1995:

- Inspection Fees and Cost
- Licensing of Financial Institutions
- Branching
- Capital Adequacy Ratio
- Loan Portfolio Review, Classification, Provisioning and Other Related Requirements
- Limits on Large Loans and Loans to Shareholders, Directors, Officers and Other Related persons
- Acquisition of Control of Financial Institution
- Corporate Governance
- Risk Management
- Intervention Policy
- Public Disclosure of Information (Revised)
- Anti-money Laundering and Countering the Financing of Terrorism
- Credit Bureaus Licensing, Fees and Costs of Inspection Guidelines No. CB1, 2011

The following **Notices** were issued by the Bank of Guyana under Section 7(3) of the Financial Institutions Act 1995.

- Minimum Capital for Trust Companies
- Minimum Capital for Non-depository Financial Institutions

The following **Regulations** were issued by the Bank of Guyana under Sections 3(8) and 61 of the Financial Institutions Act 1995.

- Financial Institutions Regulations 1996:
 - Prohibition on non-depository financial institutions pertaining to the acceptance of deposits and borrowing from twenty or more persons;
 - Necessity of non-depository financial institutions to specify principal financial business;
 - Licensing and minimum capital requirements of non-depository financial institutions;
 - Necessity of prior approval for trust business;
 - Minimum capital for trust business;
 - Conduct of trust business by depository financial institutions;
 - Conduct of trust business by non-depository financial institutions;
 - Trust agreements.
- Credit Reporting (Licensing) Regulations 2011
- Financial Institutions Regulations 1996
- The Anti-Money Laundering and Countering the Financing of Terrorism Regulations 2010
- The Credit Reporting (Cross Border Transfer and Storage of Credit Information) Regulations 2014 No. 1 of 2014

The Bank of Guyana issued a Director's Handbook as a standard and quick reference for directors, financial institutions and their management staff on the responsibilities, monitoring and evaluating tools and methodologies that are critical in performing their tasks.

9. STATUS OF JURISDICTION VIS A VIS BASEL CORE PRINCIPLES OF BANKING SUPERVISION

Self Assessment with Revised Basel Core Principles ongoing.

Supervisory Policy and Approach:

In 2007, the Bank shifted its supervisory framework from the transaction-based approach and adopted a risk-based approach to supervision. The risk-based approach incorporates both on-site and off-site elements and places greater emphasis on identifying, understanding, and assessing the risks which would pose the greatest threat to the safety and soundness of each licensed financial institution and the financial system as a whole.

10. JURISDICTION STATUS VIS A VIS FINANCIAL SECTOR ASSESSMENT PROGRAMME (FSAP)

The first FSAP was conducted in 2005. The issues raised therein have been/are being addressed.

11. ANY OTHER CATEGORY OF PRUDENTIAL/REGULATORY INFORMATION NOT CAPTURED ABOVE

The **Caribbean Financial Action Task Force** issued a public statement and referred Guyana to the FATF.

Foreign Account Tax Compliance Act (FATCA)

The Government of Guyana has indicated its intent to sign a reciprocal Model 1 Intergovernmental Agreement with the United States of America for the purpose of complying with FATCA.

Financial Sector Reform and Strengthening Initiative (FIRST Initiative)

The World Bank through First Initiative is assisting the Bank of Guyana in strengthening its ability to supervise the Non-Bank Financial Institutions (NBFLs) and Insurance Companies. Recommended approaches to the strengthening of the licensing framework were provided by the consultants and are currently being reviewed internally by the senior management. Subsequent to the approval of the recommended approaches, drafted regulations would be thoroughly reviewed and requisite guidelines would be drafted.

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