

Superintendency of Banks

GUIDELINES THAT MUST BE FOLLOWED BY THE PARTIES INTERESTED IN OBTAINING CERTIFICATION AS A BEARER SHARES CUSTODIAN

Division for the Prevention and Control of Illicit Operations:

1. Have mechanisms that will ensure the custody system permits the effective identification of the ownership of the bearer shares held in custody, as well as any other information related to the owner of the bearer shares.
2. Due diligence policies and procedures to identify the beneficial owner of the bearer shares.
3. Procedures for issuing certificates substantiating the identity of the owner of bearer shares when those certificates are required by court order, the owner or the pledgee.

Supervision Division / Trust Company Department:

1. Policies and procedures for the approval of customers.
2. Policies and procedures for recruiting qualified operational staff that will be in charge of performing custodial duties, guaranteeing the segregation of duties to ensure that no employee will have total control over custodial processes.
3. Procedures for registering and controlling shares held in custody, including, as a minimum:
 - a. Effective identification of shares held in custody.
 - b. Records of the movements of the shares held in custody.
 - c. Methods that will permit the reconciliation of the shares held in custody.
4. Security and compliance systems and procedures for maintaining the physical integrity of the shares held in custody, including, as a minimum:
 - a. Burglar and fire alarm systems.
 - b. Flood sensors connected to the alarm control panel.
 - c. Surveillance cameras showing the place of custody and recording the date and time.
 - d. Fire-resistant filing cabinets.
5. Contingency plans for business continuity in case of disasters or criminal acts.

6. Policies and procedures for:
 - a. Creating custody contracts for bearer shares.
 - b. Terminating custody contracts for bearer shares.
 - c. Returning shares to the owner.
 - d. Records retention after the contractual relationship has terminated.

TRANSLATION