OPERATIONAL GUIDELINES FOR BUREAUX DE CHANGE

ISSUED IN TERMS OF SECTION 35 (1) OF THE EXCHANGE CONTROL REGULATIONS
STATUTORY INSTRUMENT 109 OF 1996

EXCHANGE CONTROL DIVISION

FEBRUARY 2019
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1. Introduction

1.1 These operational guidelines are issued by the Reserve Bank of Zimbabwe [hereinafter referred to as “Reserve Bank”] in terms of Exchange Control Act [Chapter 22:05] as read with Section 7 (1) of Exchange Control (Authorised Dealers with Limited Authority) Order, Statutory Instrument 104 of 2015 and Exchange Control Statutory Instrument 122A of 2017. The guideline may be reviewed from time to time.

1.2 The purpose of this operational guideline is to provide instructions and direction to persons intending to carry on the business of Bureaux de Change in Zimbabwe. For the avoidance of doubt no person or organisation in Zimbabwe shall carry on the business of a Bureaux de Change without the prior authorization of Exchange Control.

1.3 This operational guideline shall take effect from 20 February 2019

1.4 A person who wishes to conduct the business of a Bureaux de Change should submit their application to the following address: -

   Director,
   Exchange Control Division,
   Reserve Bank of Zimbabwe
   80 Samora Machel Avenue
   P.O. Box 1283
   HARARE
2. Regulatory Framework

2.1 Section 7 (1) of Exchange Control (Authorised Dealers with Limited Authority) Order, Statutory Instrument 104 of 2015 provides for Authorised Dealers with Limited Authority to carry on the business of currency exchange and other limited authorized dealership business as defined in the following three tiers:

i. **Tier One (1):** A locally incorporated money transfer operator or money transfer agent (MTO/MTA) partnering with approved MTOs or use own systems and solely carry out both inward and outward international remittances as well as *buying and selling foreign exchange on a spot basis*.

ii. **Tier two (2):** Shall be locally incorporated money transfer operators (MTOs) operating as money transfer agencies (MTAs) by either partnering with approved international money transfer operators or use own system to carry out inward international remittances only, as well as *buy and sell foreign exchange on a spot basis*.

iii. **Tier three (3):** Bureaux de Change – locally incorporated financial services provider which *only buy and sell foreign currency on a spot basis*.

3. Licensing and Registration of Bureaux De Change

3.1 All applications for a Bureaux de Change licence shall be made to the Director, Exchange Control in a duly completed application form available from the Reserve Bank of Zimbabwe website ([http://www.rbz.co.zw/assets/application-form.pdf](http://www.rbz.co.zw/assets/application-form.pdf)). (Bureaux de Change Application Form- Appendix 1).

3.2 Information to be submitted includes: -
i. Details of the applicant’s company name, physical business address, certificate of incorporation, memorandum and articles of association, official register of directors/shareholders of the company (CR 14);

ii. Names of the key promoter(s) of the Bureau De Change;

iii. Declaration by the applicant’s board of directors authorising the company to be a Bureau De Change;

iv. A proposed business plan and 5 year projections of growth and profitability, including the assumptions supporting the projections;

v. Business risk management plan identifying the business risk and risk mitigation measures;

vi. An anti-money laundering certificate or endorsement by the Financial Intelligence Unit that the applicant has a sufficient and effective anti-money laundering and combating of terrorist financing framework.

vii. CVs of the proposed Bureaux de Change board members, managers and officers who are expected to have sufficient knowledge to run the business of a bureau de change.

viii. Zimbabwe Republic Police clearance of proposed Bureaux de Change officers and directors.

ix. Zimbabwe Revenue Authority (ZIMRA) tax clearance certificate;

x. Declarations by all persons (individually) who are holding, or are proposing to hold, the office of a director of, or shareholding in a Bureaux de Change in respect of each director and/or shareholder

xi. A register of natural beneficiary shareholders (not nominees or legal persons) of the Bureaux de Change and the percentage shareholding, physical addresses and bankers

xii. Organisational structure of the proposed Bureaux de Change indicating the functions and responsibilities of the top management team, including the money laundering reporting officer
xiii. Proof of capacity to pay or deposit into a designated Reserve Bank account of a minimum capital requirement of equivalent to United States Dollars $15,000 or such capital which Exchange Control may prescribe from time to time.

xiv. Demonstrate capacity to install a robust computer system that shall be capable to process and record all transactions across all Bureaux de Change branches.

3.3 If all the above conditions are met, Exchange Control shall within 30 days of lodgement of the application, grant an approval in principle. The approval in principle shall provide detail on the conditions of approval and through this letter, Exchange Control shall request applicant to:

   i. Lodge a non-interest bearing minimum capital requirement of US$15,000;
   ii. Indicate date for the Reserve Bank to conduct a pre-inspection of the bureau’s premises and systems prior to commencement of operations;
   iii. Pay the requisite licence fees. (Appendix 3).

3.4 Where the above requirements are successfully met to the satisfaction of the Reserve Bank, the applicant shall be issued with a licence.

3.5 The Bureaux de Change shall notify Exchange Control in writing of the date of commencement of its operation and declare the initial float for each and every branch. The Reserve Bank may at any time and in terms of Section 7 (1) of Exchange Control (Authorised Dealers with Limited Authority) Order, Statutory Instrument 104 of 2015, vary or review any condition(s) of a Bureaux de Change licence or impose additional conditions.

3.6 Where Reserve Bank has declined to issue a licence to a bureau de change, the affected applicant can appeal against the decision in terms of Section 16 of Exchange Control (Authorised Dealers with Limited Authority) Order, Statutory Instrument 104 of 2015.
3.7 The principal minimum capital requirement shall be refunded by the Reserve Bank when the Bureaux de Change surrenders the licence to Exchange Control.

4. **Operational Modalities for Bureaux De Change**

4.1 In line with the February 2019 Monetary Policy Statement, Bureaux de Change can buy foreign currency without limit from walk in clients and sell the same towards settlement of *small value international transactions* for individual and professional subscriptions, business and holiday travel allowance.

4.2 The Bureaux de Change are authorised to sell foreign currency of up to a maximum aggregate daily limit of US$10,000.00 per Bureau de Change or its equivalence in any other currencies. The buying and selling of foreign exchange shall be done at the prevailing interbank market, with a margin of 2.5% either way.

4.3 Every Bureaux de Change shall keep a daily aggregate float limit of not more than US$20,000 limit of cash in vault per branch. Any excess amount to this limit shall be deposited with the Bureau De Change’s account with an authorised dealer designated for currency sales and purchases.

**Permissible Products**

i. Deal spot in foreign currency transactions that involve bank notes and coins, international debit cards, RTGS Dollars (RTGS balances, bond notes and coins, mobile money) and any other instruments approved by the Central Bank,

ii. Deal spot in convertible currencies at international cross rates.

iii. Sell foreign currency for the purpose of funding individual and professional subscriptions, Business Travel Allowance [BTA] and Personal Travel Allowance [PTA]. Purchases of foreign currencies for BTA and PTA shall be
supported by validly issued and genuine travelling documents (ticket, passport, visa) and the sales receipt duly signed by the customer. The amount and date shall be endorsed in the passport.

4.4 Any new products other than those specified in 4.1 above shall be introduced after consultation and granting of specific approvals by the Reserve Bank. The Bank encourages Bureaux De Change to be innovative and come up with new products for the market.

**Prohibited Products include;**

4.5 Bureaux de Change shall not be permitted to do the following:-

i. Online currency sales and purchases.
ii. Engaging or maintaining foreign correspondence relationship.
iii. Maintaining a foreign account without Exchange Control authority.
iv. Round-tripping (acquiring, holding and selling back) of foreign exchange acquired from Authorised Dealers.
v. Trading of foreign exchange outside registered offices.
vi. Carrying on capital market activities.
vii. Any product not specifically authorised by Exchange Control.
viii. Foreign currency brokerage.

**Premises and Business Operating Hours**

4.6 Every Bureaux de Change shall be allowed to fix its own business hours which shall be approved by the Reserve Bank and shall be clearly displayed in its office.

4.7 Every licenced Bureaux de Change shall be located at premises which are conspicuously visible to the public and shall have Bureaux de Change signage, including a rate board displaying its buying and selling rates.
4.8 Every Bureaux de Change shall conduct business at its registered office approved by the Exchange Control Division. Any Bureaux de Change that operates outside its registered office shall be sanctioned. Similarly, it shall be a reason for the revocation of licence should any unregistered foreign currency trader be found to have any business relationship with a Bureau de Change. For the avoidance of doubt a Bureaux de Change shall not employ or entertain directly or indirectly persons to accost/canvass clients outside registered offices.

Minimum Equipment Requirements

4.9 Every Bureaux de Change shall conduct business in premises that complies with the following requirements in addition to any other requirements that may be specified in directions issued by the Exchange Control.

4.10 The premises shall be reasonably secure that is –

i. The premises shall not be mobile; and
ii. The premises shall be easily visible to the general public; and
iii. The premises shall be readily accessible by members of the public.
iv. The tellers shall work behind a counter that affords reasonable protection to the tellers.

4.11 For the purposes of proper and efficient conduct of its operations, a Bureaux de Change shall comply with the following minimum equipment and stationery requirements:

i. A sign clearly visible to the public bearing the name of the Bureau de Change;
ii. Counterfeit notes detecting machines or pens.
iii. A money deposit safe.
iv. Rate board
v. Fixed line telephone
vi. Security – Panic buttons, CCTV
vii. Closed circuit television camera (CCTV)
viii. Adequate computer system with an accounting software and communications equipment to facilitate the efficient processing of transactions reporting to Reserve Bank system. The computer system should integrate the Bureaux de Change head office with all its branches.

Know Your Customer and Anti-Money Laundering

4.12 Bureaux de Change shall ensure that KYC procedures are effectively implemented and that suspicious transaction activities (STA) are reported to the Financial Intelligence Unit.

4.13 Every Bureaux de Change shall record the identity of all its customers and shall keep copies of identities for transactions of more than USD$20 equivalent.

4.14 The Bureaux de Change shall continuously employ a risk based Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) procedures commensurate with its risk profile and board approved programme. The AML/CFT shall be subject to both external and internal audit.

Records Keeping

4.15 Every Bureaux de Change shall, at its registered office, keep proper registers and other records of all its transactions for transparency and compliance with Anti Money Laundering Provisions, Exchange Control Guidelines, Circulars or directives.
4.16 Every Bureaux de Change shall maintain printed merchant receipts of activities, which shows:-

   i. Date of transaction,
   ii. amount sold or bought,
   iii. exchange rate,
   iv. commission or fees,
   v. Method of customer receipt i.e. cash, Bank Account number, or e-wallet.

4.17 All sales or purchases of foreign exchange shall be properly and sequentially/serially documented/recorded and stored/filed. The serial documentation shall be done from same source indicating the branch and the teller who performed the transaction.

4.18 The Bureaux de Change head office shall in addition to sales/purchases documents maintain a ledger of the transaction.

4.19 Every Bureaux de Change shall have and maintain a robust disaster recovery cite and maintain transaction records for at least 10 years.

**Banking Accounts and Financial Statements**

4.20 Every Bureaux de Change shall be required to open business FCA accounts with at most three (3) Authorized Dealers in Zimbabwe. The accounts shall be used solely for the Bureau De Change’s day to day operations.

4.21 Every Bureaux de Change shall not maintain more than an aggregate of US$100,000 equivalent with any Authorised Dealer. Any excess amount should be sold to the Authorised Dealer at the prevailing market exchange rate.
4.22 In line with Section 13 of Exchange Control Statutory Instrument 104/2015, Bureaux De Change shall be required to keep proper accounts and prepare financial statements at the end of every year. The financials should be audited by a public auditor who is not an employee, manager or director of the Bureaux de Change and copies of the audited financial statements shall be submitted to Exchange Control no later than 3 months after the end of its accounting year.

4.23 Every Bureaux de Change shall submit, every year, at least two board reports to Exchange Control, within 30 days of the board meeting.

5. Corporate Governance

5.1 The appointment of directors shall be subject to prior approval by Exchange Control. The number of directors on the board of a Bureaux de Change shall be a minimum of three [3] and not of an even number.

5.2 Board of Directors shall meet at least twice a year with at least one meeting for the presentation of an annual Audit Report.

5.3 Management and staff of the Bureaux de Change shall possess qualifications and experiences as set out below:

- Managing Director/Chief Executive Officer
  i. Suitable qualification or such experience in the financial services sector of at least four years.
  ii. A first degree is preferable.

- Management Staff
  i. Suitable qualification with at least two (2) years relevant experience in the financial services sector.
• Compliance and Money Laundering Reporting Officer
  
i. To be appointed from senior management staff with sufficient authority and experience to ensure compliance with all regulatory guidelines, circulars and statutes.

5.4 Exchange Control may vary or accept any other qualifications or experience as motivated by a Bureau De Change.

5.5 Every change of staff or organizational structure shall be approved by Exchange Control.

5.6 As a guidance, any person who has, in or outside Zimbabwe, either been sanctioned or disqualified from holding any position by Reserve Bank in any other financial institution or has been convicted or has a pending court case on any financial impropriety shall not be eligible to be a shareholder or a director or staff member of a Bureau De Change.

6. **Supervision and Monitoring of Bureaux De Change**

6.1 The Reserve Bank shall publish the list of all the licenced Bureau De Changes and their registered places of business periodically, for the information and benefit of members of the public.

6.2 Exchange Control inspectors shall have the right to inspect, at their convenience, every Bureau De Change’s transactions, financial records including management accounts, corporate governance records including board and management minutes.

6.3 The records of the Bureaux de Change shall be made readily and timeously available to Exchange Control inspectors when requested.
6.4 It shall be the duty and requirement of the designated compliance officer or the alternate to facilitate Exchange Control inspections. Exchange Control may declare a compliance officer uncooperative and incompatible with the position of compliance officer or money laundering reporting officer.

6.5 The licence shall be renewable annually subject to full compliance with Exchange Control regulations, guidelines and payment of annual renewal fees.

**Exchange Control Returns**

6.6 Every operating Bureaux de Change shall submit daily and monthly returns indicating the BDC’s activities in formats prescribed by Exchange Control in line with Section 9 (9) (d) of Exchange Control (Authorised Dealers with Limited Authority) Order, Statutory Instrument 104 of 2015.

**Exchange Control Inspections**

6.7 Exchange Control shall carry out both offsite and onsite inspections at any time the regulator deems fit. The inspection findings shall form the basis for licence renewal, revocation or corrective order.

**7. Renewal of Bureaux De Change Licences**

7.1 Every Bureaux de Change licence shall expire on 31st December of each year and shall be renewed before every 31\textsuperscript{st} of January of each year.

7.2 It shall be the obligation of every Bureaux de Change to ensure that it has a valid licence at all times.
8. Penalties

8.1 Where a Bureaux de Change is found to be in contravention of any of the provisions of these guidelines, the Reserve Bank shall in terms of Section 5(1) (a) (i) and (ii) of the Exchange Control Act [Chapter 22:05] and Section 15 of Exchange Control (Authorised Dealers with Limited Authority) Order, Statutory Instrument 104 of 2015, levy appropriate penalties as outlined in Appendix 4 of these guidelines.

8.2 In cases of violations, the Reserve Bank shall write to inform the Bureaux de Change of the violation and directing the Bureaux de Change to take corrective action within a specified period. Where the violation is deemed to be serious, the Reserve Bank may levy penalties.

8.3 A Bureaux de Change that is aggrieved with the action or direction given by the Reserve Bank, reserves the right to appeal against such action or direction within a period of 14 days.

9. Revocation of a Bureau de Change Licence

9.1 The Reserve Bank shall revoke the licence of a Bureaux de Change in line with Exchange Control (Authorised Dealers with Limited Authority) Order, Statutory Instrument 104 2015 including the following grounds:

i. Where the Bureaux de Change or any of its directors/officers, destroys, disfigures, alters, forges or defaces any business document, currency, or other instruments of exchange in the foreign exchange markets with intent to commit fraud.

ii. Shareholders engage in multiple ownership of Bureau De Changes or board members sit in more than one Bureau De Change.

iii. Fraudulently obtains foreign currency from any ineligible or eligible source.
iv. Where a Bureaux de Change or its board members/shareholders have been found guilty of fraudulent or dishonest practices by a competent court either in Zimbabwe or elsewhere.

v. Fails to operate within the time frame the Bureaux de Change declared to Exchange Control.

vi. Fails to pay all necessary fees including Licence renewal fee within the stipulated period.

vii. Fails to submit Exchange Control returns for two consecutive month without seeking a waiver from Exchange Control.

viii. Submission of false Exchange Control returns or declarations or sells foreign exchange on the basis of fake/fraudulent documents.

ix. Engages or associates with other person to accost/canvass clients and trade foreign currency outside registered offices.

x. Submits misleading or false information/data during and after the processing of the application for licence.

xi. Fails to comply with any Exchange Control guidelines or other regulatory, directives or circulars without reasonable excuse, the determination of reasonableness of which shall be a prerogative of Exchange Control

xii. Commencing Bureaux de Change operation either at head office or branch without authority from Exchange Control.

xiii. Any change of ownership of management without prior Exchange Control authority

xiv. Any other conduct which undermines the integrity of the financial market.

10. **Duty to knowledge of applicable legal and regulatory instruments**

10.1 Every Bureau De Change is required to acquaint itself with all the relevant regulations governing its operations and activities to ensure effective compliance with Exchange Control requirements. Such regulations include:-
i. Exchange Control Act Chapter 22:05.
iii. Exchange Control (Amendment) Regulations, 2017 (no.5), Statutory Instrument 122A of 2017
iv. Exchange Control Guidelines for Authorised Dealers with Limited Authority (ECOGADLA 1/2015).
vi. Money Laundering and Proceeds of Crime Act Chapter 9: 24

EXCHANGE CONTROL DIVISION

22 February, 2019
APPLICATION FOR REGISTRATION AS AN AUTHORISED DEALER WITH LIMITED AUTHORITY (BDC)

INSTRUCTIONS ON HOW TO COMPLETE THIS FORM

i. Attach Annexure wherever necessary.

ii. Do not leave any questions blank or unanswered: where necessary answer “Not applicable” or “Not known”.

iii. Upon completion the original of this form and supporting Annexure should be submitted to:

The Director
Exchange Control
Reserve Bank of Zimbabwe
80 Samora Machel Avenue
HARARE

iv. All enquiries concerning this form or requests for the form should be directed to Exchange Control or the form may be down-loaded from the Reserve Bank Website.
**PART 1: PRELIMINARY**

State the name, address and telephone number/ email address of the promoter(s) /persons(s) who may be contacted regarding any questions in respect of this application.

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**PART 2: PARTICULARS OF BDC**

| 2.1 Name under which Bureaux de Change (‘the applicant’) seeks registration | ............................................................................. |
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| 2.2 Physical address and telephone/email of the applicant’s Head Office | ............................................................................. |
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| 2.3 Names, home physical addresses and occupations of chairperson and directors | ............................................................................. |
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| 2.4 Name and home physical address of Chief Executive Officer | ............................................................................. |
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| 2.5 Name, home physical address and qualifications of the applicant’s auditors | ............................................................................. |
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| 2.6 Name of the applicant’s attorney | ............................................................................. |
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| 2.7 Name of the applicant’s tax consultant | ............................................................................. |
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| 2.8 Name of the applicant’s insurance company | ............................................................................. |
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| 2.9 Name of the applicant’s bank | ............................................................................. |
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**PART 3: INFORMATION REQUIREMENTS**

Prospective investors will be required to submit the following documentation and security as part of registration procedures:

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<thead>
<tr>
<th>ITEM</th>
<th>Attached (Y/N)</th>
<th>Reasons for no Attachment</th>
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<tbody>
<tr>
<td>1. A Certified copy of the CR14</td>
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<td>3. Confirmation that the Bureaux de Change has sufficient funds to pay for minimum capital requirement</td>
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<tr>
<td>4. Bureau de change’s anti-money laundering registration certificate or endorsement by Reserve Bank Use Promotion and Suppression of Money Laundering Unit.</td>
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<td>5. Business plan and 5 year projections</td>
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<td>6. Business risk management plan</td>
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<td>7. CVs of the proposed Bureaux de Change Directors, officers and managers</td>
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<td>8. Bureaux de Change management structure/organogram</td>
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<td>9. List of natural beneficiaries/ shareholders and percentage shareholding</td>
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<td>10. List of board members</td>
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<td>12. Zimbabwe Revenue Authority (ZIMRA) tax clearance certificate.</td>
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<td>13. A statement certified by the Chairman of the board showing the auditors of the Bureaux de Change</td>
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<td>14. Declarations by persons (individually) who are directors and shareholders (with 10% or more in a bureau de change)</td>
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</table>
PART 4: DECLARATION BY BUREAUX DE CHANGE

We, the undersigned do hereby certify that:-

(a) All information given in response to and in support of the questions and items in this application is true and correct to the best of our knowledge and belief.

(b) This application is made in good faith with the purposes and intent that the affairs and business of the applicant will at all times be honestly conducted in accordance with good and sound business principles and in full compliance with all applicable laws and lawful directives.

(c) We further certify that to the best of our knowledge and belief there are facts or information relevant to this application of which the Reserve Bank of Zimbabwe should be aware, and we pledge to promptly inform the Reserve Bank of Zimbabwe of any changes material to this application which may arise while it is being considered by the Reserve Bank of Zimbabwe. We undertake to comply with all information requests by the Reserve Bank for regulatory/supervisory purposes, and hereby authorize the Reserve Bank of Zimbabwe and any of its authorised staff to make an inquiry or obtain any information from any source for the purpose of determining the correctness of all representations made in connection with this application or of assessing its merits.

Chairperson of the Board (Print Name)…………………………………………………………
Signature…………………………………………………………………………………………
Date……………………………………………………………………………………………

Chief Executive (Print Name)……………………………………………………………………
Signature…………………………………………………………………………………………
Date……………………………………………………………………………………………
APPENDIX 2: Declaration by persons owning, managing and working for BDC

STATEMENT BY INDIVIDUALS WHO ARE HOLDING, OR ARE PROPOSING TO HOLD, THE OFFICE OF A DIRECTOR OF, OR SHAREHOLDING IN A BUREAUX DE CHANGE (BDC)

1. Name of BDC in connection with which this questionnaire is being completed ("the company")

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2. Your surname:

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3. Your full forename(s):

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4. Former surname(s) and/or forename(s) by which you may have been known:

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5. Please state in which capacity you are completing this questionnaire, that is, as a current or prospective director, a shareholder or combination of these. Please state
your full title, and describe the particular duties and responsibilities attaching to the position(s) that you hold or will hold. If you are completing this form in the capacity as director, indicate whether, in your position as director, you have or will have executive responsibility for the management of the company’s business. In addition, please provide a copy of your curriculum vitae:

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6. Residential address:
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7. Any previous residential address(es) during the past 10 years:
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8. Date and place of your birth (including town or city):
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9. Your nationality and how it was acquired (birth, naturalisation or marriage). If applicable, a certified copy/suitable documentary evidence as proof that you were granted Zimbabwean citizenship, must also be attached:
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10. Name(s) and address(es) of your bankers during that past 10 years:
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11. Your occupation and employment now and during the past 10 years, including the name of your employer in each case, the nature of the business, the position held and relevant dates:
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12. Of which bodies corporate (other than the company) are you a director or a shareholder and since when?

13. Do you hold directly or indirectly issued capital of any body corporate (other than the company) that is now registered, or that has applied for for BDC? If so, give particulars:

14. Of which bodies corporate (other than the company) and those listed in reply to question 12 above have you been a director or shareholder at any time during the past 10 years? Give relevant dates:

15. Do any of the bodies corporate listed in reply to questions 11, 12, 13 and 14 above maintain a business relationship with the company? If so, give particulars:

16. Do you hold or have you ever held or applied for a licence or equivalent authorisation to conduct any business activity in Zimbabwe or elsewhere? If so, give particulars. If any such application was refused or withdrawn after it was made or if any authorisation was revoked, give particulars:
17. Does any institution with which you are (in Zimbabwe or elsewhere), or have been, associated as a director or shareholder hold, or has it ever held or applied for, a licence or equivalent authorisation to conduct any business activity? If so, give particulars. If any such application was refused, or was withdrawn after it was made or if an authorisation was revoked, give particulars:

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18. Have you, in Zimbabwe or elsewhere, been censured, disciplined, warned as to future conduct, or made the subject of a court order at the instigation of any regulatory authority or any professional body to which you belong or belonged, or have you ever held a practising certificate subject to conditions? If so, give particulars:

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19. Have you, or has any body corporate, partnership or unincorporated institution with which you are, or have been, associated as a director or shareholder, been the subject of an investigation, in Zimbabwe or elsewhere, by or at the instigation of a government department or agency, professional association or other regulatory body? If so, give particulars:

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20. Have you, or has any body corporate, partnership or unincorporated institution in which you are, or have been, associated as a director or shareholder, been involved in money laundering or terrorist activities? If so, give particulars.

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21. Have you, in Zimbabwe or elsewhere, been dismissed from any office or employment, or been subject to disciplinary proceedings by your employer or been barred from entry to any profession or occupation? If so, give particulars:

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22. Have you failed to satisfy any debt adjudged due and payable by you, as a judgement-debtor under an order of a court in Zimbabwe or elsewhere, or made any compromise arrangement with your creditors within the past 10 years? If so, give particulars:

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23. Have you ever been declared insolvent (either provisionally or finally) by a court in Zimbabwe or elsewhere, or has a bankruptcy petition ever been served on you? If so, give particulars:

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24. Have you, in connection with the formation or management of any body corporate, partnership or unincorporated institution, been adjudged by a court in Zimbabwe or elsewhere civilly liable for any fraud, misfeasance or other misconduct by you towards such a body or company or towards any members thereof? If so, give particulars:

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........................................................................................................................................
25. Has any body corporate, partnership or unincorporated institution with which you were associated as a director or shareholder, in the Zimbabwe or elsewhere, been wound up, made subject to an administration order, otherwise made any compromise or arrangement with its creditors or ceased trading, either while you were associated therewith or within one year after you ceased to be associated therewith, or has anything analogous to any of these events occurred under the laws of any other jurisdiction? If so, give particulars:

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26. Have you been concerned with the management or conduct of the affairs of any institution that, by reason of any matter relating to a time when you were so concerned, has been censured, warned as to future conduct, disciplined or made the subject of a court order at the instigation of any regulatory authority in Zimbabwe or elsewhere? If so, give particulars:

........................................................................................................................................
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27. In carrying out your duties will you be acting on the directions or instructions of any other individual or institution? If so, give particulars:

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........................................................................................................................................
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28. Do you, or does any related party of whom you are aware, undertake business with this company? If so, give particulars:

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........................................................................................................................................
........................................................................................................................................
........................................................................................................................................
29. How many shares in the company are registered in your name or the name of a related party? If applicable, give name(s) in which such shares are registered and the class of shares:
........................................................................................................................................

30. In how many shares (percentages) in the company (not being registered in your name or that of a related party) are related parties beneficially interested?
........................................................................................................................................

31. Are any of the shares in the company mentioned in reply to questions 29 and 30 above equitably or legally charged or pledged to any party? If so, give particulars:
........................................................................................................................................

32. Are you currently, or do you, other than in a professional capacity, expect to be, engaged in any litigation in Zimbabwe or elsewhere? If so, give particulars:

........................................................................................................................................

33. Do you, at all times while acting in your capacity as a director or shareholder of the company, undertake to:

a. act in good faith towards the company and the Exchange Control Division;

b. avoid conflict between your other interests and the interests of the company and the Exchange Control Division; and

c. place the interest of the company and the Exchange Control Division above all other interests?

........................................................................................................................................

........................................................................................................................................
34. Kindly also attach certified copies of:

   a. A written confirmation from the Zimbabwe Republic Police that you have not been convicted of any criminal offences, excluding:

      (i) any offence committed when you were under 18 years, unless the same was committed within the last 10 years;
      (ii) any road traffic offence; or
      (iii) any political offence.

35. If applicable, give particulars of the court by which you were convicted, the offence, the penalty imposed and the date of conviction.

   b. A certificate of good standing from the Zimbabwe Revenue Authority.

**DECLARATION**

I, ................................................................. ..............., hereby declare the following: This statement consists of ............... pages, each signed by me. The content of this declaration is true to the best of my knowledge and belief. I am aware that should it be submitted as evidence and I know that something appears therein that I know to be false or believe not to be true, I may be liable to prosecution. I am acting in my own personal capacity as a shareholder of the institution and not as a nominee, trustee or beneficiary for an undisclosed person or legal entity.

I undertake that, as long as I continue to be a director or shareholder of the company, I will notify the Exchange Control Division of any material changes to, or affecting the completeness or accuracy of, the information supplied by me in items 1 to 33 as soon as
possible, but in no event later than 14 days from the day that the changes come to my attention.

I know and understand the content of this declaration. I have*/do not have* objections to taking the prescribed oath.

I consider the prescribed oath to be binding*/not binding* on my conscience.

..................................................  
SIGNATURE OF DEPONENT

I certify that the above statement was taken by me and that the deponent has acknowledged that he*/she* knows and understands the content of this statement. This statement was sworn to*/affirmed* before me and the deponent’s signature was placed thereon in my presence at .......... on this ..................... day of ...................... (yyyy-mm).

.............................................  
COMMISIONER OF OATHS

FULL NAMES: .................................................................  
   EX OFFICIO: .................................................................  
   AREA:
   ......................................................................................  
   ADDRESS:
   ......................................................................................  
* Delete whichever is not applicable
### APPENDIX 3: Licencing Fees for A Bureau De Change

<table>
<thead>
<tr>
<th></th>
<th>Initial</th>
<th>Renewal</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Head office</strong></td>
<td>500</td>
<td>250</td>
</tr>
<tr>
<td><strong>Branch</strong></td>
<td>200</td>
<td>100</td>
</tr>
<tr>
<td><strong>Rural Branch¹</strong></td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

¹ Branches established outside cities and towns.
### APPENDIX 4: Penalties for Exchange Control Violations

<table>
<thead>
<tr>
<th>VIOLATIONS</th>
<th>PENALTIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Operating without a valid licence.</td>
<td>• Prosecution of the shareholders and management in terms of Exchange Control S.I. 122A and&lt;br&gt;• Outright closure of the institution.&lt;br&gt;• Black listing of the directors and the chief executive</td>
</tr>
<tr>
<td>2. Operating without pre-opening inspection/Exchange Control authority to commence operations</td>
<td>• Outright closure of the institution/branch&lt;br&gt;• If the violation repeats for three times, revocation of licence</td>
</tr>
<tr>
<td>3. Failure to commence operations within the stated time frame from date of issuance of licence.</td>
<td>• Revocation of licence</td>
</tr>
<tr>
<td>4. Operating unlicenced or unregistered products</td>
<td>• Outright suspension of the product&lt;br&gt;• If the violation repeats for three times, revocation of licence.</td>
</tr>
<tr>
<td>5. Failure to attain the prescribed minimum paid-up share capital within the time allowed.</td>
<td>• Revocation of approval in principal</td>
</tr>
<tr>
<td>6. Engaging unapproved directors and management without Exchange Control approval</td>
<td>• Suspension of the engaged director or manager.&lt;br&gt;• Fine of US$100 equivalent per day per unapproved director or manager and up to US$10,000</td>
</tr>
<tr>
<td>7. Non-submission of Exchange Control returns.</td>
<td>• A fine of US$100 for each day up to a cumulative maximum of US$3,000&lt;br&gt;• and if the violation continues for a cumulative 30 days in year, licence suspension.</td>
</tr>
<tr>
<td>8. Late submission of Exchange Control returns</td>
<td>• A fine of US$50 for each day outstanding up to a maximum of US$5,000</td>
</tr>
<tr>
<td>9. Submission of false/misleading information/report/return to Exchange Control</td>
<td>• Revocation of licence</td>
</tr>
<tr>
<td>VIOLATIONS</td>
<td>PENALTIES</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 10. Failure to comply with Exchange Control regulations/guidelines/directives/circulars or corrective orders. | • One-month suspension  
• and if it persists beyond three months revocation of licence. |
| 11. Operation outside registered office and branch(es) or engaging persons to accost customers into a BUREAU DE CHANGE | • Three months’ suspension and revocation thereafter if not rectified. |
| 12. Change in ownership, take over or amalgamation without Exchange Control approval. | • A fine of US$5,000  
• and three months suspension |
| 13. Failure to pay annual licence renewal fees within 1 month               | • Revocation of licence |
| 14. Failure to submit audited financial statements and/or board reports.  | • A fine of US$150 for each month during which the default persists up to a maximum of US$1,800. |
| 15. Failure to display relevant information (licence, exchange rates, AML/CFT caution notice) | • A fine of US$150 and  
• Three month suspension if violation is repeated for a cumulative 3 times in a year |
| 16. Absence or malfunctioning computer system, CCTV,                       | • A fine of US$500 and  
• Three month suspension if violation is repeated for a cumulative 3 times in a year |
| 17. Lack of transaction records on forex sales                             | • Six-month suspension  
• and licence revocation for repeated violation. |
| 18. Non adherence to transaction limits approved by Exchange Control.      | • A fine of US$1,500 for every violation.  
• plus suspension of the Bureaux de Change for a period of two months.  
• Licence revocation if violation is repeated for a cumulative 3 times in a year |
<p>| 19. Incomplete documentation of customer’s identification i.e. missing documents or expired documents | • A fine of US$1,000 per transaction. |
| 20. Falsified or inaccurate documentation of customer’s identification i.e. non-alignment of data on document | • suspension for three months |</p>
<table>
<thead>
<tr>
<th><strong>VIOLATIONS</strong></th>
<th><strong>PENALTIES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>21. Multiple ownership of Bureau De Change.</td>
<td>• Revocation of licence(s) of the affected Bureau De Changes.</td>
</tr>
</tbody>
</table>