

# BVI FINANCIAL SERVICES COMMISSION

*Statistical Bulletin*

**Q1**  
2010

**Vol. 18 March 2010**

Legal and Enforcement

Insolvency Services

Banking and Fiduciary

Investment Business

Insurance

Registry of Corporate Affairs

## INTRODUCTION

This is the eighteenth volume of the BVI Financial Services Commission's Quarterly Statistical Bulletin. It provides important statistics, information and analysis on financial services activities for the first quarter of 2010. The FSC's Statistical Bulletin is just one mechanism by which the FSC communicates the progress that has been made within several different sectors of our industry.

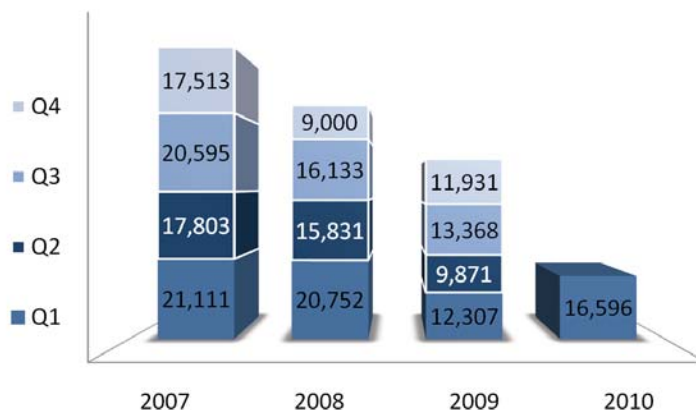
## REGISTRY OF CORPORATE AFFAIRS

### Incorporations and Registrations

	<b>Qtr 1 2010</b>	Qtr 4 2009	Qtr 1 2009	Cumulative as at 31 March 2010*
Business Companies	<b>16,596</b>	11,931	12,307	456,226
Limited Partnerships	<b>13</b>	17	14	633

\*This figure represents active companies.

### BVI Business Company Incorporations



### **About the Commission**

The Financial Services Commission Act, 2001 which came into force on 1 January, 2002, established the Financial Services Commission.

The Commission is an autonomous regulatory authority responsible for the regulation, supervision and inspection of all financial services in and from within the British Virgin Islands.

### **Hours of Operation**

8:30 a.m. to 4:30 p.m.  
Monday through Friday

### **Enquiries**

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## **REGISTRY OF CORPORATE AFFAIRS (cont'd)**

### **Quarter 1 2010 Post Incorporations Transactions (by volume)**

Name Reservation (10 days)	45,400	Notice of Resignation of Registered Agent	385
Request for Certificate of Good Standing	11,677	Registration of Register of Members or Directors	348
Filing Notice of Completion of Liquidation	2,253	Notice of Filing of Restated M&A	297
Filing of Notice of Appointment of Liquidator	1,994	Notice of Continuation out of the Virgin Islands (Discontinuation)	262
Request for Certifications (BC)	1,823	Registered Agent Intent to Resign	222
Application for Registration of Charge	1,787	Request for special certificate	151
Notice of Change of Registered Agent	1,785	Notice of Change of Registered Office Address	128
Notice of Election to Disapply Part IV Transitional Provisions	952	Discharge of Registered Charge filed under IBC Act	125
Amendments to M&As	941	Variation of a Registered Charge	96
Change of Company Name	879	Name Reservation Extension	68
Notice of Change in Number of Shares	438	Name Reservation (90 days)	45
Notice Specifying Property Ceased to be Affected by Registered Charge	420	Request for Certificate of Automatic Re-registration	32

## **BANKING AND FIDUCIARY SERVICES**

### **Licences Issued/Renewed**

	<b>Qtr 1 2010</b>	Qtr 4 2009	Qtr 1 2009	<b>**Cumulative as at 31 March 2010</b>
General Banking	0	0	0	6
Restricted Class I Banking	0	0	0	3
Class I Trust	2	2	2	95
Class II Trust	0	0	0	6
Class III Trust	0	0	1	6
Restricted Class II Trust	0	1	3	119
Restricted Class III Trust	0	0	0	0
Company Management	0	1	0	23
Authorised Custodian	0	2	0	10
Total Licensed Entities by Quarter	2	6	6	-
Total Currently Licensed Entities as at 31 Mar 2010	-	-	-	268

*\*\*These figures reflect new licences granted and licences: renewed, surrendered and not renewed.*

### **Quarter 1 2010 Post Licensing Transactions**

Appointment of Directors	28
Appointment of Senior Officers	13
Change in Authorised Agent	2
Change in Particulars (of the licensee)	0
Change in Shareholding/Ownership	5
Approval for the establishment of a subsidiary	0
Change in Auditor	1
Change of Name	2
<b>Total</b>	<b>51</b>

## **BANKING AND FIDUCIARY SERVICES (cont'd)**

### **Banking Sector Quarter 1 2010 (in US '000s)**

Total Assets	\$2,469,308
Cash Items	\$897,539
Loans & Advances	\$1,427,828
Investments	\$2,127
Total Other Assets	\$144,537
Total Shareholders Equity	\$362,517
Total Liabilities	\$2,106,791
Deposits	\$1,706,822
Long Term Debt	\$193,576
Accrued Liabilities	\$14,915
Other Liabilities	\$190,235
Loss Reserves	\$1,243

### *Statement of Income & Expense*

Net Interest Income	\$21,224
Operating Income	\$25,957
Net Income	\$16,239

### *Solvency*

Adjusted Risk-Weighted Assets	\$1,188,699
Risk-asset Ratio	29.90%

### *Asset Quality*

Total Non-Performing Loans in US '000s	\$27,316
Non-Accruing Loans in US '000s	\$21,324
Non-Performing Loans as a percentage of Total Loans	3.20%
Loan Loss Reserves	\$1,243

### *Liquidity*

Liquid Assets as a percentage of Total Assets	24.23%
Liquid Assets as a percentage of Total Deposits	35.84%
Loans as a percentage of Total Assets	70.05%
Loans as a percentage of Total Deposits	107.62%

### *Profitability*

Return on Assets	0.67%
Return on Equity	19.29%
Profit Margin	59.09%
Net Interest Margin to Gross Income	84.69%
Non-Interest Expense to Loans Income	47.19%

### *Concentration*

<i>Deposits</i>	
Ten (10) largest depositors as a percentage of total deposits	31.19%
Demand Deposit as a percentage of total deposits	29.17%
Related Deposits as a percentage of total deposits	3.51%

<i>Loans</i>	
Ten (10) largest loans as a percentage of total loans	20.44%
Market loans as a percentage of total loans	86.23%
Related loans as a percentage of total loans	71.61%

### *Sensitivity to Market Risk*

Net Open Position	\$415
Net Open Position as a percentage of Capital	0.08%

\*All Figures are aggregate totals and averages for commercial banks only

## INVESTMENT BUSINESS

### Licences Granted

	Qtr 1* 2010	Qtr 4* 2009	Qtr 1* 2009	**Cumulative as at 31 March 2010
<b>Functionaries</b>				
Managers	8	7	10	497
Administrators	0	0	0	37
Managers and Administrators	0	0	0	44
<b>Total</b>	<b>8</b>	<b>7</b>	<b>10</b>	<b>578</b>
<b>Mutual Funds</b>				
Professional	48	46	49	1920
Private	10	20	9	810
Public	0	1	3	214
<b>Total</b>	<b>58</b>	<b>67</b>	<b>61</b>	<b>2944</b>

\*These figures represent new licensees per quarter

\*\*These figures indicate active companies

### Mutual Funds Incorporated or Re-registered as Segregated Portfolio Companies

	Qtr 1 2010		Qtr 4 2009		Qtr 1 2009		**Cumulative Totals (2006 – 2010)
	Inc.	Reg.	Inc.	Reg.	Inc.	Reg.	
Professional Mutual Funds	4	1	4	0	4	0	85
Private Mutual Funds	0	0	1	0	1	0	24
Public Mutual Funds	0	0	0	1	0	1	6
<b>Total</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>115</b>

Inc. - Incorporated

Reg. - Re-registered

## INSOLVENCY SERVICES

### Licensed Insolvency Practitioners

	Qtr 1 2010	Qtr 4 2009	Qtr 1 2009
<b>Insolvency Practitioners</b> (Full Licence)	18	17	17
<b>Insolvency Practitioners</b> (Restricted Licence)	0	0	0
<b>Total No. of Insolvency Practitioners</b>	18	17	17

### Total Number of Insolvency Practitioners (Full and Restricted licenses)

Q1 2010	18
Q1 2009	17
Q1 2008	16

## INSURANCE

### Insurance and Functionaries Licences Granted

Quarter 1 2010	1 <sup>st</sup> Quarter 2010	4 <sup>th</sup> Quarter 2009	1 <sup>st</sup> Quarter 2009	Cumulative as at 31 Mar 2010
<b>Insurers</b>				
Captive	1	5	1	195
Credit Life	0	0	0	7
Domestic	1	2	0	33
<b>Total</b>	2	7	1	235
<b>Functionaries</b>				
Agents	0	3	1	10
Brokers	0	1	1	4
Managers	0	1	0	10
Loss Adjusters	0	0	0	4
<b>Total</b>	0	5	2	28



## INSURANCE (cont'd)

### Insurance Post Licensing Transactions Quarter 1 2010

Appointment of Directors	6
Change in Shareholding	3
Revocation of Licence	0
Liquidations	4
Mergers	0
Appointment of Designated Representative	0
Appointment of Secretary	3
Approval for Licensing	0

## LEGAL AND INTERNATIONAL COOPERATION

### Legal and International Cooperation Statistics

	Qtr 1 2010	Qtr 4 2009	Qtr 1 2009
International Cooperation Matters			
Formal Requests*	17	24	27
Informal Requests**	4	26	15
Enforcement Matters	28	55	38

\*Requires the disclosure of non-public information

\*\*Requires the disclosure of public information



## **LEGAL and INTERNATIONAL COOPERATION (cont'd)**

### **Decisions of the Enforcement Committee**

#### **Quarter 1 2010**

	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>
<b>Enforcement Cases Before EC*</b>	<b>13</b>	<b>5</b>	<b>10</b>
Impose Administrative Penalty (Final notice)	5		1
Issue Advisory Warning	1	-	-
Appoint Administrator	-	-	-
Appoint Examiner	-	-	-
Appoint Liquidator	-	-	-
Directive (Issue)	1	-	-
No Action Warranted	-	-	4
Noted for Information	9	4	3
Issue Public Statement	-	-	-
Referral to Director of Public Prosecutions	-	-	-
Referral to Licensing and Supervisory Committee	-	-	1
Revoke Certificate or Licence	-	-	-
Warning Letter	-	-	-
Withdraw Approval of Director/Senior Officer	-	-	2
	-	-	-
<b>Total Enforcement Action*</b>	<b>16</b>	<b>4</b>	<b>11</b>

\*NB: - Each case before the Enforcement Committee may result in more than one enforcement action.





## ON-SITE COMPLIANCE INSPECTIONS

### Number of On-site Inspections\*

	Q1 2010	Q4 2009	Q1 2009
Banking and Fiduciary: Banks	0	0	1
Banking and Fiduciary: Trust Companies	0	3	2
Insurance	0	2	0
Insolvency Practitioners	0	0	1
Investment Business	0	1	2
<b>Total</b>	<b>0</b>	<b>6</b>	<b>6</b>

\*Figures represent concluded inspections, i.e. inspections for which the close-out meetings have been held.

## ONGOING SUPERVISION

### Matters before the Licensing and Supervisory Committee (LSC)

#### Q1 – 2010\* (by division)

Banking and Fiduciary Services	91
Investment Business	786
Insurance	32
Insolvency Services	4
<b>Total</b>	<b>913</b>

\*Figures include a series of approvals, refusals and cancellations reviewed by the Licensing and Supervisory Committee