

APPLICANT'S NAME: _____

DATE: _____ Firm T.I.N _____

**SEC FORM SCA-0001
INITIAL APPLICATION FOR ACCREDITATION AS A SURETY COMPANY
AND AMENDMENTS THERETO**

- NEW APPLICATION
 AMENDMENTS

This amendment pertains to items _____

WARNING: Failure to keep this form current and to file accurate supplementary information on a timely basis or otherwise to comply with the provisions of the Guidelines on Accreditation of Surety Companies may result in disciplinary, administrative, injunctive or criminal action.

INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACTS MAY CONSTITUTE CRIMINAL VIOLATION

1. Exact name, principal business address, mailing address, if different, and telephone number of applicant.

A. Full corporate name of applicant:

B. Corporate Tax Identification Number: _____

C. (1) Name under which applicant's business primarily is conducted, if different:

(2) List any other name by which the applicant conducts business e.g., business/trade name

D. If this filing makes a name change on behalf of the applicant, enter the previous name and specify whether the name change is the applicant name (2A) or business name (2C):

- (2A)
 (2C)

E. Applicant's main address: (Do not use a P.O. Box) (Number and Street, City, Postal Code)

F. Mailing address, if different:

G. Business Telephone Number: _____ Fax No. _____

H. Contact Employee/Authorized Agent: _____

Tel. No. _____ E-mail address _____

Website/URL Address: _____

2. Indicate date and place applicant obtained its legal status

Date of incorporation : _____

Place of incorporation: _____

SEC Reg. No. _____

Applicant's fiscal year ends: _____ Date of Annual Meeting: _____

APPLICANT'S NAME: _____

DATE: _____

Schedule A and if applicable, Schedule B must be completed as part of all initial applications. Amendments to these Schedules must be provided on Schedule C.

3. Does any person not named in Schedule A, B, or C directly or indirectly:

A. Control the management or policies of applicant through agreement or otherwise? See instructions for definition of control. (If yes, state on Schedule D the exact name of each person and describe the basis for the person's control.)

- YES
- NO

4. Background Information

Use Schedule DRP for providing details to "yes" answers to the questions in item 8.

DEFINITIONS:

- **Control Affiliate-** A person named in items 3, 4, 6 or in either Schedules A, B or C as control persons or any other individual or organization that indirectly controls, is under common control with, or is controlled by the applicant, including any current employee except one performing only clerical, administrative, support or similar functions, or who, regardless of title, perform no executive duties or has no senior policy making authority.
- **Involved-** doing an act or aiding, abetting, counseling, commanding, inducing, conspiring with or failing reasonably to supervise another in doing an act.
- **Foreign financial regulatory authority-** includes (1) a foreign securities authority; (2) other governmental body or foreign equivalent of a self-regulatory organization empowered by a foreign government to administer or enforce its laws relating to the regulation of investment or investment-related activities; and (3) a membership organization, a function of which is to regulate the participation of its members in the activities listed above.
- **Proceeding-** A formal administrative or civil action initiated by a governmental agency, self-regulatory organization or foreign financial regulatory authority, a felony, criminal indictment or information (or equivalent formal charge), or a misdemeanor criminal information (or equivalent formal charge). Does not include other civil litigation, investigations, or arrests or similar charges effected in the absence of a formal criminal indictment or information (or equivalent formal charge).

A. In the past ten years has the applicant or a control affiliate been convicted of or pleaded guilty in a domestic or foreign court to.

		<u>Yes</u>	<u>No</u>
(1) a felony or crime involving:	*insurance or insurance-related business	[]	[]
	*fraud, false statements, or omissions	[]	[]
	*wrongful taking or property or	[]	[]
	*bribery, forgery, counterfeiting or extortion	[]	[]
(2) any other felony or crime		[]	[]

B. Has any domestic or foreign court:

(1) in the past ten years, enjoined the applicant or a control affiliate in connection with any surety business-related activity?	[]	[]
(2) ever found that the applicant or a control affiliate was involved in a violation of surety business-related statutes or regulations?	[]	[]

C. Has the Insurance Commission/ Supreme Court of the Philippines/Securities and Exchange Commission ever:

(1) found the applicant or a control affiliate to have made a false statement or omission?	[]	[]
(2) found the applicant or a control affiliate to have been involved in a violation of its regulations or statutes?	[]	[]
(3) denied, suspended, cancelled, revoked or restricted its registration/accreditation to do business as a surety company?	[]	[]
(4) entered an order denying, suspending or revoking the applicant's or a control affiliate's registration/accreditation as a surety company or otherwise disciplined it by restricting its activities or being "blacklisted" ?	[]	[]

- (5) imposed an administrative fine or penalty on the applicant or a control affiliate, or ordered the applicant or a control affiliate to cease and desist from any activity? [] []
- D. Has any other regulatory agency, or foreign financial regulatory authority:
- (1) ever found the applicant or a control affiliate to have made a false statement or omission or been dishonest, unfair, or unethical? [] []
 - (2) ever found the applicant or a control affiliate to have been involved in a violation of surety business-related regulations or statutes? [] []
 - (3) denied, suspended, cancelled, revoked or restricted its registration/accreditation to do business as a surety company? [] []
 - (4) in the past ten years, entered an order against the applicant or a control affiliate in connection with a surety business-related activity? [] []
 - (5) ever denied, suspended or revoked the applicant's or a control affiliate's registration/accreditation as a surety company or otherwise disciplined it by restricting its activities or being "blacklisted"? [] []
- E. Has any foreign government, court or regulatory agency ever entered an order against the applicant or a control affiliate related to the surety business or fraud other than as reported in items 4A, B or D? [] []
- F. Is the applicant or control affiliate now the subject of any proceeding that could result in a "yes" answer to parts A-F of this item? [] []
- G. Does the applicant have any unsatisfied judgments or liens against it? [] []
- H. Does the applicant have any unsatisfied surety bond claim from its principal broker dealer or the Commission? [] []
- I. Has the applicant or control affiliate of the applicant ever been judicially-declared insolvent [] []
5. Does applicant:
- A. Have any arrangement with any other person, firm or organization under which:
- (1) Any of the accounts or records of applicant are kept or maintained by such person, firm or organization? [] []
 - (2) The funds or securities of applicant or any of its customers are held or maintained by such other person, firm or organization? [] []
6. Directly or indirectly, does applicant control, is controlled by, or is under common control with any partnership, corporation or other organization engaged in the surety business? [] []
- If the answer is "yes," state full name and principal business address of such partnership, corporation, or other organization and describe the nature of control on Schedule D.
7. Check types of business engaged in by applicant.
- A. Life Insurance []
 - B. Non-Life Insurance []
 - C. Variable Insurance []
 - D. Personal Accident Insurance []
 - E. Fire & Motor Car Insurance []
 - F. Surety for Criminal Cases []
 - G. Surety for Civil Cases []
8. Does applicant engage in any other non-surety business? (if "yes" describe each other business briefly on Schedule D.) [] []

APPLICANT'S NAME: _____

DATE: _____

EXECUTION: The applicant consents that service of any civil action brought by or notice of any proceeding before the Securities and Exchange Commission or in connection with the applicant's surety activities, may be given by registered or certified mail or confirmed telegram to the applicant's contact employee at the main address, or mailing address if different, given in items 1E, and 1F.

The undersigned, being first duly sworn, deposes and says that he/she has executed this form on behalf of, and with the authority of said applicant. The undersigned and applicant represent that the information and statements contained herein, including exhibits attached hereto, and other information filed herewith, all of which are made a part hereof, are true, accurate, current and complete. The undersigned and applicant further represent that to the extent any information previously submitted is not amended such information is currently accurate and complete.

	Community Tax Cert.	Date/Place of Issue
Name of Applicant:	_____	_____
By:	_____	_____
	Signature above printed name and Title	

Subscribed and sworn before me this _____ day of _____ 20____ at _____
[Notary Public]

**This page shall always be completed in full with original, manual signature and notarization.
To amend, circle items being amended. Affix notary stamp or seal where applicable.**

APPLICANT'S NAME: _____

DATE: _____

Schedule C

AMENDMENTS TO SCHEDULES A & B

(Amendments to answers for Schedules A and B of SEC Form SCA-0001)

1. This Schedule C is used to amend Schedules A and B of SEC Form SCA-0001. Refer to those schedules for specific instructions for completing this Schedule C. Complete each column. File with a completed Execution Page (Page 1 of SEC Form SCA-0001)
2. In the "Type of Amendment" Column, indicate "A"(addition), "D"(deletion) or "C"(change in information about the same person)
3. Ownership codes are: NA-less than 5% A-5% but less than 10% B-10% but less than 25%
C-25% but less than 50% D-50% but less than 75% E-75% or more

List below all changes to Schedule A: (DIRECT OWNERS AND EXECUTIVE OFFICERS)

FULL LEGAL NAME (Individuals: Last Name, First Name, Middle Name)	Type of Amend- ment	Date Title or Status Acquired		Title or Status	Owner- ship Code	Control Person	PR	TIN
		Mo.	Yr.					

List below all changes to Schedule B: (INDIRECT OWNERS)

LEGAL NAME (Individuals: Last Name, First Name, Middle Name)	Type Of Amend- ment	Entity in Which Interest is Owned	Date Title or Status Acquired		Status	Owner- ship Code	Control Person	PR	TIN
			Mo.	Yr.					

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(Note: Use additional sheet/annex if necessary)

APPLICANT'S NAME: _____

DATE: _____

Schedule D

CONTINUATION SHEET

Use this Schedule D to report details of answers to SEC Form SCA-0001 items except item 4 and the other Schedules.

File with a completed Execution Page (Page 1)

Use this Schedule D only to report new information or changes/updates to previously submitted details. **Do not repeat previously submitted information.**

Provide complete and concise information.

ITEM OF FORM Item # and Letter	ANSWER

APPLICANT'S NAME: _____

DATE: _____

SCHEDULE E

	NO. OF STOCK-HOLDERS	TYPES OF SHARES	CODE	NO. OF SHARES/TYPE	PAR/STATED VALUE	AMOUNT
AUTHORIZED CAPITAL	N/A					
SUBSCRIBED CAPITAL						
FILIPINO						
FOREIGN						
TOTAL						
PAID-UP CAPITAL						
FILIPINO						
FOREIGN						
TOTAL						

STOCKHOLDERS						
NAME & ADDRESS	TYPE/CLASS	NUMBER	AMOUNT	AMOUNT PAID	NATIONALITY	TAXPAYERS' ID NO.
	TOTAL					
	TOTAL					
	TOTAL					
	TOTAL					
	TOTAL					
TOTAL						

(Note: Use additional sheet/annex if necessary)

APPLICANT'S NAME: _____

DATE: _____

Schedule DRP
DISCLOSURE REPORTING PAGE
(Answer for SEC Form SCA-0001 item 4)

- This schedule DRP must be filed upon occurrence of an event reportable under item 4 of SEC Form SCA-0001
- Use a separate schedule for each event or proceeding. An event or proceeding may be reported for more than one person or entity using one Schedule DRP. File with a completed Execution Page (Page 1 of SEC Form SCA-0001)
- One event may result in more than one "yes" answer in item 4; if so, use only one schedule to report all information relating to the single event.
- Provide clear and concise answers for each item on this Schedule.
- It is not a requirement that the documents be provided for each event or proceeding. Should they be provided, they will not be accepted as disclosure in lieu of answering the questions on this Schedule..

1. A The person(s) or entity(ies) for whom this Schedule DRP is being filed is (are) (check only one box)

- The Applicant
 One or more control affiliates
 Applicant and one or more control affiliates

If this Schedule DRP is being filed for a control affiliate, give the full name of the control affiliate below (for individuals, Last Name, First Name, Middle Name). If the control affiliate is registered with the SEC, provide the T.I.N. If not, indicate "non-registered" in the space for the T.I.N.

Control Affiliate Name:	TIN
Control Affiliate Name:	TIN
Control Affiliate Name:	TIN
Control Affiliate Name:	TIN

B. If the control affiliate is registered with the SEC, has the control affiliate submitted a DRP or Schedule DRP to the SEC for the event?

- YES
 NO

If answer is no, then complete items 2-9 below. If answer is yes, no other information on this Schedule must be provided but a copy of the DRP or Schedule DRP submission must be attached.

NOTE: The completion of this form does not relieve the control affiliate of its obligation to update its SEC records.

2. This Schedule DRP relates to the following questions in item 7. (CIRCLE APPROPRIATE NUMBERS)

4A(1)	4B(2)	4C(3)	4D(1)	4D(4)	4F	4I
4A(2)	4C(1)	4C(4)	4D(2)	4D(5)	4G	
4B(1)	4C(2)	4C(5)	4D(3)	4E	4H	

3. Is this schedule being filed to change or update any information regarding a previously reported event or proceeding?

- YES
 NO

4. Who initiated this event or proceeding. (Enter name of firm, regulator, customer, etc.)

5. What type of event or proceeding was this? (i.e. Civil, Administrative, Criminal)

6. On what date was the event the proceeding initiated?

7. Identify the docket or case number of the event or proceeding (if any).

8. What were the allegations against the applicant and/or control affiliate? (Include amounts of actual or alleged damages or claims, the type of product involved, and the name, if different from the current applicant).

APPLICANT'S NAME: _____

DATE: _____

- 9. A. What is the current status of the event or proceeding? _____
B. On what date was this status reached? _____
C. What was the result? (include felony/misdemeanor, a description of the penalties, amount of fine, payment or settlement, terms of the disposition, length of suspension or restriction, etc.) _____

- 10. You may provide a brief summary of this event or proceeding (Optional) on your attachment sheet.

APPLICANT'S NAME: _____

DATE: _____

LIST OF EXHIBITS REQUIRED TO BE SUBMITTED WITH THE APPLICATION FOR ACCREDITATION :

- i. Cover letter expressing intent to be accredited as a surety company by the Commission;
- ii. Certified copy of the original Articles of Incorporation and By-laws and the latest amended Articles of Incorporation and By-laws, if applicable;
- iii. Certified copy of the latest General Information Sheet stamped received by the Commission;
- iv. Certified copy of the latest Audited Financial Statements stamped received by the Bureau of Internal Revenue (BIR) and the Commission;
- v. Certified copy of latest Statement of Assets and Liabilities duly stamped received by the BIR and audited Financial Statements duly stamped received by the BIR and the Commission;
- vi. Secretary's Certificate showing the surety company's authorized signatories and their specimen signatures;
- vii. Personal Information Sheet of the authorized signatories and their latest 2x2 color photograph;
- viii. Certified copy of the "Authority To Transact Surety Business" upon official recognizance, stipulations, bonds and undertakings issued by the Office of the Executive Secretary under the Office of the President;
- ix. Certified copy of the current Certificate of Authority from the Insurance Commission;
- x. Certified copy of the current Certificate of Authority from the Supreme Court;
- xi. Clearance Certificate from the various departments of the Commission;
- xii. Pro-forma Surety Bond Agreement containing relevant provisions satisfying the Commission's requirements; and
- xiii. Such other documents as the Commission may require from time to time.

SECURITIES AND EXCHANGE COMMISSION

SEC FORM SCA -0001

INITIAL APPLICATION FOR ACCREDITATION AS A SURETY COMPANY
AND AMENDMENTS THERETO

GENERAL INSTRUCTIONS

INTRODUCTION

Section 2 of the **GUIDELINES ON ACCREDITATION OF SURETY COMPANIES** provides that no surety company shall be allowed to transact business involving surety bonds filed with the Commission unless such surety company is accredited and authorized by the Commission. The surety company shall file three (3) duly accomplished and notarized application form (SEC Form SCA-0001) together with the documents.

INSTRUCTIONS:

1. **UPDATING-** All accredited surety companies are required to update all information filed under SEC Form SCA-0001. A change in information shall be reported by filing an amended SEC Form SCA-0001 within seven (7) days from the occurrence of such change. Amendments shall be indicated by filling out and encircling the number corresponding to the item (information) being changed.
2. **CONTACT EMPLOYEE-** The Contact Person listed on page 1 as the contact employee must be authorized to receive all compliance information, communications and mailings and be responsible for disseminating it within the applicant's organization.
3. **FORMAT**
 - The Execution Page (page 6) with original manual signatures to the initial SEC Form SCA-0001 filing and each amendment to the Form. Amendments to Schedules C, D and DRP shall also be accompanied by an Execution Page. Schedules A & B are amended by filing Schedule C.
 - Type all information.
 - Give the name of the Surety Company and date on each page.
 - Use only the current version of SEC Form SCA-0001 and its schedules or a reproduction of them.

4. **DEFINITIONS**

- **Applicant** means the Surety Company applying for accreditation or amending information previously filed under SEC Form SCA-0001.
 - **Control** means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any person that (i) is a director or officer exercising responsibility (or having similar status or functions); (ii) directly or indirectly has the right to vote ten percent (10%) or more of a class of a voting security; or has the power to sell or direct the sale of ten percent (10%) or more of a class of voting securities, is presumed to control the company.
 - **Person** means an individual, corporation or other organization.
5. **SCHEDULES A, B & C** - File Schedules A and B only with initial applications for registration. Use schedule C to update Schedules A and B.
 6. **SCHEDULE D-** Schedule D provides additional space for explaining "yes" answers to SEC Form SCA-0001 items (except for item 8), but not for continuing Schedules A, B or C. To continue Schedules A, B, or C, use copies of the schedule being continued.
 7. **SCHEDULES E** - Filed with initial application and whenever there are amendments thereto. If the spaces are not sufficient, please use additional sheet, and label the same Schedule E-1, etc.

8. **SCHEDULE DRP-** All information relating to an event reportable under item 5 shall be provided in Schedule DRP except that an attachment sheet may be used to respond to item 11. Applicant may submit a partially completed Schedule DRP (as specified in the Schedule) only if the applicant or control affiliate for whom the Schedule is being filed has submitted a fully-completed Schedule DRP (in connection with another SEC Form SCA-0001 filing) or a DRP Page relating to the occurrence of the same event. In such cases this fully completed Schedule DRP or DRP Page must be attached to the applicant's Schedule DRP.

9. The completed application, along with required Exhibits shall be submitted in five (5) copies.

To register, pay in cash or cashier's or manager's check payable to the Securities and Exchange Commission the amount of:

P 5,000 Initial Application for Accreditation

P 100 Additional fee for each broker/dealer client in excess of five (5). The additional fee shall be paid on the first Monday of March of the year subsequent to the year the application was filed and approved. For purposes of computing the additional fee, the total number of broker/dealer clients of the surety company for the corresponding accreditation period will only be based on the number of broker/dealer clients of the surety company on the first year of accreditation or the first year of renewal of accreditation as the case maybe.

P 5,000 Renewal fee