



CAYMAN ISLANDS MONETARY AUTHORITY

27 May 2020

Mr. Gilbert Pfaeffli
Director
Hinduja Bank & Trust (Cayman) Ltd.
c/o Sterling Trust (Cayman) Limited
P.O. Box 1043
Whitehall House
238 North Church Street
George Town
Grand Cayman
KY1-1102
Cayman Islands

BY Email:

Dear Mr. Pfaeffli,

Re: Decision Notice - Hinduja Bank & Trust (Cayman) Ltd. (Lic. #100012) ("the Bank")

The Cayman Islands Monetary Authority ("the Authority") writes to you in your capacity as sole Director of the Bank. We refer to the Warning Notice dated 21 January 2020.

1. The Bank remains in breach of the Banks and Trust Companies Law (2020 Revision) ("the Law") as follows:
 - (1) section 7(1) for failing to seek approval of the Authority for the issue of shares, transfer of shares, or disposal of shares as it relates to the alleged or proposed sale of the Bank;
 - (2) section 8(5) for repeatedly failing to maintain a net worth of not less than four hundred thousand dollars or its equivalent in other currencies;
 - (3) sections 12(1) and 12(2) respectively for failing to prepare and submit audited accounts for the years ending December 2018 and 2019; and
 - (4) sections 16(1) for failing to maintain a minimum of two Directors at all times.

2. The Bank is also in breach of the Anti-Money Laundering Regulations (2020 Revision) ("AMLRs") as follows:
 - (1) Regulation 8(2)(e) for failing to prepare adequate AML/CFT Policies and Procedures; and

- (2) Regulation 33(1) and (2) of the AMLRs for failing to appoint a Money Laundering Reporting Officer and Deputy Money Laundering Reporting Officer.

TAKE NOTICE:

The Cayman Islands Monetary Authority of SIX, Cricket Square, P.O. Box 10052, Grand Cayman KY1-1001, Cayman Islands, has taken the following action.

ACTION:

The Authority has revoked the Bank's Category 'B' Banking licence pursuant to section 18(1)(i) of the Law.

REASONS:

The Authority is, pursuant to sections 18(1) (a), (c), (e) and (f) of the Law, of the opinion that:

- (1.) the Bank is or appears likely to become unable to meet its obligations as they fall due;
- (2.) the Bank has contravened the Law and the Anti-Money Laundering Regulations;
- (3.) the direction and management of the Bank's business has not been conducted in a fit and proper manner; and
- (4.) Mr. Gilbert Pfaeffli is not a fit and proper person to hold the position of director of a licensee.

EFFECTIVE DATE OF DECISION:

The Authority's decision regarding the above action is effective **22 May 2020**.

Yours faithfully,



Cindy Scotland
Managing Director