

# Webinar on Unclaimed Financial Assets Authority (UFAA)

**11<sup>th</sup> June 2021.**

ERCP-Program



# Outline of Presentation

- The UFAA Act
- What are Unclaimed Assets?
- Determinations of Unclaimed Assets
- Items that are classified as Financial Assets
- Part 2 – 6 of the Act
- Conclusion



# What is the UFAA Act

- Is an Act of Parliament
  - Date of assent: 2<sup>nd</sup> December 2011
  - Commencement date: 26<sup>th</sup> December 2011
- Provides for;
  - Reporting and dealing with **'Unclaimed Financial Assets'**
  - Establishment of UFAA
  - Establishment of the UFAA Trust Fund



# What are Unclaimed Assets?

- Unclaimed Assets means;
  - Assets that have been presumed abandoned and have become unclaimed assets under the provisions of this Act;
  - Assets that have been transferred to the Authority as unclaimed assets under this Act;
  - Assets that have been deemed under any other law to be unclaimed assets and payable to the authority.



## Part 2:

# Determination of Unclaimed Assets

- General requirements;
  - Must meet conditions for abandonment as per section 4 – 18



# Items for Unclaimed Assets... 1

- Traveler's Cheques, money orders
- Cheques, drafts or similar instruments
- Demand, savings or matured time deposit
- Life or endowment insurance policy or annuity contract
- Demutualization of insurance company
- Deposit for utility services
- Determination or order by court or refund by holder



# Items for Unclaimed Assets... 1

- Ownership interest
- Assets from dissolved business entity
- Assets held in fiduciary capacity
- Gift certificate or credit memo
- Unpaid wages
- Assets held in safe deposit box or repository
- Assets held by court or government



department

# Part 3: Dealing with UFA

- Location of beneficiaries..
  - Onus is on Holder of Asset
  - Send written Memo to owner 60 days – 1 Yr
- Report of abandoned assets
- Request for Information by the Authority
- Assumption of ownership
- Information provision to the Public
- Failure to pay or deliver assets and penalties



Unclaimed assets database



# Part 4: The UFAA

- Establishment of UFAA (39)
- Board composition, 3 Is meeting Quorum
- Tenure two terms of 3 years - renewable
- Quorum – 3
- Objects – enforce provisions, Trustee, receive payments, make payments, manage & invest, advice the CS



# Part 5: UFAA Trust Fund

- Established by Article 44
- Payment of claims
- Audit of Funds – Sanctioned by the Authority



# Part 6: Miscellaneous

- Appointment of Agents
  - Not mandated to
- Power to enter premises
- Regulations – passed in 2016



# Conclusion

- The Act has been in existence for 10 yrs
- Coverage is extensive – good
- Operationalization has not been upto expectation
- Awareness levels too low thus the need to carry out public education



# Thank You!

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