

The Fit and Proper test for Approved Persons

Chapter 2

Main assessment criteria

2.2 Competence and capability

- 2.2.1** **G** In determining a *person's* competence and capability, the *FCA*, in accordance with ■ FIT 1.1.2G, will have regard to all relevant matters including but not limited to:
- (1) whether the *person* satisfies the relevant *FCA* training and competence requirements in relation to the *controlled function* the *person* performs or is intended to perform;
 - (2) whether the *person* has demonstrated by experience and training that they are suitable, or will be suitable if approved, to perform the *controlled function*;
 - (3) whether the *person* has adequate time to perform the *controlled function* and meet the responsibilities associated with that function.
- 2.2.1A** **G** In determining a *person's* competence and capability to perform an *FCA designated senior management function* or an *FCA certification function*, a *firm*, in accordance with ■ FIT 1.1.2G, should have regard to all relevant matters including but not limited to:
- (1) whether the *person* satisfies any applicable training and competence requirements (in relation to the function that the *person* performs or is intended to perform);
 - (2) whether the *person* has demonstrated by experience and training that they are suitable to perform the function they are intended to perform;
 - (3) whether the *person* has adequate time to perform the function in question and meet the responsibilities associated with that function.
- 2.2.2** **G** A *person* may have been convicted of, or dismissed or suspended from employment for, drug or alcohol abuses or other abusive acts. This will be considered by the *FCA* only in relation to a *person's* continuing ability to perform the particular *controlled function* for which the *person* is or is to be employed.
- 2.2.2A** **G** The *FCA* would expect a *firm* determining the competence and capability of *staff being assessed under FIT* to consider convictions, dismissals and

suspensions from employment for drug or alcohol abuses or other abusive acts only in relation to a *person's* continuing ability to perform the particular *FCA designated senior management function* or an *FCA certification function* for which the *person* is, or is to be, employed.