

Application for Authorisation

Notes to assist with the completion of the Long and/or Short Form A for both UK and the Overseas, and Incoming EEA firms, when making an application to perform controlled function(s) under the approved persons regime (Connect or Paper Form)

Please take time to read these notes carefully. They will help you to fill in the Long and/or Short Form A correctly.

When completing the application forms you will need to refer to the Handbook:
<https://www.handbook.fca.org.uk/>.

If after reading these notes you need more help please:

- check our website;
- consult the Handbook: <https://www.handbook.fca.org.uk/> ;
- call the Customer Contact Centre on 0300 500 0597;
- call the PRA Firm Enquiries: 020 3461 7000
- email the FCA Customer Contact Centre: firm.queries@fca.org.uk ; or
- email the PRA: PRA.firmenquiries@bankofengland.co.uk

These notes, while aiming to help you, do not replace the rules and guidance in The Handbook.

Terms in these notes

These notes use the following terms:

- 'you' refers to the candidate for whom the Form A is being completed by the Applicant;
- 'candidate' (paper forms only) refers to the individual for whom the Form A is being completed by the Applicant;
- 'the Applicant' refers to the firm applying for authorisation of the candidate;
- 'the FCA', 'we', 'us' or 'our' refers to the Financial Conduct Authority;
- 'the PRA', refers to the Prudential Regulation Authority; and
- 'FSMA' refers to the Financial Services and Markets Act 2000.

What is the Form A used for?

The Form A is used by an authorised firm which seeks the FCA and/or PRA's approval under section 59 of the Financial Services and Markets Act 2000 ("FSMA") for a particular individual to perform controlled functions. The Form A is referred to in the Supervision Manual ("SUP") <https://www.handbook.fca.org.uk/handbook/SUP/>

which is part of the Handbook. Full details of the approved persons regime and the application process are given in Chapter 10 of SUP (SUP 10A of the FCA Handbook and 10B of the PRA Handbook).

Applications for corporate candidates must be made using an adapted Form A that will be supplied by the FCA and/or PRA upon request.

Important information about the Form A

The Form A is of the utmost importance to the FCA and/or PRA assessment of the fitness and propriety of the candidate.

All information relevant to the application must be provided to the FCA and/or PRA with the Form A. This applies even if the information is, or is believed to be, already known to the FCA and/or PRA, as a result of it being in the public domain, or has been previously disclosed to the FCA and/or PRA or to another regulatory body. In all circumstances, disclosures should be full, frank and unambiguous. If there is any doubt about the relevance of information, it should be included; if in doubt, disclose it.

If the firm or candidate becomes aware of further information which might be relevant to the application following submission of the Form A, it should provide it to the FCA and/or PRA immediately. The obligation to provide full, frank and unambiguous information does not stop with the submission of the Form A.

The information supplied by the candidate should be verified by the firm wherever possible. If the FCA and/or PRA vetting checks reveal any matters that have not been disclosed, then applications will be delayed and, in some cases, possibly rejected.

The firm is responsible for the accuracy of the data and completion of the Form A. If the Form A is not fully and correctly completed, the FCA and/or PRA may need to return it for proper completion. This could significantly delay the FCA and/or PRA's decision on whether to grant approval to perform the requested controlled functions.

The FCA and/or PRA may require the applicant to provide further information at any time after receiving an application and before determining whether approval is to be granted or not. It may direct the format in which this information is provided, for example, in an interview with the candidate.

Key assumptions about the firm and the candidate

The FCA and/or PRA relies on the information contained in the Form A and makes certain assumptions about the firm and the candidate in considering the information contained in the form. It is very important that the candidate and the firm are aware of these assumptions:

1. it is assumed that the candidate is not performing the controlled function applied for. A candidate must not perform any controlled function until the FCA and/or PRA, has granted approval. If the firm permits the candidate to perform controlled functions without FCA and/or PRA approval it may be in breach of section 59 of FSMA and the candidate may also be in breach of his/her regulatory obligations;
2. it is assumed that the firm and the candidate know and understand the factors which the FCA and/or PRA takes into account when considering the fitness and propriety of the candidate. These factors are set out in the part of the Handbook entitled the Fit and Proper Test for Approved Persons ("FIT")
[\[https://www.handbook.fca.org.uk/handbook/FIT\]](https://www.handbook.fca.org.uk/handbook/FIT);

3. it is assumed that the candidate knows and understands the obligations and responsibilities of an approved person. These are set out in the part of the Handbook entitled the Statements of Principle and Code of Practice for Approved Persons ("APER") [<https://www.handbook.fca.org.uk/handbook/APER>];
4. finally, it is assumed that both the firm and the candidate have read and understood these guidance notes in completing the Form A. The responsibility for the accuracy and completeness of the information supplied rests with the candidate and the firm. Seeking legal and/or compliance advice about how to complete the Form A will not discharge that responsibility.

Completing a Form A using Connect

If you are using Connect to complete a form A it will ask you some initial questions in the Approved Person Application section to determine the sections you need to complete.

Completing a Paper Form A – Long or Short

The Form A must be completed in black ink and (if in manuscript) in BLOCK LETTERS.

Indicate clearly if a question is not applicable. Select the appropriate box where a yes/no answer is required. Where you answer "yes" you must:

1. provide further details in section 6 (Supplementary Information) of the Form A. If there is insufficient space for a detailed answer then you may attach further pages; and
2. tick "yes" at the bottom of the relevant page of the Form A to confirm that you have provided additional information.

If you want to attach additional information to the Form A it must be securely attached, for example by stapling it to the Form A and you should state in section 6 (Supplementary Information) the number of additional sheets attached.

There are two types of Form A; a Long Form A and a Short Form A. The key difference is that the Long Form A requires detailed information about the fitness and propriety of the candidate.

The Short Form A may be used if any of the following conditions apply:

1. an individual who is already an approved person is applying to perform an additional controlled function under an arrangement with the same firm; or
2. the candidate has ceased to perform a controlled function under an arrangement with firm A and now requires approval to perform a controlled function under an arrangement with firm B. These can be two entirely different firms and not just two firms in the same group (however, see the important exception below at paragraph (3)); or
3. an individual who is already an approved person with another firm, firm B, is applying to perform a controlled function for a different firm, firm A and is already approved for that particular group of functions (i.e. either SIF functions: CF1-12B, CF28, CF29, 40 or 50). For example, the individual is approved to perform CF2 non-executive director for firm B and now seeks a second, additional approval to be CF1 director for another firm, firm A.

You should submit a curriculum vitae ('CV') with the Short Form A if:

1. the candidate has never previously held a significant influence function (CF1-12B, 28, 29, 40 or 50); or
2. the candidate's CV has altered from the last time they applied for a significant influence function (i.e. it has changed from the last time the FCA and/or PRA had sight of the CV)

The CV should be attached securely to the Short Form A by stapling it.

The Long Form A must be completed if:

1. the candidate ceased to be an approved person more than six months ago;
2. the candidate or approved person is seeking approval in respect of a significant influence function for the first time; or
3. there have been any matters arising in relation to the candidate's fitness and propriety which mean that their answers to Section 5 of the Long Form A (Fitness and Propriety) may have changed since they last completed a Form A (i.e. since they last made an application for approval).

For example, such matters could include (but are not limited to), where:

- the candidate has been investigated by the FCA and/or PRA, by another regulatory body or an authorised firm;
- the candidate has had CCJs registered against their name or has entered into a voluntary arrangement with creditors (whether formal or informal);
- the candidate has been the subject of a criminal investigation or convicted of criminal offences; or
- the candidate has been the subject of any civil action.

If you are in any doubt whether a Short Form A is acceptable, please submit a Long Form A and make full disclosure of all issues which could potentially be relevant. A Long Form A is acceptable in all circumstances. If in doubt, disclose.

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Approved Person Application

This section is for Connect only and determines which sections of the form are displayed for the applicant to complete.

Approved Person Application

Has the candidate previously been approved by the FCA/PRA?

No additional notes.

If yes, you will be asked to provide your individual reference number, your date of birth, national insurance number and/or passport number and nationality

Application Contact Details

If you are using the paper forms, this section contains the notes you will need for Section 2 – Firm Identification Details.

Please enter the contact details of the person we will get in touch with about this application

This should be someone in the UK.

If you feel that a second contact name is useful e.g. if the main contact won't be available for a long period of time, please provide details in the Supporting Documents Section if using Connect, or in Section 6 (Supplementary Information) in the Paper Form A.

Associated Individual

See Question 2.03 in the Paper Form A (these notes are in a different order to the Paper Form A)

Title, First Name(s), Last Name

No additional notes

Job Title

No additional notes

Mobile Number

No additional notes

Email Address

No additional notes

Address, Country

No additional notes

Phone Number

No additional notes

Fax Number

No additional notes

Individual Details

If you are using the paper forms, this section contains the notes you will need for Section 1 – Personal Identification Details.

If you are using Connect to complete your Form A this section will be prepopulated if previously approved by the FCA / PRA and the IRN has been supplied.

If you are completing a Paper Form A you will find some of this guidance in a slightly different order (see Questions 1.01-1.14).

Details of the Individual

Title, First Names and Last Name

No additional notes.

Personal Identification Details

Commonly used First Names and Last Name

If the candidate is commonly known by a different name other than that which appears on their passport or national insurance card then put this name here. This may include, for example, a shortened version of their full name or where they are known by a middle name or names given as a result of naming conventions whether for religious or other reasons. If the candidate has more than one alternative name, please give all other names known by in the Supporting Documents section on Connect, or the Supplementary Information (Section 6) on the Paper Form A.

Date of Birth

No additional notes.

National Insurance Number

No additional notes.

Passport Number

If the candidate has more than one passport number, please give all passport numbers held and the reasons for this in the Supporting Documents section on Connect, or the Supplementary Information (Section 6) on the Paper Form A.

Nationality

If the candidate has more than one nationality, please give all nationalities held and the reasons for this in the Supporting Documents section on Connect, or the Supplementary Information (Section 6) on the Paper Form A.

Place of Birth

No additional notes.

Previous Names

If the candidate has changed their name (surname or forenames), for example due to marriage, then please enter this previous name. If the candidate has more than one previous name, please provide all details here.

Address Details

Current and Previous Addresses

A full 3 year history for all United Kingdom addresses must be given for the candidate. If any gaps are as a result of the candidate being resident outside the UK, please state this and give details of where the candidate resided during this period.

The system will not allow this question to be validated until a full 3 year history has been provided.

Directorships

Has the candidate held any directorships in the last 10 years?

If yes, you will be asked to provide Name of Undertaking, Nature of Business, Country of Incorporation, Date the Directorship ceased.

You can find the meaning of Director in the Glossary.

If you are completing the Paper Form A you will be asked to provide this information in Supplementary Information (section 6).

Individual Arrangements

If you are using the paper forms, this section contains the notes you will need for Section 3 – Arrangement and controlled functions.

Arrangements

State the nature of the arrangement between the candidate and the applicant firm

If you answer Group Employee, you will be asked the Name of Group.

If you answer Other Arrangement, you will be asked the Reason.

Paper Form A (See Question 3.01).

Please select the box in 3.01 that most accurately describes the arrangement with the candidate.

If the candidate will perform a controlled function on behalf of the firm for an appointed representative of the firm then select the appropriate box at 3.01e or 3.01f and detail the firm name and FRN. If the candidate proposes to perform controlled functions for more than one appointed representative, then the details of each appointed representative, including the firm name and FRN should be provided in Supplementary Information – section 6.

Apply for Controlled Functions

If you are using the paper forms, this section contains the notes you will need for Section 3 – Arrangement and controlled functions.

Please note this section is different if you are completing a Paper Form A, please see notes on page 13.

You can either search for firm or you can select from firms associated with your user account list.

Search for Firm

No additional notes

Select from firms associated with your user account

No additional notes

Select the controlled functions required

For more information on the specification of functions, refer to <https://www.handbook.fca.org.uk/handbook/SUP/10A/4.html>

Firms Specific Questions

If you select CF1, CF3, CF5, CF6, CF8 or CF 29 you will be asked to select a box if the individual is responsible for insurance mediation

This is not a controlled function in its own right. However, every firm that carries on insurance mediation activities must appoint an approved person(s) who will be responsible for insurance mediation activities at the firm (as detailed in MIPRU 2.2:

<https://www.handbook.fca.org.uk/handbook/MIPRU/2/2.html>

This responsibility must be allocated to a member of the governing body of the firm or in certain circumstances, a senior manager (i.e. an individual that is applying for approval as CF1, 3-8 or 29).

Please note that insurance mediation is not applicable to Appointed Representatives.

If you select CF2, the role to be undertaken must be provided.

You must choose one of the available roles in the box provided.

If you select CF28 or CF28 and CF29 you will be asked to select the area of responsibility and the Job Title.

No additional notes

If you select CF29 you will be asked to enter the Job Title

No additional notes

Additional Questions

Role Description

No additional notes

Organisation Chart (showing the candidates upward and downwards reporting)

No additional notes

Is the candidate a member or chairman of any sub-boards or other committees

No additional notes

Supporting Documents

Description or document setting out how the competency was assessed (demonstrating competence and suitability mapped to the specific role and its responsibilities)

No additional notes

Description or copy of the candidates skill's Gap Analysis

No additional notes

Description or copy of the candidates Learning and Development plan (including the name of the individual responsible for monitoring the candidate's progress against the development points and the time frame for completion).

No additional notes

Description or copy of candidate's Induction Programme

No additional notes

Significant Influence

If you select a Significant Influence Function and you are a larger firm you will be asked the following three questions:

Please provide full details of why the candidate is competent and capable to carry out the controlled function(s) applied for.

No additional notes

Please provide full details of why the appointment complements the firm's business strategy, activity and the markets in which it operate (where applicable)

No additional notes

Please provide full details of the process undertaken in making the appointment including details of any discussions at governing body level (if any)

No additional notes

Mandatory Documents

If you select a significant influence function (CF1 to CF29) you will be asked to attach a curriculum vitae (C.V.)

No additional notes

Non MiFID Business

If the firm is an EEA authorised firm you will be asked 'Is the application in respect of any non-MiFID business?'

No additional notes

Fitness & Propriety

If the candidate has been previously approved by the FCA/PRA then you will be asked 'Has the candidate's fitness & propriety changed?'

If yes, you will be presented with the Fitness and Propriety section and the Employment History section to complete as part of this application.

Effective Date

Effective Date of Change

You should enter the effective date of the Controlled Function being applied for.

Reason for Past Effective Date

No additional notes

Paper Form A users

Where the application is for the candidate to perform the controlled function(s) at a single firm, the firm should answer questions 3.02, 3.03 and 3.04. However, if the application is being made on behalf of a candidate who proposes to perform controlled functions for more than one firm, then question 3.05 must also be answered to describe the controlled functions and the relationships between the candidate and each firm for which the candidate proposes to perform the controlled function.

Question 3.02 – Guidance about the particular controlled functions can be found in Chapter 10 of the Supervision manual. SUP 10A of the FCA manual and 10B of the PRA manual.

Question 3.03 – This box should be left blank in all cases unless there is a reason to delay the commencement of the performance of the controlled functions (subject to approval) until a date which is after the FCA and/or PRA published standard response times, details of which can be found at:

www.fca.org.uk/your-fca ; and/or

www.bankofengland.co.uk/PRA

The FCA and/or PRA will assume that the firm wishes an application to be determined as soon as possible unless this box is completed and the reason for the delay set out in section 6 of the Form A.

Please note that the candidate must not perform the controlled function until the FCA and/or PRA approval has been granted. To do so will mean that both the firm and the candidate may be in breach of FCA and/or PRA rules and principles.

Question 3.04 - If the candidate seeks approval for a significant influence function, the specific job title of the candidate must be included.

This is not a controlled function in its own right. However, every firm that carries on insurance mediation activities must appoint an approved person(s) who will be responsible for insurance mediation activities at the firm (as detailed at MIPRU 2.2);

<https://www.handbook.fca.org.uk/handbook/MIPRU/2/2.html>

This responsibility must be allocated to a member of the governing body of the firm or in certain circumstances, a senior manager. (i.e. an individual that is applying for approval as CF1, 3-8 or 29).

Please note that insurance mediation is not applicable to Appointed Representatives.

Where a firm has appointed an appointed representative to carry on insurance mediation activity on its behalf, the person responsible for the firm's insurance mediation activity will also be responsible for the insurance mediation activity carried on by an appointed representative.

Mortgage Credit Directive Intermediation¹

This is not a controlled function in its own right. However, every firm that carries on MCD Credit Intermediation activities must appoint an approved person(s) who will be responsible for MCD Credit Intermediation activities at the firm (as detailed at MIPRU 2.2);

<https://www.handbook.fca.org.uk/handbook/MIPRU/2/2.html>

This responsibility must be allocated to a member of the governing body of the firm or in certain circumstances, a senior manager. (i.e. an individual that is applying for approval as CF1, 3-8 or 29).

Where a firm has appointed an appointed representative to carry on MCD credit intermediation activity on its behalf, the person responsible for the firm's MCD credit intermediation activity will also be responsible for the MCD credit intermediation activity carried on by an appointed representative.

Unless the firm indicates otherwise, the FCA assumes that the arrangement given on the application form includes all of the activities that fall within the description of the controlled function. This means that a firm may alter a candidate's responsibilities within the broad description of a controlled function without needing further approval from the FCA.

¹ The term 'Mortgage Credit Directive Intermediation', as used within this application, is equivalent to the term 'MCD Credit Intermediation' as defined with the Glossary of the FCA Handbook.

Employment History

This section will not be displayed if you have been approved for a SIF function within the last six months and your Fitness and Propriety and Employment History has not changed.

If you are using the paper forms, this section contains the notes you will need for Section 4 – Employment history in the past 5 years.

What is the candidate's current employment status?

If you answer Unemployed or in Full time education on Connect or you tick c or d on the Paper Form A then you will be asked the following:-

- Period: From
- Please provide details of the previous employment history

If you answer Employed or Self Employed you will be asked:

- Period: From
- Name of employer
- Nature of business
- Has this employer previously been known by a different name? if yes you will be asked for Previous / other name of employer
- Last known address of employer
- Is/Was the employer regulated by a regulatory body? If yes, you will be asked for Name of regulatory body
- Is/Was the employer an Appointed representative? If yes, you will be asked for: Of which principal firm, the Position held and the Responsibilities?
- Position held
- Responsibilities
- Reason for leaving (if more than one employment)

A full five-year employment history for the candidate must be provided including the current employment at the time of application, with all gaps explained. If the record of employment does not go back five years, all periods of education and unemployment must be indicated. Full details of any periods of self-employment must be included.

Always give the address of the actual place of employment, rather than a central head office.

State the position held by the candidate and a brief explanation of his or her duties. If the candidate's job title included the word "director" but his or her duties did not include those associated with the title of director, as defined in the Glossary, this should be indicated.

Fitness and Propriety

This section will not be displayed if you have been approved for a SIF function within the last six months and your Fitness and Propriety and Employment History has not changed.

If you are using the paper forms, this section contains the notes you will need for Section 5 – Fitness and propriety.

If any disclosures are made in the fitness and propriety section of the application to perform a controlled function, full details should be provided in support of the application. This includes disclosures about any previous disciplinary investigation by previous regulators or employers involving the candidate.

We take non-disclosure seriously, especially where there is an apparent attempt to mislead. Non-disclosure will add to the seriousness of the undisclosed issue. If our vetting checks reveal any matters that have not been disclosed, then applications will be subject to investigation and the candidate's suitability to be approved will be called into question. A person who knowingly or recklessly provides information to the FCA that is false or misleading may commit a criminal offence, and could face prosecution under section 398 of the Act regardless of the status of their application.

You should also be aware that, while advice may be sought from a third party (e.g. legal advice), responsibility for the accuracy of information, as well as the disclosure of relevant information, on the form is ultimately the responsibility of the firm and the candidate.

Connect

Answer the question by ticking the relevant 'yes' or 'no' box. If the answer to any of the questions is 'yes', you will be prompted to provide more details.

Paper Form A

If you answer 'yes' to any of the questions in this section, you must give complete details in section 6 of the form and attach relevant supporting documentation.

Terms used:

- **Criminal proceedings** – includes any proceedings from the point at which an individual or a firm is charged with a criminal offence to the point at which sentence is given.
- **Conviction** – includes any absolute or conditional discharge orders made against the person concerned.
- **Judgement debt** – a court judgment or order requiring a payment of money to be made by the Individual or by a firm at which the Individual previously held a position of significant influence.
- **Authorisation** – includes any authorisation, licence, registration, approval, notification, membership or relevant permission required to carry on any activity. This need not be an activity regulated by the FCA but applies to all activities requiring some kind of authorisation.

- **Position of Influence** – includes acting as a controller, director, senior manager, managing member, designated member, partner company secretary, or otherwise performing a role of similar influence or responsibility.
- **Regulated activities** – includes not only activities regulated by the FCA under FSMA, but also the Payment Services Regulations 2009 and Electronic Money Regulations 2011. It also includes activities regulated by other regulatory bodies (see definition of regulatory body below)
- **Regulatory body** – For the purposes of this form, a regulatory body includes but is not limited to the following:
 - a self-regulatory organisation – including Investment Management Regulatory Organisation (IMRO), Securities and Futures Agency (SFA), Personal Investment Authority (PIA), Life Assurance and Unit Trust Regulatory Organisation (LAUTRO), Financial Intermediaries, Managers and Brokers Regulatory Association (FIMBRA), Association of Futures Brokers and Dealers Limited (AFBD), The Securities Association Limited (TSA);
 - a statutory body, including the Financial Conduct Authority (FCA), Prudential Regulatory Authority (PRA), Financial Services Authority (FSA), Office of Fair Trading (OFT), Securities and Investments Board (SIB), the Society of Lloyd's, the Registry of Friendly Societies, the Friendly Societies Commission, the Building Societies Commission, the Bank of England, HMRC, the Treasury – Insurance Directorate (formerly the DTI) and the recognised bodies;
 - the Serious Organised Crimes Agency (SOCA) or the Serious Fraud Organisation (SFO) or any police body;
 - a designated professional body (a professional body designated by the Treasury under section 326A of the Financial Services and Markets Act 2000); or the equivalent of any of these regulatory bodies overseas.

It is for senior management to decide what checks should be made. Under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (the Order) (see Articles 3 and 4 of the Order) the FCA and/or PRA and the firm have a right to ask about spent, as well as unspent, criminal convictions for employment purposes about candidates for approved person status.

Whilst Cautions may become spent, the exceptions listed in the exceptions order made under the Rehabilitation of Offenders Act 1974 allow the FCA to require an applicant to give details of spent cautions. This requirement does not apply however to "protected" cautions. Protected cautions are defined in article 4 of The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 (SI 2013/1198) (the Order).

An applicant who has been given a caution should check article 4 to see if their caution meets the conditions in the article. If it does, the applicant is not required to disclose the caution to the FCA; if it does not, they are required to disclose the caution (see <http://www.fca.org.uk/your-fca/documents/disclosing-convictions-in-form-a>)

Please also note that FIT 2.1.3G contains non-exhaustive guidance on factors that the FCA may take into account (on a case-by-case basis) when determining an application for Part V approval and that, in any event, it is FSMA that sets out the threshold that a person must meet in order to be approved to perform a controlled function.

Criminal proceedings

1.1.1 a. (Question 5.01.1a on Paper Form A)

Have you ever been convicted of any criminal offence (whether spent or not and whether or not in the United Kingdom):

- **Involving fraud, theft, false accounting, offences, against the administration of public justice (such as perjury, perverting the course of justice and intimidating of witnesses or jurors), serious tax offences or other dishonesty, or**
- **Relating to companies, building societies, industrial and provident societies, credit unions, friendly societies, insurance, banking or other financial services, insolvency, consumer credit or consumer protection, money laundering, market manipulations or insider dealing?**

This question requires disclosure of any criminal convictions, whether spent or unspent (other than protected convictions which need not be disclosed when the law in England & Wales applies). These convictions should be disclosed, even if the conviction was overseas. As stated in the form, you should include any conviction of an offence for which the Individual received an absolute or conditional discharge. However, only include traffic offences if they resulted in a ban from driving or involved driving without insurance.

1.1.1 b. (Question 5.01.1b on Paper Form A)

Are you currently, or have you ever been, the subject of any criminal proceeding, whether in the UK or elsewhere?

No additional notes

1.1.1 c. (Question 5.01.1c on Paper Form A)

Have you ever been given a caution in relation to any criminal offence?

This question requires disclosure of any cautions in relation to any criminal offence, whenever they took place. Please note the following:

- protected cautions subject to the law of England & Wales do not need to be disclosed;
- spent alternatives to prosecution subject to the law of Scotland do not need to be disclosed; and
- spent convictions subject to the law of NI should be disclosed.

1.1.2 (Question 5.01.2 on Paper Form A)

Have you had any convictions for any offences other than those in 1.1.1 (5.01.1) above (excluding traffic offences that did not result in a ban from driving or did not involve driving without insurance?)

No additional notes

1.1.3 (Question 5.01.3 on Paper Form A)

Have you ever been arrested or charged with any criminal offence or been the subject of any criminal investigation? (You should include

all matters even if the arrest, charge or investigation did not result in a conviction.)

This question is broad in scope and requires disclosure of any criminal investigations relating to any type of criminal offence, any criminal proceedings whenever they took place and even if they did not result in a conviction. It also requires disclosure of any occasions when the Individual has been the subject of a search order or required to produce documents.

1.1.4 (Question 5.01.4 on Paper Form A)

Have you ever been ordered to produce documents pursuant to any criminal investigation or been the subject of a search (with or without a warrant? Pursuant to any criminal investigation?

This question is broad in scope and requires disclosure of any criminal investigations relating to any type of criminal offence, any criminal proceedings whenever they took place and even if they did not result in a conviction. It also requires disclosure of any occasions when the Individual has been the subject of a search order or required to produce documents.

1.1.5 (Question 5.01.5 on Paper Form A)

Has any firm at which you hold or have held a position of influence ever:

a) been convicted of any criminal offence?

No additional notes

b) Been summonsed, charged with or otherwise investigated or prosecuted for any criminal offence?

No additional notes

c) been the subject of any criminal proceeding which has not resulted in a conviction?

No additional notes

d) been ordered to produce documents in relation to any criminal investigation or been the subject of a search (with or without a warrant) in a relation to any criminal investigation?

Please see the notes at the beginning of this section for the meaning of 'position of influence' in the context of the questions in this form.

You should include all matters arising during the individual's association with that firm and for a period of one year after the individuals ceased to be associated with the firm. (You should include all matters even where the charge, prosecution or investigation has not resulted in a conviction and, in respect of 1.1.5d, even where the firm itself was not the subject of the investigation.

Civil Proceedings

1.2.1 (Question 5.02.1 on Paper Form A)

Have you ever been the subject of a judgement debt or award against you?

This requires disclosure of any types of civil orders made against the individual which have resulted in an order being made by the court for the Individual to make a payment of money. This includes county court judgements and other judgement debts; any such orders should be included even where the individual has paid the money and satisfied the order. A county court judgement is an order issued by a county court saying a person must pay a sum of money.

1.2.2 (Question 5.02.2 on Paper Form A)

Have you ever been party to any civil proceedings which resulted in any order against you (other than a judgement debt or award referred to at 1.2.1 above)? (You should include, for example, injunctions and employment tribunal proceedings.)

This question asks whether the Individual has ever been a party to any other kind of civil dispute which did not result in the Individual being required to make a payment of money. This could include, for example, an injunction or an award in employment tribunal proceedings.

1.2.3 (Question 5.02.3 of Paper Form A)

Are you aware of:

a) Any proceedings that have begun, or anyone's intention to begin proceedings against you, for a CCJ or other judgment debt?

No additional notes

b) More than one set of proceedings, or anyone's intention to begin more than one set of proceedings, that may lead to a CCJ or other judgment debt?

No additional notes

c) Anybody's intention to claim more than £1,000 of CCJs or judgment debts in total from you?

This question requires disclosure of any civil proceedings that are ongoing (i.e. have been commenced but not yet concluded or have not yet resulted in a judgement debt or county court judgement) or are about to begin that the individual is aware of.

1.2.4 (Question 5.02.4 of Paper Form A)

Do you have any current judgment debts (including CCJs) made under a court order still outstanding, whether in full or in part?

No additional notes

1.2.5 (Question 5.02.5 of Paper Form A)

Have you ever failed to satisfy any judgment debts (including CCJs) made under a court order still outstanding, whether in full or part, within one year of the order being made?

No additional notes

1.2.6 (Question 5.02.6 of Paper Form A)

Have you ever:

a) Filed for your own bankruptcy or had a bankruptcy petition served on you?

This question covers all circumstances in which anyone started bankruptcy proceedings (or, in Scotland, called 'sequestration' of the individual's estate) in relation to the Individual. It also includes circumstances where the Individual him/herself began such proceedings.

b) Been adjudged bankrupt?

This question covers all circumstances in which anyone started bankruptcy proceedings (or, in Scotland, called 'sequestration' of the individual's estate) in relation to the Individual. It also includes circumstances where the Individual him/herself began such proceedings.

c) Been the subject of a bankruptcy restrictions order (including an interim bankruptcy restrictions order) or offered a bankruptcy restrictions undertaking?

This question covers all circumstances in which anyone started bankruptcy proceedings (or, in Scotland, called 'sequestration' of the individual's estate)

in relation to the Individual. It also includes circumstances where the Individual him/herself began such proceedings.

d) Made any arrangements with your creditors, for example a deed of arrangement or an individual voluntary arrangement (or in Scotland a trust deed)?

This requires disclosure of any voluntary agreement which the individual has already entered into at any time with anyone to whom he/she owes money about the payment of a debt. This includes informal arrangements with creditors and the receipt of debt consolidation services. This could include where alternative mortgage arrangements have been made and also more formal arrangements such as an 'individual voluntary arrangement', whether or not these arrangements were entered into after advice from a debt management adviser.

e) Had assets sequestered?

No additional notes

f) Been involved in any proceedings relating to the above matters even if such proceedings did not result in the making of any kind of order against you or result in any kind of agreement with you?

It is irrelevant whether or not any of the matters in 1.2.6 a-e actually resulted in the making of an order, they must still be disclosed.

1.2.7 (Question 5.02.7 of the Paper Form A)

Do you, or any undertaking under your management, have any outstanding financial obligations arising from regulated activities, which have been carried out in the past? (whether or not in the UK or overseas)?

This requires disclosure of any other historical financial matters which might impact upon the current financial circumstances of the individual. For example, claims for clawback being made by a former employer should be disclosed here.

1.2.8 (Question 5.02.8 of the Paper Form A)

Have you ever been adjudged by a court or tribunal (whether criminal, civil or administrative) for any fraud, misfeasance, negligence, wrongful trading or other misconduct?

No additional notes

1.2.9 (Question 5.02.9 of the Paper Form A)

Are you currently:

a) Party to any civil proceedings? (Including those covered in 1.2.7 or 5.02.7 in the Paper Form A)

No additional notes

b) Aware of anybody's intention to begin civil proceedings against you? (You should include any ongoing disputes whether or not such dispute is likely to result in any order against you.)

No additional notes

1.2.10 (Question 5.02.10 of the Paper Form A)

Has any firm at which you hold or have held a position of influence ever been:

a) Adjudged by a court civilly liable for any fraud, misfeasance, wrongful trading or other misconduct?

No additional notes

b) The subject of a judgement debt or award against the firm? (You should include all CCJs) made against the firm, whether satisfied or not.

No additional notes

c) Party to any other civil proceedings which resulted in an order against the firm other than in relation to matters covered in 1.2.10 a) and 1.2.10 b or 5.02.10a and 5.02.10b in the Paper Form A) above?

No additional notes

1.2.11 (Question 5.02.11 of the Paper Form A)

Is any firm at which you currently hold or have held, within the last 12 months from the date of submission of this form, a position of influence currently:

a) a party to civil proceedings?

No additional notes

b) Aware of anyone's intention to begin civil proceedings against them?

No additional notes

1.2.12 (Question 5.02.12 of the Paper Form A)

Has any company, partnership, or unincorporated association of which you are or have been a controller, director, senior manager, partner or company secretary, in the United Kingdom or elsewhere, at any time during your involvement, or within one year of such an involvement, been put into liquidation, wound up, ceased trading, had a receiver or administrator appointed or entered into any voluntary arrangement with its creditors?

No additional notes

Business and Employment Matters

These questions relate to roles the Individual has previously performed, whether that role was related to the provision of a regulated activity or not. It should also be noted that these questions are not limited to only those previous roles listed in Employment History section of this form but to matters whenever they occurred at any time. Relevant disclosures are expected, even if the Individual was not actually in receipt of a salary.

1.3.1 (Question 5.03.1 of the Paper Form A)

Have you ever been:

a) Disqualified from acting as a director or similar position (One where the candidate acts in a management capacity or conducts the affairs of any company, partnership or unincorporated association.)?

No additional notes

b) The subject of any proceedings of a disciplinary nature (whether or not the proceedings resulted in any finding against you)?

This question includes where the proceedings or internal investigations by a current or a previous employer have yet to be concluded.

c) The subject of any investigation which has led or might lead to disciplinary proceedings?

This question includes where the proceedings or internal investigations by a current or a previous employer have yet to be concluded.

d) Notified of any potential proceedings of a disciplinary nature against you?

No additional notes

e) The subject of an investigation into allegations of misconduct or malpractice in connection with any business activity?

No additional notes

Note that, full details must be provided if there were any issues that could affect the fitness and propriety of the individual that arose when leaving an employer listed in the Employment History section.

1.3.2 (Question 5.03.2 of the Paper Form A)

Have you ever been refused entry to, or been dismissed, suspended or requested to resign from, any profession, vocation, office or employment, or from any fiduciary office or position of trust whether or not remunerated?

No additional notes

1.3.3 (Question 5.03.3 of the Paper Form A)

Do you have any material written complaints made against you by your clients or former clients in the last five years which you have accepted, or which are awaiting determination, or have been upheld - by an ombudsman or complaints scheme?

No additional notes

Regulatory Matters

Please see notes on page 15 for a meaning of regulatory body and authorisation.

These questions are not limited to activities regulated by the FCA and are not limited to investigations by or matters involving a regulatory or industry body.

Where there is a reference to a regulatory body in the question, this should be interpreted widely and answers should include, for example, activities supervised by overseas financial regulators or other types of regulators such as government or statutory bodies, whether in the UK or overseas. If in doubt as to whether something should be included in this section, the information should be disclosed.

1.4.1 (Question 5.04.1 of the Paper Form A)

In relation to activities regulated by the FCA and/or PRA or any other regulatory body (see notes on page 15), has:

The candidate, or

Any company, partnership or unincorporated associate of which the candidate is or has been a controller, director, senior manager, partner or company secretary, during the candidate's association with the entity and for a period of three years after the candidate ceased to be associated with it, ever -

No additional notes

a) Been refused, had revoked, restricted, been suspended from or terminated, any licence, authorisation, registration, notification, membership or any other permission granted by any such body?

No additional notes

b) Been criticised, censured, disciplined, suspended, expelled, fined, or been the subject of any other disciplinary or interventional action by any such body?

No additional notes

c) Received a warning (whether public or private) that such disciplinary or interventional action may be taken against you or the firm?

No additional notes

d) Been the subject of an investigation by any regulatory body, whether or not such an investigation resulted in a finding against you or the firm?

This includes any type of investigation of which the Individual has ever been or is currently the subject (other than a criminal investigation which is dealt with in earlier questions). Be aware that the Individual will wish to consider whether they have ever been (or are presently) the subject of any kind of civil investigation. It could also include an investigation by a former UK regulatory body or an investigation by the FCA.

e) Been required or requested to produce documents or any other information to any regulatory body in connection with such an investigation (whether against the firm or otherwise)?

No additional notes

f) Been investigated or been involved in an investigation by an inspector appointed under companies or any other legislation, or required to produce documents to the secretary of state, or any other authority, under any such legislation?

No additional notes

g) Ceased operating or resigned whilst under investigation by any such body or been required to cease operating or resign by any regulatory body?

No additional notes

h) Decided, after making an application for any licence, authorisation, registration, notification, membership or any permission granted by any such body, not to proceed with it?

No additional notes

i) Been the subject of any civil action relation to any regulated activity which has resulted in a finding by a court?

No additional notes

j) Provided payment services or distributed or redeemed e-money on behalf of a regulated firm or itself under any contractual agreement where that agreement was terminated by the regulated firm?

No additional notes

k) Been convicted of any criminal offence, censured, disciplined, or publicly criticised, by any inquiry, by the Takeover Panel or any governmental or statutory authority or any other regulatory body (other than as indicated in this group of questions)

No additional notes

1.4.2 (Question 5.04.2 in the Paper Form A)

In relation to activities regulated by the FCA/PRA or any other regulatory body, have you or any firm at which you hold or have held

a position of influence at any time during and within one year of your association with the firm ever:

a) Been found to have carried on activities for which authorisation or registration by the FCA/PRA or any other regulatory body is required without the requisite authorisation?

b) Been investigated for the possible carrying on of activities requiring authorisation or registration by the FCA/PRA or any other regulatory body without the requisite authorisation whether or not such investigation resulted in a finding against you?

c) Been found to have performed a controlled function (or an equivalent function requiring approval by the FCA/PRA or any other regulatory body) without the requisite approval?

d) Been investigated for the possible performance of a controlled function (or an equivalent function requiring approval by the FCA/PRA or any other regulatory body) without the requisite approval, whether or not such investigation resulted in a finding against you?

e) Been found to have failed to comply with an obligation under the Electronic Money Regulations 2011 or Payment Services Regulations 2009 to notify the FCA/PRA of the identity of a person acting in a position of influence over its electronic money or payment services business?

f) Been the subject of disqualification direction under section 59 of the Financial Services Act 1986 or a prohibition order under section 56 FSMA, or received a warning notice proposing that such a direction or order be made, or received a private warning?

These questions relate to the performance of activities by firms or individuals without the appropriate licence or approval etc. These questions require the PSD Individual or applicant firm to carefully consider what matters might be relevant and, where necessary, to find out the necessary information before submitting the form.

Other Matters

1.5.1 (Question 5.05.1 in the Paper Form A)

Are you, in the role to which the application relates, aware of any business interests, employment obligations, or any other circumstance which may conflict with the performance of the controlled functions for which approval is now being sought/ in the respect of your control of the firm / with your role as controller of the applicant firm or your position at the controller?

No additional notes

1.5.2 (Question 5.05.2 in the Paper Form A)

Are you aware of any other information relevant to this notification that we might reasonably expect you to give?

No additional notes

Supporting Documents

If you are using the paper forms, this section contains the notes you will need for Section 6 – Supplementary information.

If you are completing a Paper Form A please see 3rd paragraph in this section

Documents (Connect)

Please include any other documents you want to provide

This section provides the opportunity for any additional documents to be included.

For more information on the factors which the FCA and/or PRA may take into account when considering application, please refer to FIT in the Handbook.

Other Information (Connect)

If there is anything else the applicant would like to tell us about this application please give details below.

This section provides the opportunity for any additional information to be included.

For more information on the factors which the FCA and/or PRA may take into account when considering application, please refer to FIT in the Handbook.

Supplementary Information (Paper Form A)

This section provides space for additional information. It should be used to disclose additional information about "yes" answers in section 5 of the full Form A and any information which is not the subject of a specific question in section 5, but might be relevant to the consideration of fitness and propriety, including in relation to the reasons for leaving the firms listed in section 4. For more information on the factors which the FCA and/or PRA may take into account when considering applications, please refer to "FIT" in the Handbook.

List here all directorships currently held or previously held in the past 10 years by the candidate.

Supporting documentation must also be provided, such as evidence of the settlements of CCJs.

Individual Declaration

If you are using the paper forms, this section contains the notes you will need for Section 7 – Declarations and signatures.

It is a criminal offence under section 398 of the Financial Services and Markets Act 2000 to knowingly or recklessly provide the FCA and/or PRA with false or misleading information.

If you are completing a Paper Form A please see 2nd paragraph in this section

Declaration and Signatures (Connect)

This section must be completed by the sole trader responsible for making the application.

The signature boxes are for you to use when you print out the application for your records.

A permanent copy of the application should be signed by the individual and the applicant and be retained for an appropriate period of time, for inspection at the FCA's/PRA's request.

Declarations and Signatures (Paper Forms)

This section contains declarations which must be signed by both an appropriate individual for the firm or applicant submitting the application and the candidate. Signatures MUST NOT be dated more than 3 months prior to the date of submission of the application. The FCA and/or PRA considers that an appropriate individual would either be an individual approved for a controlled function described under section 59(7B) of the Financial Services & Markets Act (the significant influence functions – controlled functions 1 to 12B, 28, 29, 40 or 50) or someone to whom the firm has delegated the authority to notify the FCA and/or PRA. The candidate should not sign the declaration on behalf of the firm unless he is a sole trader or the sole director in a limited company. If this authority has been delegated, the firm should keep records of those individuals authorised to sign on behalf of the firm. All signatures submitted on forms should be originals.

It is a criminal offence under section 398 of the Financial Services and Markets Act 2000 to knowingly or recklessly provide the FCA and/or PRA with false or misleading information.

Incoming EEA Firms undertaking non-MiFID business must confirm by using the tick box that the candidate is competent to perform the controlled function(s) for which this application is made.