



## MiFID Article 4 APER Information Form

Full name of *applicant firm* and Firm Reference Number (FRN)

### **Purpose of this form**

*MiFID II* requires certain information to be provided by the *applicant firm* when making changes to their *management body* or key function holders. The information required is detailed in the *MiFID II* Regulatory Technical Standards (RTS) and Implementing Technical Standards (ITS). The information in this form is required to enable us to fulfil our obligations in obtaining this information.

### **Contents of this form**

	<b><u>Page</u></b>
1 Long Form A	3
2 Form E	6

### **Important information you should read before completing this form**

We require all *MiFID investment firms* (except *credit institutions*) making changes to their *management body* or key function holders to provide these details as part of their application for the *individual* to hold a *controlled function* or internal transfer of an *approved person*.

Please keep a copy of the forms you complete and the supporting documents that you include with the application for your future reference.

The notes that accompany this form will help you complete the questions and they also explain why we require the information we ask you for.

For the purposes of complying with the Data Protection Act 1998, please note that any personal information provided to us will be used to discharge our statutory functions under the Financial Services and Markets Act 2000 (FSMA) and other relevant legislation and may be disclosed to third parties for those purposes.

**It is important that you provide accurate and complete information and disclose all relevant information. If you do not, it will call into question your suitability to be authorised, and you may be committing a criminal offence and could face prosecution under section 398A of the FSMA regardless of the status of your application.**

### **Terms in this form**

In this application pack we use the following terms:

- 'you' refers to the person(s) signing the form on behalf of the applicant firm;
- 'the individual' refers to the person holding the controlled function
- 'the applicant firm' refers to the firm applying for authorisation of the individual;
- 'we', 'us' or 'our' refers to the appropriate regulator;
- 'the FCA' refers to the Financial Conduct Authority;
- FSMA refers to the Financial Services and Markets Act 2000.

### **Filling in the form using Connect**

- 1** If you are using your computer to complete the form:
  - use the TAB key to move from Question to Question and press SHIFT TAB to move back to the previous Question; and
  - save all the parts of the form you have completed and attach to your application.
- 2** If you think a Question is not relevant to you, write 'not applicable' and explain why. When completing the Annex III ESMA template, you may cross refer to this form for any information already provided.
- 3** If you leave a Question blank or do not attach the required supporting information without telling us why, we will have to treat the application as incomplete. This will increase the time taken to assess your application.
- 4** If there is not enough space on the forms, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant Question number.
- 5** Ensure you have:
  - completed the relevant Long Form A or Form E;
  - completed the Annex III ESMA template and attached;
  - completed this additional information form; and
  - attached any supporting documents.

When you are required to attach supporting documents (e.g. Disclosure and Barring Service check where relevant) to your application, failure to do so will mean your application will not be progressed and you will be prevented from being able to submit your application through Connect.

### **Filling in the form using the paper application forms on the FCA website**

- 1** If you are using your computer to complete the form:
  - use the TAB key to move from Question to Question and press SHIFT TAB to move back to the previous Question; and
- 2** If you are filling in the form by hand:-
  - use black ink;
  - write clearly; and
  - sign the declaration in the 'checklist and declaration' form.
- 3** If you think a Question is not relevant to you, write 'not applicable' and explain why.
- 4** If you leave a Question blank, do not sign the declaration or do not attach the required supporting information without telling us why, we will have to treat the application as incomplete. This will increase the time taken to assess your application.
- 5** If there is not enough space on the forms, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant Question number.
- 6** Post the application consisting of:
  - completed the relevant Long Form A or Form E
  - completed the Annex III ESMA template;
  - completed this additional information form; and
  - attached any supporting documents.

**For Solo Regulated Firms:-  
Permissions Department  
The Financial Conduct Authority  
25 The North Colonnade  
Canary Wharf  
London  
E14 5HS**

**For Dual Regulated Firms:-  
The Prudential Regulation Authority  
20 Moorgate  
London  
EC2R 6DA**

# 1

If you have completed a Long Form A, please provide the information below

## 1 Personal details

Phone number (including STD code)	
-----------------------------------	--

Email address	
---------------	--

## 2 Curriculum Vitae

### 2.1 Relevant education and professional training

This information may already have been included in the CV or page 4 of the Annex III ESMA template. If already provided, there is no need to detail here.

Complete any information not already provided

Relevant Education	
--------------------	--

Professional Training	
-----------------------	--

### 2.2 Professional experience, including the names of all organisations for which the person has worked and nature and duration of the functions performed

This information may already have been included in the CV or page 4 of the Annex III ESMA template. If already provided, there is no need to detail here.

Complete any information not already provided

Name of organisation	Nature of functions performed	Duration

### 2.3 For positions held in the previous 10 years, when describing those activities, details shall be included on all delegated powers and internal decision-making powers held and the areas of operations under control

This information may already have been included in the Long Form A (Section 4) or CV.

The Long Form A requests employment history for the past 5 years. If you have not provided the information above, or need to provide information for a further 5 years, you can detail below.

Period (mm/yyyy) From - To	Name of employer	Delegated powers and internal decision making powers	Areas of operation under control

### 3 Reputation and experience

#### 3.1 Please provide a list of reference persons including contact information

Reference	Contact information

#### 3.2 Please attach any letters of recommendation to the application as supporting documents

### 4 Investigations

If answered positively, the information could be provided through an official certificate (if and so far as it is available from the relevant Member State or third country), or through another equivalent document.

In the United Kingdom, this could be a Disclosure and Barring Service check (DBS) and attached as a supporting document to the application.

For on-going investigations information could be provided through a declaration of honour.

### 5 Assessment of reputation and experience

MiFID II requires information on whether an assessment of reputation and experience as an acquirer or as a person who directs the business has already been conducted (including the date of the assessment, the identity of that authority and evidence of the outcome of this assessment).

#### 5.1 Please provide details of:

Date of assessment

Identity of the authority that conducted the assessment

Evidence of the outcome of assessment (please detail if this evidence is attached as a supporting document)

## 6 Financial and non-financial interests

**If you have not already provided this information in section 5 of the Long Form A, please provide information on any financial and non-financial interests or relationships of the person and his/her close relatives to members of the management body and key function holders in the same institution, the parent institution and subsidiaries and shareholders**

## 7 Time devoted to the performance of functions

MiFID II requires information on the minimum time that will be devoted to the performance of the individual's functions within the firm (annual and monthly indications).

**Please provide this information below:**

## 8 Human and financial resources

MiFID II requires information on human and financial resources devoted to the induction and training of the members (annual indication).

**Please provide this information below:**

# 2

If you have completed a Form E, please provide the information below

## 1 Personal details

Phone number (including STD code)	
-----------------------------------	--

Email address	
---------------	--

## 2 Curriculum Vitae

### 2.1 Relevant education and professional training

This information may already have been included in the CV or page 4 of the Annex III ESMA template. If already provided, there is no need to detail here.

Complete any information not already provided

Relevant Education	
--------------------	--

Professional Training	
-----------------------	--

### 2.2 Professional experience, including the names of all organisations for which the person has worked and nature and duration of the functions performed

This information may already have been included in a CV or page 4 of the Annex III ESMA template. If already provided, there is no need to detail here.

Complete any information not already provided

Name of organisation	Nature of functions performed	Duration

### 2.3 For positions held in the previous 10 years, when describing those activities, details shall be included on all delegated powers and internal decision-making powers held and the areas of operations under control

This information may already have been included in the CV.

If you have not provided the information above, or need to provide further information for positions held in the previous 10 years, you can detail below.

Period (mm/yyyy) From - To	Name of employer	Delegated powers and internal decision making powers	Areas of operation under control

### 3 Reputation and experience

#### 3.1 Please provide a list of reference persons including contact information

Reference	Contact information

#### 3.2 Please attach any letters of recommendation to the application as supporting documents

### 4 Investigations

MiFID II requires information on:

- criminal records and information on criminal investigations and proceedings
- relevant civil and administrative cases, and
- disciplinary actions opened against them (including disqualifications as a company director, bankruptcy, insolvency and similar procedures).

The information could be provided through an official certificate (if and so far as it is available from the relevant Member State or third country), or through another equivalent document.

In the United Kingdom, this could be a Disclosure and Barring Service check (DBS) and attached as a supporting document to the application.

For on-going investigations information could be provided through a declaration of honour.

The FCA and PRA would generally only expect applicants to provide information in relation to ongoing investigations and proceedings.

By virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, if the *candidate* is subject to the law of England and Wales, *candidate* must disclose spent convictions and cautions (other than a protected conviction or caution). By virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 and the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979, if the *candidate* is subject to the law of Scotland or Northern Ireland, the *candidate* must disclose spent convictions (other than a protected conviction).

**4.1 If not already provided, please provide information on:**

criminal records and information on criminal investigations and proceedings

relevant civil and administrative cases, and

disciplinary actions opened against them (including disqualifications as a company director, bankruptcy, insolvency and similar procedures).

## 5 Previous registration, authorisation, membership or licence

MiFID II requires information on:

- refusal of registration, authorisation, membership or licence to carry out a trade, business or profession; or
- the withdrawal, revocation or termination of such a registration, authorisation, membership or licence; or
- expulsion by a regulatory or government body or by a professional body or association.

**If not already provided, please provide information on:**

refusal of registration, authorisation, membership or licence to carry out a trade, business or profession

the withdrawal, revocation or termination of such a registration, authorisation, membership or licence

expulsion by a regulatory or government body or by a professional body or association.



## 6 Previous dismissals

MiFID II requires information on dismissal from employment or a position of trust, fiduciary relationship, or similar situation.

**If not already provided, please provide information on:**

dismissal from employment or a position of trust, fiduciary relationship, or similar situation.

## 7 Assessment of reputation and experience

MiFID II requires information on whether an assessment of reputation and experience as an acquirer or as a person who directs the business has already been conducted (including the date of the assessment, the identity of that authority and evidence of the outcome of this assessment).

**Please provide details of:**

Date of assessment

Identity of the authority that conducted the assessment

Evidence of the outcome of assessment (please detail if this evidence is attached as a supporting document).

## 8 Financial and non-financial interests

**If you have not already provided, please provide information on any financial and non-financial interests or relationships of the person and his/her close relatives to members of the management body and key function holders in the same institution, the parent institution and subsidiaries and shareholders.**

## 9 Suitability assessment

**If you have not already provided, please provide details of the result of any assessment of the suitability of the members of the management body, performed by the applicant firm itself.**

--

## 10 Time devoted to the performance of functions

MiFID II requires information on the minimum time that will be devoted to the performance of the individual's functions within the firm (annual and monthly indications).

**Please provide this information below:**

--

## 11 Human and financial resources

MiFID II requires information on human and financial resources devoted to the induction and training of the members (annual indication).

**Please provide this information below:**

--

## 12 Executive and non executive directorships

MiFID II requires a list of executive and non-executive directorships currently held by the person.

**If not already provided, please provide a list of executive and non-executive directorships held by the person:**

Organisation name	Type of directorship