



Notification procedures for changes to the management body for non-SMF Directors

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

Purpose of this form

MiFID II requires certain information to be provided by *MiFID and optional exemption MiFID firms* when making changes to their *management body*. This form should only be completed if a firm is notifying the FCA of an appointment of a non-SMF Director to its management body¹. If a firm is notifying the FCA of a non-SMF Director who left the firm's management body, the firm should submit the Annex III ESMA template only. 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.

Important information you should read before completing this form

We require solo-regulated *MiFID investment firms* and *MiFID optional exemption firms* (except *credit institutions*) making changes to their *management body* to provide these details. Please keep a copy of the forms you complete and the supporting documents that you include with the notification 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 requirements of the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018, 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 FSMA.

Terms in this form

In this notification form we use the following terms:

¹ <https://www.handbook.fca.org.uk/handbook/glossary/?starts-with=M>

- 'non-SMF Director' refers to an individual who is a member of the firm's management body but is not an SMF manager or applying to be approved as one
- 'you' refers to the person(s) signing the form on behalf of the notifying firm
- 'the individual / appointee' refers to the person who is a non-SMF Director
- 'the notifying firm' refers to the firm notifying the FCA of changes to the firm's management body
- 'we', 'us' or 'our' refers to the FCA
- 'the FCA' refers to the Financial Conduct Authority, and
- '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
- 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 notification as incomplete. This will increase the time taken to assess your notification.
- 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 Annex III ESMA template and attached it
 - completed this 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 notification, failure to do so will mean your notification will not be progressed and you will be prevented from being able to submit your notification through Connect.

1 Notifying firm details

Phone number (including STD code)	
Email address	

2 Details of the person subject to notification

Appointee Individual Reference Number (IRN) – if applicable	
Or name of previous regulatory body – if applicable	
AND previous reference number – if applicable	
Title (e.g. Mr, Mrs, Ms)	
Surname	
ALL forenames	
Name commonly known by	
Date of birth (dd/mm/yyyy)	
Previous name	
Date of name change	
Reason for change	
Nationality	
Passport number if appointee does not have an NI Number, or if a passport number has previously been provided but an NI number has not	
Place of birth	
Private address (including postcode)	

3 Description of position being notified

3.1 Name of the position for which the appointee will be responsible

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3.2 Please note the key responsibilities of the role:

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3.3 Date of appointment

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3.4 If applicable, length of appointment

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3.5 FRN(s) (if applicable)

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4 Curriculum Vitae

4.1 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	
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Professional Training	
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4.2 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

4.3 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, set this out below.

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

5 Reputation and experience

5.1 Please provide a list of reference persons including contact information

Reference	Contact information

5.2 Please attach any letters of recommendation to the notification as supporting documents

6 Fitness and propriety

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

6.1 Criminal proceedings

Has the appointee ever been convicted of any criminal offence (excluding spent convictions and traffic offences that did not result in a ban from driving or did not involve driving without insurance)? Is the appointee currently the subject of any criminal proceedings? Has the appointee been ordered to produce documents pursuant to any current criminal investigation?

6.2 Civil proceedings

Has the appointee ever been the subject of a judgment debt or award against the appointee or been party to a civil proceeding which resulted in an order against the appointee? Does the appointee have any current judgment debts outstanding or have they ever failed to satisfy any such judgment debts within one year of the order being made? Has the appointee ever filed for or had a petition served for bankruptcy, been adjudged bankrupt, been subject of a bankruptcy restrictions order or made any arrangements with creditors?

6.3 Business and employment matters

Has the appointee ever been:

- (i) dismissed from employment as a senior executive or subject to termination of an engagement as a board member or auditor in a firm, other financial institution or company?
- (ii) disqualified from acting as a director or similar position?
- (iii) the subject of proceedings of a disciplinary nature?
- (iv) refused entry to, dismissed, suspended or requested to resign from any profession, vocation, office, employment or from any fiduciary office or position of trust (whether or not remunerated)?

6.4 Regulatory matters

In relation to activities regulated by the FCA and/or PRA or any other regulatory body, has the appointee ever been the subject of an investigation, been subject to the rejection of an application, exclusion or limitation in any other way in terms of the right to conduct operations, been the subject of supervisory sanctions, or been the subject of a notification of breach of conduct rules?

6.5 Other matters

Are the appointee or the firm aware of any other information relevant to this notification that we might reasonably expect to receive?

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).

If an assessment of reputation and experience as an acquirer or as a person who directs the business has already been conducted 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 this information, please provide information on any financial and non-financial interests or relationships of the appointee and the appointee's close relatives to members of the management body and key function holders in the same institution, the parent institution, and subsidiaries and shareholders.

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9 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.

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10 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.

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11 Executive and non-executive directorships

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

If not already provided, please provide a list of executive and non-executive directorships held by the appointee.

Organisation name	Type of directorship

12 Collective knowledge, skills and experience

Please provide a statement of your assessment of the collective suitability of the management body as a whole, including how the individual is to be situated in the overall suitability of the management body. You may also provide this information in the Suitability Matrix in Annex 1 of the EBA Suitability Guideline², or using another method.

13 Declaration

It is a criminal offence, knowingly or recklessly, to give the FCA information that is materially false, misleading or deceptive (see sections 398 and 400 Financial Services and Markets Act). Even if you believe or know that information has been provided to the FCA before (whether as part of another notification or otherwise) or is in the public domain, you must nonetheless disclose it clearly and fully in this form and as part of this notification - you should not assume that the FCA will itself identify such information during the assessment of this notification.

The notifying firm must notify the FCA immediately if there is a change to the information in this form and/or if inaccurate information has been provided (insofar as the FCA is reasonably likely to consider the information material) in accordance with applicable data protection legislation.

In addition to other regulatory responsibilities, the firm has a responsibility to disclose to the FCA matters of which it would reasonably expect to be notified. Failure to notify the FCA of such information may lead to the FCA taking disciplinary or other action against the firm.

The notifying firm confirms that the information provided in this notification is accurate and complete to the best of its knowledge and that it has read the notes to this form.

The notifying firm should 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.

For the purposes of complying with data protection legislation, please read our privacy notice:

FCA's privacy notice <https://www.fca.org.uk/data-protection>

This notice will tell you what to expect when the FCA collects personal information, including how and why we use your personal information and who to contact if you have any queries or wish to exercise your rights.

² <https://www.esma.europa.eu/document/joint-esma-and-eba-guidelines-assessment-suitability-members-management-body-and-key-0>