

REPORTING OF CHANGES TO THE MANAGEMENT BODY (FCA-AUTHORISED FIRMS) INSTRUMENT 2019

Powers exercised

- A. The Financial Conduct Authority (“the FCA”) makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
- (1) section 60 (Applications for approval);
 - (2) section 62A (Changes to responsibilities of senior managers);
 - (3) section 137A (The FCA’s general rules);
 - (4) section 137T (General supplementary powers); and
 - (5) section 139A (Power of the FCA to give guidance).
- B. The rule-making powers listed above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 9 December 2019.

Amendments to the Handbook

- D. The FCA’s Handbook of rules and guidance is amended in accordance with paragraphs E, F and G of this instrument.
- E. The Senior Management Arrangements, Systems and Controls sourcebook (SYSC) is amended in accordance with Annex A to this instrument.
- F. The Supervision manual (SUP) is amended in accordance with Annex B to this instrument.
- G. In each case in which Annex B of this instrument says that the Supervision manual is amended by inserting a new form into that manual or by amending a form in that manual, as set out in Annex C to this instrument, the Supervision manual is amended accordingly.

Citation

- H. This instrument may be cited as the Reporting of Changes to the Management Body (FCA-Authorised Firms) Instrument 2019.

By order of the Board
26 September 2019

Annex A

**Amendments to the Senior Management Arrangements, Systems and Controls
sourcebook (SYSC)**

In this Annex, underlining indicates new text.

1 Application and purpose

...

1 Annex 1 Detailed application of SYSC

...

Part 3	Tables summarising the application of the common platform requirements to different types of firm	
...		
3.3A	R	

Table A: Application of the common platform requirements in SYSC 4 to SYSC 10

Provision SYSC 4	COLUMN A Application to a common platform firm other than to a UCITS investment firm	COLUMN A+ Application to a UCITS management company	COLUMN A++ Application to a full-scope UK AIFM of an authorised AIF	COLUMN B Application to all other firms apart from insurers, UK ISPVs, managing agents, the Society, full-scope UK AIFMs of unauthorised AIFs, MiFID optional exemption firms and third country firms
...
SYSC 4.3A.3R	...	...	...	...
<u>SYSC 4.3A.3AG</u>	<u>Guidance</u>	<u>Guidance for a <i>CRR firm</i> that is a <i>UCITS investment firm</i></u>	<u>Not applicable</u>	<u>Not applicable</u>
...

...

Table B: Application of the common platform requirements in SYSC 4 to 10 to MiFID optional exemption firms and third country firms

Provision	COLUMN A MiFID optional exemption firms	COLUMN B Third country firms
SYSC 4.3A.3R	...	...
<u>SYSC 4.3A.3AG</u>	<u>Guidance</u>	<u>Not applicable</u>
...

4 General organisational requirements

...

4.3A Management body and nomination committee

Management body

...

4.3A.3 R ...

4.3A.3A G (1) A firm should have procedures for monitoring the collective adequacy of the knowledge, skills and experience of its management body as well as of its individual members.

(2) A firm may wish to use the “Template for a matrix to assess the collective competence of members of the management body” in Annex I of the joint ESMA and EBA publication titled “Guidelines on the assessment of the suitability of members of the management body and key function holders under Directive 2013/36/EU and Directive 2014/65/EU” when assessing collective competence.

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

...

23 Senior managers and certification regime: Introduction and classification

...

23.3 Overview of the senior managers and certification regime

...

23.3.3 G Table: Summary of the senior managers and certification regime

(1) Description of component of the regime	(2) Handbook provisions	(3) Application to solo-regulated firms
...		
The senior managers regime: Parts that only apply to a limited range of firms		
...		
A retail intermediary <i>firm</i> should check whether it meets the financial criteria for being an <i>enhanced scope SMCR firm</i> and report to the <i>FCA</i> when it meets those criteria for the first time or ceases to meet them.	...	...
<u>Firms should report changes to their management body when members who are not SMF managers leave or join it.</u>	<u>SUP 15.16 (Notification of changes in the management body)</u>	Only applies to a <u>MiFID investment firm</u> or a <u>MiFID optional exemption firm</u> .
...		

...

Annex B

Amendments to the Supervision manual (SUP)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless otherwise stated.

10C FCA senior managers regime for approved persons in SMCR firms

...

10C Annex Statement of responsibilities **10D**

Amend the form titled “Statement of responsibilities for dual-regulated SMCR firms” as shown in Part One of Annex C to this instrument.

10C Annex MiFID Article 4 SMR Information Form **11D**

Amend the form titled “MiFID Article 4 SMR Information Form” as shown in Part One of Annex C to this instrument.

Amend the following as shown.

15 Notifications to the FCA

15.1 Application

...

SMCR firms

15.1.7 R The following apply only to *SMCR firms*:

- (1) *SUP* 15.2.5G (Purpose);
- (2) *SUP* 15.11 (Notification of COCON breaches and disciplinary action); ~~and~~
- (3) *SUP* 15.15 (Enhanced scope SMCR firm retail intermediaries); and
- (4) *SUP* 15.16 (Notification of changes in the management body).

...

Insert a new section, SUP 15.16, after SUP 15.15 (Notification by retail intermediaries of qualification as an enhanced scope SMCR firm). The text is not underlined.

15.16 Notification of changes in the management body

Application

15.16.1 R This section applies to a *firm* that meets the following conditions:

- (1) it is:
 - (a) a *MiFID investment firm*; or
 - (b) a *MiFID optional exemption firm*;
- (2) it is an *SMCR firm*;
- (3) it is an *FCA-authorised person*; and
- (4) it is a *UK domestic firm*.

Purpose

15.16.2 G The purpose of this section is to:

- (1) set out material related to the requirement in the *MiFID authorisation and management body change notification ITS* for a *MiFID investment firm* to notify the *FCA* of changes to its *management body*;
- (2) apply those requirements to *MiFID optional exemption firms*; and
- (3) give *guidance* to *firms* about notifying the *FCA* of inadequacies in their *management body*.

15.16.3 G Article 5 of the *MiFID authorisation and management body change notification ITS* says that a *MiFID investment firm* should:

- (1) notify the *FCA* of any change to the membership of its *management body*:
 - (a) before such change takes effect; or
 - (b) within 10 *business days* after the change if, for substantiated reasons, it is not possible to make the notification before that change takes effect; and
- (2) make the notification using the template in Annex III of the *MiFID authorisation and management body change notification ITS*.

Supplemental requirement for MiFID investment firms

- 15.16.4 R Where:
- (1) a *person* becomes a member of the *management body* of a *MiFID investment firm*; and
 - (2) the *firm* must notify that change to the *FCA* under Annex III of the *MiFID authorisation and management body change notification ITS*;
- the *firm* must (subject to *SUP 15.16.6R*) complete and submit to the *FCA* the form titled “Notification Procedures for Changes to the Management Body for Non-SMF Directors” (*SUP 15 Annex 14R*) as part of the notification referred to in (2).

Requirement for MiFID optional exemption firms

- 15.16.5 R A *MiFID optional exemption firm* must (subject to *SUP 15.16.6R*) comply with article 5 of the *MiFID authorisation and management body change notification ITS* and *SUP 15.16.4R* as if it were a *MiFID investment firm*.

Exclusion where also performing a controlled function

- 15.16.6 R *SUP 15.16.4R* and *SUP 15.16.5R* do not apply if the *person* who has or will join or leave the *management body* of the *firm* performs a *governing function* in relation to the *firm* in their role as a member of the *management body*.
- 15.16.7 G The reason for *SUP 15.16.6R* is that the *firm* will already be required to inform the *FCA* of the change by making an application or giving a notice to the *FCA* under *SUP 10C* (*FCA senior managers regime for approved persons in SMCR firms*).

Method of submission

- 15.16.8 R (1) A *firm* must make a notification:
- (a) under *SUP 15.16.4R* or *SUP 15.16.5R*; or
 - (b) of a change in its *management body* under the template in Annex III of the *MiFID authorisation and management body change notification ITS*;
- by submitting the notification online at fca.org.uk using the *FCA's* and *PRA's online notification and application system*.
- (2) A *firm* must use the version of the notification form made available for these purposes on the electronic system referred to in (1), which is based on the version found:

- (a) in *SUP 15 Annex 14R* (in the case of the Notification Procedures for Changes to the Management Body for Non-SMF Directors form); or
- (b) at <https://www.fca.org.uk/publication/forms/mifid-changes-management-body-form.docx> (in the case of the form in Annex III of the *MiFID authorisation and management body change notification ITS*).
- 15.16.9 R (1) If the information technology systems used by the *FCA* fail and online submission is unavailable for 24 hours or more, a *firm* must make a notification referred to in *SUP 15.16.8R(1)(a)* or (b) in the way set out in *SUP 15.7.4R* to *SUP 15.7.9G* (Form and method of notification) until such time as facilities for online submission are restored.
- (2) When this *rule* applies, a *firm* must use the version of the notification form set out in the places listed in *SUP 15.16.8R(2)*.
- 15.16.10 G If the information technology systems used by the *FCA* fail and online submission is unavailable for 24 hours or more, the *FCA* will endeavour to publish a notice on its website confirming that:
- (1) online submission is unavailable; and
- (2) the alternative methods of submission in *SUP 15.16.9R* apply.
- 15.16.11 G Where *SUP 15.16.9R* applies to a *firm*, *GEN 1.3.2R* (Emergency) does not apply.
- Notification of inadequacies in the management body
- 15.16.12 G A *firm* should notify the *FCA* under *Principle 11*, *SUP 10C* (in the case of a notification about an *SMF manager*) and *SUP 15.3* (General notification requirements):
- (1) if the *firm* concludes that a member of its *management body* is not suitable individually;
- (2) if the *firm* concludes that its *management body* is not suitable collectively;
- (3) of what measures the *firm* proposes to take or has taken in relation to the matters in (1) or (2).

Amend the following as shown.

15 Annex 1R Application of SUP 15 to incoming EEA firms, incoming Treaty firms, EEA authorised payment institutions and EEA authorised electronic money institutions

1.	<i>SUP 15 applies in full to an incoming EEA firm, or incoming Treaty firm, which has a top-up permission. However, SUP 15.16 does not apply to such firms.</i>				
...					

Applicable sections		Application
...
<i>SUP 15.14</i>	...	...
<u><i>SUP 15.16</i></u>	<u>Notification of changes in the management body</u>	<u>Does not apply</u>

...

Insert the following new annex, SUP 15 Annex 14R, after SUP 15 Annex 13D (NOT005 Notification that there are problems with a dedicated interface under SCA-RTS article 33(3)). The text (which consists of a form) is included in Part Two of Annex C to this instrument.

15 Annex 14R Notification Procedures for Changes to the Management Body for Non-SMF Directors

Notification Procedures for Changes to the Management Body for Non-SMF Directors

Annex C

Handbook forms

Part 1 (Amended forms)

In this Part of this Annex, underlining indicates new text and striking through indicates deleted text.



BANK OF ENGLAND
PRUDENTIAL REGULATION
AUTHORITY



FINANCIAL
CONDUCT
AUTHORITY

Application number or IRN
(for FCA/PRA use only)

Senior Managers Regime: Statement of Responsibilities

...

~~10 December 2018~~ 9 December 2019

...

3.2 Prescribed Responsibilities

...

3.3 Overall or Local Responsibility

...

3.3.1 Overall Responsibility

...

A *firm* may wish to refer to SYSC 25 Annex 1G (~~replicated in Annex A of this form~~) to help it make sure it has not failed to allocate overall responsibility for a particular activity of the *firm*. Please note that the *FCA* does not require *firms* to organise themselves by the functions in SYSC 25 Annex 1G, and that the Annex is not comprehensive. It is important that a *firm* does not fail to allocate overall responsibility for business areas, activities and management functions, in line with SYSC 26.

...

3.3.2 Local Responsibility

...

A *firm* may wish to refer to SYSC 25 Annex 1G (~~replicated in Annex A of this form~~) to help it make sure it has not failed to allocate local responsibility for a particular activity of the *firm*. Please note that the *FCA* does not require *firms* to organise themselves by the functions in SYSC 25 Annex 1G, and that the Annex is not comprehensive. It is important that a *firm* does not fail to allocate local responsibility for business areas, activities and management functions, in line with SYSC 26.

...

...

ANNEX A

SYSC 25
Annex 1GThe main business activities and functions of an *SMCR firm*

Business areas and management functions	Explanation
(1) Payment services	This means: (1) payment services; (2) issuing and administering other means of payment (for example, cheques and bankers' drafts); (3) issuing electronic money; and (4) current accounts.
(2) Settlement	This means clearing and settlement of any transactions described in rows (3) and (6) to (9) of this annex in relation to the assets covered by (9). It also includes clearing and settlement of any transactions described in row (10).
(3) Investment management	This has the same meaning as <i>managing investments</i> with the following adjustments: (a) it covers all types of assets; and (b) the exclusions in the <i>Regulated Activities Order</i> do not apply. It also covers fund management.
(4) Financial or investment advice	This includes advising on investments.
(5) Mortgage advice	This has the same meaning as <i>advising on regulated mortgage contracts</i> but is expanded to cover land anywhere in the world and to cover security of any kind over land.
(6) Corporate investments	This means acquiring, holding, managing and disposing a <i>firm's</i> investments made for its own account.
(7) Wholesale sales	This means the <i>selling of any investment to a person other than a retail customer.</i> It does not include the activities in (1).
(8) Retail sales	This means the <i>selling of any investment to a retail customer.</i>

Business areas and management functions	Explanation
	It includes savings accounts. It does not include the activities in (1).
(9) Trading for clients	This means <i>dealing in investments as agent and execution of orders on behalf of clients</i> but the list of products includes money market instruments and foreign exchange.
(10) Market making	This has the same meaning as it does in <i>MIFID</i> (see the definition of market maker in article 4.1(7)).
(11) <i>Investment research</i>	
(12) Origination/syndication and underwriting	<p>Origination and syndication include:</p> <p>(1) entering into or acquiring (directly or indirectly) any commitment or <i>investment</i> with a view to transferring some or all of it to others, or with a view to others investing in the same transaction;</p> <p>(2) sub-participation; and</p> <p>(3) any transaction described in the <i>Glossary</i> definition of <i>originator</i>.</p> <p>Underwriting includes underwriting that is not on a firm commitment basis.</p> <p>A commitment or <i>investment</i> includes an economic interest in some or all of it.</p> <p>This activity also includes the provision of services relating to such transactions.</p>
(13) Retail lending decisions	<p>Deciding whether, and on what terms, to lend to <i>retail customers</i>.</p> <p>Lending includes granting credit, leasing and hire (including finance leasing).</p>
(14) Wholesale lending decisions	<p>Deciding whether, and on what terms, to lend to <i>persons who are not retail customers</i>.</p> <p>Lending includes granting credit, leasing and hire (including finance leasing).</p>
(15) Design and manufacturing of products intended for wholesale customers	Wholesale customers mean <i>persons who are not retail customers</i>
(16) Design and manufacture of products intended for <i>retail customers</i>	
(17) Production and distribution of marketing materials and communications	This includes <i>financial promotions</i>
(18) Customer service	This means dealing with <i>clients</i> after the point of sale, including queries and fulfilment of <i>client</i> requests

Business areas and management functions	Explanation
(19) Customer complaints handling	<p>This includes the <i>firm's</i> compliance with <i>DISP</i>.</p> <p>It also includes:</p> <p>(1) any similar procedures relating to activities that do not come under the jurisdiction of the <i>Financial Ombudsman Service</i>;</p> <p>(2) activities that take place outside the <i>UK</i>; and</p> <p>(3) activities that are not subject to any ombudsman service.</p>
(20) Collection and recovering amounts owed to a <i>firm</i> by its customers Dealing with customers in arrears	<p>"Customer" means any <i>person</i> falling into any of the definitions of <i>client</i> in the <i>Glossary</i> so far as they apply to the <i>FCA's Handbook</i>. The definition is extended to cover all services provided by the <i>firm</i> and not just those that are provided in the course of carrying on a <i>regulated activity</i> or an <i>ancillary service</i>.</p>
(21) Middle office	<p>This means risk management and controls in relation to, and accounting for, transactions in <i>securities</i> or <i>derivatives</i></p>
(22) Issuing Commitments	<p>This means the activity described in SYSC 27.8.5G(1)(i) (examples of what the significant management <i>FCA-specified significant harm function</i> can cover)</p>
(23) Processing	<p>This means the activity described in SYSC 27.8.5G(1)(j) (examples of what the significant management <i>FCA-specified significant harm function</i> can cover).</p>
(24) Human resources	<p>This includes recruitment, training and competence and performance monitoring</p>
(25) Incentive schemes for the <i>firm's</i> staff	<p>This is not limited to schemes based on sales.</p>
(26) <i>Providing information in relation to a specified benchmark</i>	
(27) <i>Administering a specified benchmark</i>	
(29) Administration of insurance	<p>This means the activity described in SYSC 27.8.5G(1)(k) (examples of what the significant management <i>FCA-specified significant harm function</i> can cover).</p>
<p>Note (1): The purpose of this annex is explained in SYSC 25.7 (Guidance about SYSC 25 Annex 1G) and SYSC 26.11.2G</p>	
<p>Note (2): A <i>firm</i> does not have to use the split of example activities in this annex for the purposes in Note (1). If a <i>firm</i> does decide to use it, the <i>firm</i> should adapt it to suit the <i>firm's</i> management arrangements better.</p> <p>For example, a <i>firm</i> may find the split of activities into <i>retail</i> and <i>wholesale</i> activities unsuitable. If so, the <i>firm</i> might:</p>	

Business areas and management functions	Explanation
	<p>(a) treat <i>retail</i> and wholesale activities together; or</p> <p>(b) use its own definition of retail and wholesale activities.</p>



BANK OF ENGLAND
PRUDENTIAL REGULATION
AUTHORITY



**MiFID members of the management body and key function holders -
Article 4 Information Form (SMR)**

...

1

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

...

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~~ the person's close relatives to members of the management body and key function holders in the same institution, the parent institution and subsidiaries and shareholders

...

9 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 Guidelines³ or using another method.

³ <https://www.esma.europa.eu/document/joint-esma-and-eba-guidelines-assessment-suitability-members-management-body-and-key-0>

2

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

...

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 person and ~~his/her~~ the person's close relatives to members of the management body and key function holders in the same institution, the parent institution and subsidiaries and shareholders

...

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 Guidelines⁴ or using another method.

⁴ <https://www.esma.europa.eu/document/joint-esma-and-eba-guidelines-assessment-suitability-members-management-body-and-key-0>

3

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

...

7 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 Guidelines⁵ or using another method.

⁵ <https://www.esma.europa.eu/document/joint-esma-and-eba-guidelines-assessment-suitability-members-management-body-and-key-0>

Part 2 (New form)

All the text in this Part of this Annex (which consists of a form) is new and not underlined. The form is to be inserted in the place specified in paragraph G of the cover sheet of this instrument.



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

--

3.2 Please note the key responsibilities of the role:

--

3.3 Date of appointment

--

3.4 If applicable, length of appointment

--

3.5 FRN(s) (if applicable)

--

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	
--------------------	--

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

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.

--

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.

--

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.

--

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>