

Chapter 1

Commission Delegated Regulation (EU) 2017/1943

Article 4 Information on the management body and persons who direct the business

An applicant seeking authorisation as an investment firm in accordance to the United Kingdom's legislation corresponding to Title II of Directive 2014/65/EU shall provide to the competent authority the following information:

(a) in respect of members of the management body and persons effectively directing the business and their related powers and any proxies:

(i) personal details comprising the person's name, date and place of birth, personal national identification number, where available, address and contact details;

(ii) the position for which the person is/will be appointed;

(iii) a curriculum vitae stating relevant education and professional training, professional experience, including the names of all organisations for which the person has worked and nature and duration of the functions performed, in particular for any activities within the scope of the position sought; 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;

(iv) documentation relating to person's reputation and experience, in particular a list of reference persons including contact information, letters of recommendation;

(v) criminal records and information on criminal investigations and proceedings relevant civil and administrative cases, and disciplinary actions opened against them (including disqualification as a company director, bankruptcy, insolvency and similar procedures), notably through an official certificate (if and so far as it is available from the relevant third country), or through another equivalent document; for ongoing investigations, the information may be provided through a declaration of honour;

(vi) 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;

(vii) information on dismissal from employment or a position of trust, fiduciary relationship, or similar situation;

(viii) 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);

(ix) description of 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;

(x) details of the result of any assessment of the suitability of the members of the management body, performed by the applicant itself;

(xi) information on the minimum time that will be devoted to the performance of the person's functions within the firm (annual and monthly indications);

(xii) information on human and financial resources devoted to the induction and training of the members (annual indications);

(xiii) the list of executive and non-executive directorships currently held by the person.

For the purposes of point (ix) of point (a), financial interests include interests such as credit operations, guarantees and pledge, whereas non-financial interests may include interests such as family or close relationships.

(b) The staff of the internal management and control bodies.