Chapter 2

Commission Delegated Regulation (EU) 2017/1946

Article 6 Information on the persons that will effectively direct the business of the target entity

The proposed acquirer shall provide the competent authority of the target entity with the following information relating to the reputation and experience of any person who will effectively direct the business of the target entity as a result of the proposed acquisition:

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

(b) the position for which the person is or will be appointed;

(c) a detailed 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, and documentation relating to person's experience such as a list of reference persons including contact information and letters of recommendation. For positions held in the past 10 years, when describing these activities, the person shall specify their delegated powers, internal decision-making powers and the areas of operations under their control. If the curriculum vitae includes other relevant experiences, including management body representation, this shall be stated;

(d) information on the following:

(1) criminal records, criminal investigations or proceedings, relevant civil and administrative cases, or disciplinary actions, including disqualification as a company director, bankruptcy, insolvency and similar procedures, through an official certificate or through another equivalent document;

(2) open investigations, enforcement proceedings, sanctions or other enforcement decision against the person which may be provided through a declaration of honour;

(3) 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;

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

(e) information as to whether an assessment of reputation as a person who directs the business has already been conducted by another supervisory authority, the identity of that authority and evidence of the outcome of this assessment;

(f) a description of financial interests, and non-financial interests or relationships of the person and that 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;

(g) the minimum time, in annual and monthly indications, that will be devoted to the performance of the person's functions within the target entity;

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

For the purposes of point (f), credit operations, shareholdings, guarantees and pledges shall be deemed to be part of financial interests, whereas family or close relationships shall be deemed to be part of non-financial interests.