



FINANCIAL REGULATOR
Rialtóir Airgeadais

Individual Questionnaire (IQ)

February 2006

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INDIVIDUAL QUESTIONNAIRE

This questionnaire is divided into 7 sections, with three appendices.

All applicants must complete Sections 1, 2, 4 and 5. All applicants other than those approved by financial service regulators in EU/EEA jurisdictions must complete sections 3 and 7.

Approved Persons of firms authorised under the IIA or the Consumer Credit Act that also handle client money must complete Section 6.

All applicants must sign the appropriate declarations in Appendix 1.

The proposing firm should complete Appendix 2 in all cases.

Appendix 3 sets out the form for Approved Persons who are leaving their positions ahead of schedule who may wish to make contact with the Financial Regulator.

Section 1

Personal Details

(to be completed by all applicants)

1.1 *Individual's full name*

Title _____ *Surname*

Mr./Mrs./Ms. etc		
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Forename(s)

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1.2 *Former Names (if any)*

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Date of Change of Name (if any)

Day		Month		Year	
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1.3 *Date of Birth (original Birth Certificate may be required)*

Day		Month		Year	
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1.4 *Place of Birth*

Country		City/Town	
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1.5 *Nationality*

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1.6 *Private Address*

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Have you been at this address for less than six months?

YES		No	
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1.7 *Has your address changed in the last ten years? If YES, please also give your previous address(es).*

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1.8 *Passport*

Passport Number:						
Place of Issue:						
Expiry Date:	Day		Month		Year	

1.9 *Please state below the position held or to be held in the financial institution*

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1.10 Directors that have no previous experience in the relevant financial services sector or in financial business are asked to outline the nature of the contribution that they will make to the financial services provider

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1.11 Are you currently or were you previously approved or refused by a Financial Services Regulatory Authority to carry out activities for a financial institution?

Name of Regulator	Country	Date	Approval	Refusal

Please provide details (position, firm and date).

Position Held	Name of Firm	Date appointed	Date departed

Section 2

Experience

(to be completed by all applicants)

2.1 Employment History

Please provide a CV setting out full details (date on which employment commenced and ceased, name and address and business of employer, position held by you and main responsibilities) of your employment history starting with your most recent employment. Where there are material issues that may be of interest to the Financial Regulator, such as unusual reasons for leaving employment or for periods of unemployment, these should be disclosed. You should provide a complete employment history from leaving full-time education or for the most recent ten years whichever is the shorter. However, applicants should, as above, provide details of material issues. Applicants may also wish to give a full employment history, particularly if older experience is especially relevant to the position.

2.2 Qualifications and Memberships

Please give the following details of any qualifications you have acquired, including memberships of professional associations:

Nature of qualification/membership	Name Awarding institution/professional association	Country	Date obtained (mm/yyyy)

Please give similar details in relation to any other training received that may be relevant to the proposed position

Nature of Training	Name institution/professional association	Country	Duration of training (months)	Date obtained (mm/yyyy)

Section 3

Good Reputation and Character

(To be completed by all applicants except proposed Approved Persons who have been approved by EEA Regulators)

The following questions should be answered by entering a tick (✓) in the appropriate box. In any case where the response to a question is YES, full details should be given on a separate sheet and referenced to the appropriate question.

	YES	NO
3.1 Have you been convicted of any offence involving fraud, dishonesty or breach of trust, in the State or elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>
3.2 Have you been convicted, on indictment, of tax offences or of aiding and abetting tax evasion?	<input type="checkbox"/>	<input type="checkbox"/>
3.3 Have you been convicted of any offences (excluding minor offences) other than those declared above	<input type="checkbox"/>	<input type="checkbox"/>
3.4 Have you been charged before any Court (including a Court Martial or Service Disciplinary Court) in Ireland or elsewhere with an offence of which you have not been acquitted? What was the outcome?	<input type="checkbox"/>	<input type="checkbox"/>
3.5 Are you currently engaged in, or the subject of, any criminal or civil proceedings or arbitration (other than as an expert witness or member of a jury) or is any unsatisfied judgement debt or award outstanding against you?	<input type="checkbox"/>	<input type="checkbox"/>
3.6 Have you at any time, in the State or elsewhere, been declared bankrupt, or entered into any compromise with creditors, or are you currently the subject of bankruptcy proceedings? Are you aware of any such proceedings pending?	<input type="checkbox"/>	<input type="checkbox"/>
3.7 Have you at any time entered into a deed of arrangement in favour of your creditors, or other composition or arrangement with creditors, or failed to satisfy a judgement debt under a Court Order made in the State or elsewhere within one year of the making of the Order?	<input type="checkbox"/>	<input type="checkbox"/>
3.8 Have you ever been disqualified or restricted, in the State or elsewhere, by a Court from acting as a director of a company, or from acting in the management or conduct of the affairs of	<input type="checkbox"/>	<input type="checkbox"/>

	any company, partnership or unincorporated association?	<input type="checkbox"/>	<input type="checkbox"/>
3.9	Has any employer that you had in the past ten years or your present employer (to the best of your knowledge) applied for regulatory approval in respect of any financial services business in the State or in any other jurisdiction and been refused the application or had the approval subsequently withdrawn ?	<input type="checkbox"/>	<input type="checkbox"/>
3.10	Have you or, to your knowledge, your current or past employer(s) ever been censured or disciplined by any regulatory or professional body in the State or elsewhere? Are you, or is your employer to your knowledge, currently undergoing any investigation or disciplinary procedure?	<input type="checkbox"/>	<input type="checkbox"/>
3.11	Have you ever resigned from a professional or regulatory body in the State or elsewhere? If yes, please provide an outline of the background circumstances.	<input type="checkbox"/>	<input type="checkbox"/>
3.12	Have you been a director of, or associated with, a company that was, during your period of directorship, convicted of an offence?	<input type="checkbox"/>	<input type="checkbox"/>
3.13	Have you ever been refused entry to any profession or been dismissed or requested to resign from any office or employment, or from any fiduciary office or position of trust, whether or not remunerated?	<input type="checkbox"/>	<input type="checkbox"/>
3.14	Have you ever been prohibited, suspended or refused the right, in the State or elsewhere, to carry on any trade, business or profession for which a specific license, registration or other authority is required?	<input type="checkbox"/>	<input type="checkbox"/>
3.15	In the last ten years, have you been the director of a company, in the State or elsewhere, which has gone into liquidation, receivership or examinership or entered into any arrangements with its creditors either while you were a director or within three years of your ceasing to be a director?	<input type="checkbox"/>	<input type="checkbox"/>
3.16	Has any company with which you were associated during the last ten years been compulsory wound up either whilst you were associated with it or within one year after you ceased to be associated with it?	<input type="checkbox"/>	<input type="checkbox"/>
3.17	Have you ever been concerned with the management or conduct of affairs of any company which, by reason of any matter relating to a time when you were so concerned, has been convicted of any criminal offence in the State or elsewhere, censured, disciplined or publicly criticised, by any enquiry, by any governmental or statutory authority, or by a similar body overseas?	<input type="checkbox"/>	<input type="checkbox"/>

Section 4.

Business Interests in Financial Institutions

(to be completed by all applicants having interests in financial institutions other than the firm in respect of which the application is made).

4.1 Give details of any current interests (ownership or beneficial ownership of shares, director, manager of) in financial institutions.

The Name of the Business	Current interest in the business	Principal Activities of the Business	Relationship of the business, if any, to the firm in respect of which this application has been made.

4.2 If you have, or have had in the last 10 years, any other business interests (outright beneficial ownership, or beneficial ownership of more than 10% of the equity share capital, or a majority of the voting rights or a directorship of a business) please provide the following information:

The Name of the Business	Interest in the business	Principal Activities of the Business	Relationship of the business, if any, to the firm in respect of which this application has been made.

4.3 State whether you have or have had any other business interest involving a personal liability in the last 10 years.

The Name of the Business	Interest in the business	Principal Activities of the Business	Relationship of the business, if any, to the firm in respect of which this application has been made.

Section 5.

To be completed by all applicants having a Shareholding in the firm in respect of which the application is made:

- 5.1 Have you entered into any agreement with any other person (natural or legal) that will influence the way in which you exercise your voting rights or the way in which you otherwise behave in your relationship with the authorised entity?
- YES** **NO**

- 5.2 State how many shares or share options of the entity submitting this application are registered in your name (including any holdings held on your behalf) or in the name of an associate.

Number of Shares held	
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- 5.3 Have you personally given any guarantees in respect of your firm's liabilities or those of any firm or individual?
- YES** **NO**

If YES, give details below.

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Section 6

To be completed by proposed Approved Persons or managers of firms authorised under the Investment Intermediaries Act 1995, or the Consumer Credit Act 1995, who also handle client money.

6.1 *PPS Number (if Irish resident)*

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6.2 **Personal Bank Details**

Give the following information in respect of your personal bank account(s).

Bank/Building Society

<i>Name</i>	<i>Address</i>

Sort Code

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Account No

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Section 7

References (To be completed by all applicants except proposed Approved Persons who have been approved by EEA Regulators)

7.1 On a separate page please provide two personal referees who are familiar with your financial services activities, one of which must be your most recent previous employer.

7.2 Have these referees given their permission? YES NO

7.3 State whether you consent to the Financial Services Regulator taking up these references at this stage. YES NO

If NO, please give reasons below:

7.4. Please note that individuals seeking approval under the IIA who are/ have been resident outside the state for an extended period (more than six months) in the last five years are asked to provide a clearance letter/ certificate from the police authorities of that jurisdiction.

7.5. Please note that the Financial Regulator may carry out a Regulator check if the individual has previously been employed by a regulated entity in another jurisdiction.

7.6. Please note that all persons appointed as Approved Persons are required to submit to their firm an annual declaration confirming that there have been no material changes in the information provided in this form

APPENDIX 1

DECLARATIONS BY PROPOSED APPROVED PERSON

DECLARATION

I, (*name of individual*)

declare that:

(i) To the best of my/our knowledge, I have truthfully and fully answered each question in this Questionnaire, and have disclosed any other information which might reasonably be considered relevant to the purpose of furnishing this form as set out above, and

(ii) I will promptly notify the Irish Financial Services Regulatory Authority ('Financial Regulator') of any changes in the information which I have provided and will supply any other relevant information of which I may become aware at any time after the date of this Declaration,

(iii) I hereby authorise the Financial Regulator to make enquiries with the Garda Síochána as to any convictions that may or may not be recorded against me. I authorise the Garda Síochána to furnish to the Financial Regulator a statement that there are no convictions recorded against me in the Republic of Ireland or elsewhere, or a statement of all prosecutions successful or not, pending or completed in the State or elsewhere as the case may be.

(iv) I hereby authorise

- the Revenue Commissioners,
- the Office of the Director of Corporate Enforcement,
- the Companies Registration Office,
- IAASA
- all former employers
- all credit agencies
- all educational and professional institutions listed by me in Section 2.2 above

to release information which they may have about me to the Financial Regulator and I release them from any liability or responsibility from doing so.

Dated this *day of* 20

Signed:

Position/Proposed Position

For completion by proposed Directors:

I hereby declare that I am fully aware of the obligations and the duties of a director of a company under the Companies Acts 1963 to 2003 as amended.

I hereby confirm my awareness of my responsibilities arising from the legislation, regulations, codes of practice, guidance notes, guidelines and any other rules or directives, which are of relevance to the proposed position and I confirm my intention to ensure that the firm of which I am to be a Director will be run in compliance with the same.

Dated this _____ *day of* _____ *20* _____

Signed: _____

Position/Proposed Position _____

APPENDIX 2

DECLARATION BY APPLICANT FIRM

(To be signed by the Chairman, Chief Executive or Secretary of an Incorporated Company or, in the case of sole traders, by the Head of the firm)

I/We submit the above Questionnaire pursuant to *the relevant legislation*, and declare that, to the best of my/our knowledge, information and belief the information that it contains is accurate and supports our view that this person fulfils all the criteria for the post for which he/she is proposed.

Dated this _____ *day of* _____ *2004*

Name: _____ *Signature:* _____

Position: Chairman / Chief Executive / Secretary of Incorporated Company or Head of Firm otherwise (Please tick appropriate position)

For and on behalf of _____

- ⌘ **Note: It is an offence to knowingly or recklessly provide false or misleading information or make false or misleading statements in relation to an application for authorisation.**

APPENDIX 3

IRISH FINANCIAL SERVICES REGULATORY AUTHORITY Notification of Departure of Approved Person

I , am writing to notify the Irish Financial Services Regulatory Authority of my departure from the Board of or from my position as in, licensed/authorised by the Irish Financial Services Regulatory Authority as (a.....) from

I declare that my reason for leaving is:

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Please delete as appropriate:

I declare that there are no issues that I wish to bring to the attention of the Financial Regulator.

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I declare that there are issues that I wish to bring to the attention of the Financial Regulator as follows:

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Dated this		day of		200
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Signed



FINANCIAL REGULATOR
Rialtóir Airgeadais