

# APPLICATIONS TO PARTICIPATE IN THE SMF, FLS AND TFS AND UPDATES TO DOCUMENTATION - GUIDANCE ON DOCUMENTARY EVIDENCE TO SUPPORT THE AUTHORISED SIGNATORY EVIDENCE FORM

## Background

The Bank of England (the *Bank*) requires applicants to the SMF, FLS and TFS to provide additional documentary evidence to support the authorised signatory evidence form. The Bank typically requires:

- evidence of the authority of the signatory (or, if more than one signatory, the signatories) signing off on the authorised signatory evidence form (the *Signatory*); and
- a second specimen signature of the Signatory.

Set out below are guidelines on whether this evidence is required and, where it is required, examples of the forms of evidence that are acceptable to the Bank.

These guidelines are not determinative and do not prevent the Bank from requiring further evidence, refusing to accept evidence, or accepting evidence in a form that is not listed below. Applicants are reminded that authorised signatory evidence forms must be executed in accordance with their internal corporate requirements and procedures.

## Whether evidence of the authority of the Signatory is required

Where the applicant is incorporated in the UK:

- If the Signatory is a director of the applicant, no additional evidence is required.
- If the Signatory is not a director of the applicant, evidence of their authority is required.

Where the applicant is incorporated outside the UK:

- Evidence of authority is required (even if the Signatory is a director of the applicant).

## Examples of evidence of authority acceptable to the Bank

- Power of attorney
  - The power of attorney must show that the Signatory has the necessary authority to delegate authority to sign Bank documentation<sup>1</sup> to the individuals listed in the authorised signatory evidence form.
  - If it authorises the Signatory to sign documents relating only to specified transactions, the power of attorney will only be accepted if the Bank Facilities<sup>2</sup> fall within these specified transactions.
  - Where the person delegating the authority by the power of attorney derives his or her authority from another document (such as a power of attorney), this document must also be provided.
- Board minutes
  - Board minutes must show that the Signatory has the necessary authority to delegate authority to sign the relevant Bank documentation to the individuals listed in the authorised signatory evidence form.
  - If they authorise the Signatory to sign documents relating only to specified transactions, the board minutes will only be accepted if the Bank Facilities fall within these specified transactions.

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<sup>1</sup> References to Bank documentation include documents entered into with the Bank of England and the [Bank of England Asset Purchase Facility Fund](#) (for the purposes of the Term Funding Scheme).

<sup>2</sup> References to Bank Facilities mean the Sterling Monetary Framework, the Funding for Lending Scheme and the Term Funding Scheme.

- A letter in which a director, company secretary or in-house legal counsel of the applicant certifies that the Signatory has the necessary authority to delegate authority to sign the relevant Bank documentation to the individuals listed in the authorised signatory evidence form.

### **Specimen signatures**

- The Bank requires a second specimen signature for all Signatories.
- A separate, second specimen signature is required even in circumstances where the Signatory has also been listed as an authorised signatory.

### **Examples of second specimen signatures acceptable to the Bank**

- An official document, such as an annual report, that contains the signature of the Signatory.
- A letter in which a director, secretary or legal counsel of the applicant annexes a specimen signature of the Signatory and certifies that it is true and accurate.

### **Completing the authorised signatory evidence form**

Applicants must also ensure that they manually amend the text of the authorised signatory evidence form in order to clarify whether the authorised signatories are authorised to enter into SMF documentation singly or jointly.

Any questions on this guidance or the authorised signatory evidence form should be directed to the Applications Team ([applications@bankofengland.co.uk](mailto:applications@bankofengland.co.uk)).

**APPLICATIONS TO PARTICIPATE IN BANK FACILITIES – GUIDANCE ON DOCUMENTARY EVIDENCE TO SUPPORT THE AUTHORISED SIGNATORY EVIDENCE FORM**

**FLOWCHART**

This flowchart is to be read together with the guidance on documentary evidence to support the authorised signatory evidence form.

