



DIRECTION NOTICE

Powers exercised

A. The Prudential Regulation Authority (“PRA”) gives the directions contained in this notice in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000:

(1) section 55U (Applications under Part 4A).

Purpose

B. The purpose of these directions is to amend the forms set out in the Annexes to this notice.

Direction – Amendment to forms

C. The PRA gives the directions in the Annex to this notice, amending the form with the title “Application for Authorisation Controllers appendices – Individual” in accordance with that Annex.

Effect

D. These directions take effect on 16 December 2015.

Decision Maker

E. The decision to give these directions was made by the Board of the PRA.

10 December 2015



BANK OF ENGLAND
PRUDENTIAL REGULATION
AUTHORITY

Annex

Amendment to: Application for Authorisation Controllers appendices – Individual

In this Annex new text is underlined and deleted text is struck through.



Application for Authorisation

Controllers appendices - Individual

Full name of applicant firm

Important information you should read before completing this form

For the purposes of complying with the Data Protection Act, 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 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, you may be committing a criminal offence, it may increase the time taken to assess your application and may call into question your suitability to be authorised.

Terms in this form

In this form we use the following terms:

- 'we', 'our', or 'us' refers to the appropriate regulator;
- 'the FCA' refers to the Financial Conduct Authority;
- 'the PRA' refers to the Prudential Regulation Authority;
- 'Applicant firm' refers to the firm applying for authorisation; and
- 'You' refers to the person(s) signing the form as controller.

Purpose of this form

This appendix collects information about the controller of the applicant firm.

Filling in the form

- 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
 - print out the completed form and sign the declaration in section 5.
- 2 If you are filling in the form by hand:
 - use black ink;
 - write clearly; and
 - sign the declaration in section 5.
- 3 If you leave a question blank or do not sign the declaration or do not attach the required supporting information and do not tell us why, we will have to treat the application as incomplete, which will increase the time taken to assess this application.
- 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.

1 Your details

1.1 First names

1.2 Surname

1.3 Any previous surnames or first names. Please include details of when you changed them

1.4 Name you are commonly known by, if different

1.5 Date of birth (dd/mm/yy)

 / /

1.6 Place of birth

1.7 National insurance number

1.8 Passport number, if national insurance number is not applicable.

1.9 Your nationality

1.10 Have you ever had a different nationality? If yes, you must give your previous nationality.

2 Your address

2.1 Current private address

If you live outside the UK and do not have an UK address you must provide your address outside the UK and tick the box below.

I live outside the UK and have no UK address.

Address	
Country	
Postcode	

2.2 When did you move into this address (mm/yy)?

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>
----------------------	----------------------	---	----------------------	----------------------

If you moved into this address less than three years ago, please give previous addresses for the last three years. There is space to write three addresses; please use a separate piece of paper if you need more space.

Previous address 1

Address	
Country	
Postcode	

Previous address 2

Address	
Country	
Postcode	

Previous address 3

Address	
Country	
Postcode	

Please indicate how many separate sheets of paper you have used

Number of additional sheets	<input type="text"/>
-----------------------------	----------------------

3 Other directorships

3.1 You must give details of any directorships you hold in the UK or outside the UK.

Name of undertaking	Nature of business	Place of business

4 About your fitness and propriety

For the purposes of this form, a regulatory body is any of the following:

- a self-regulatory organisation – including Investment Management Regulatory Organisation ('IMRO'), Securities and Futures Agency ('SFA'), Personal Investment Authority ('PIA'), Life Assurance and Unit Trust Regulatory Organisation ('LAUTRO'), Financial Intermediaries, Managers and Brokers Regulatory Association ('FIMBRA'), Association of Futures Brokers and Dealers Limited ('AFBD') and The Securities Association Limited ('TSA');
- a statutory body, including the FCA, the PRA, the Financial Services Authority (FSA), Securities and Investments Board ('SIB'), the Society of Lloyd's, the Registry of Friendly Societies, the Friendly Societies Commission, the Building Societies Commission, the Bank of England, the Treasury – Insurance Directorate (formerly the DTI) and the recognised bodies;
- a designated professional body; or
- the equivalent of any of these regulators overseas.

By virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 ~~as amended, the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 and the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979~~ you are required to give details of spent convictions (other than protected ones) in response to questions in this form.

For the avoidance of doubt, references to the legislation above are references to the legislation as amended.

4.1 Have you ever been convicted, in the UK or elsewhere, of any offence involving fraud, theft, false accounting or other dishonesty?

No Yes

4.2 Have you ever been convicted, in the UK or elsewhere, of any offence related to companies, building societies, industrial and provident societies, credit unions, friendly societies, insurance, banking or other financial services, insolvency, consumer credit or consumer protection, money laundering, market manipulations or insider dealing?

No Yes

4.3 Have you ever been convicted, in the UK or elsewhere, of any offences other than those listed in 4.1 and 4.2 that are not spent?

Do not include traffic offences unless these traffic offences resulted in a ban from driving or involved driving without insurance.

No Yes

4.4 Are you the subject, in the UK or elsewhere, of any current criminal investigation or proceedings?

No Yes

4.5 Are you or have you ever been the subject, in the UK or elsewhere, of any civil proceedings, arbitration or litigation, including proceedings that may lead to a County Court Judgment (CCJ) or other judgement debts?

No Yes

4.6 Are you aware of anybody's intention, in the UK or elsewhere, to take any civil proceedings, arbitration or litigation, including proceedings that may lead to a County Court Judgment (CCJ) or other judgment debts against you?

No Yes

4.7 Do you have any judgement debts (including CCJs), in the UK or elsewhere, made under a court order still outstanding, in full or in part?

No Yes

4.8 Have you ever failed to satisfy any judgment debts (including CCJs), in the UK or elsewhere, within one year of the order being made?

No Yes

4.9 Are you or have you ever been the subject in the UK or elsewhere of any bankruptcy proceedings, or proceedings for the sequestration of your estate?

No Yes

4.10 Have you ever entered into a deed of arrangement or an individual voluntary arrangement (or in Scotland a trust deed) or other agreement, in the UK or elsewhere, in favour of your creditors?

No Yes

4.11 Do you or any undertaking under your management have any outstanding financial obligations arising from regulated activities, carried on in the past, in the UK or elsewhere?

No Yes

4.12 Have you or any undertaking under your management ever been found guilty of carrying on any unauthorised regulated activities or been investigated for possible carrying on of unauthorised regulated activities?

No Yes

4.13 Are you or have you ever been the subject of an investigation into allegations of misconduct or malpractice in connection with any business activity?

No Yes

4.14 Have you ever, in the UK or elsewhere, been refused entry to, or been dismissed or requested to resign from, any profession, vocation, office or employment, or from any fiduciary office or position of trust, whether or not remunerated?

No Yes

4.15 Have you ever, in the UK or elsewhere, been refused, restricted in, or had suspended, the right to carry on any trade, business or profession for which specific licence, authorisation, registration, membership or other permission is required?

No Yes

4.16 Have you ever, in the UK or elsewhere, been disqualified by a court from acting as a director of a company or from acting in a management capacity or conducting the affairs of any company, partnership or unincorporated association?

No Yes

4.17 Have you ever been the subject of a disqualification direction under section 59 of the Financial Services Act 1986 or a prohibition order, under section 56A of the Financial Services and Markets Act 2000, or received a warning notice to make such a direction or order?

No Yes

Activities regulated by us or other regulatory body**4.18 Have you or has any company, partnership or unincorporated association for which you are or were a controller, director, senior manager, partner or company secretary, during your association with that entity and for a period of three years after you ceased to be associated with it:**

4.18.1 been refused, had revoked, restricted or terminated, any licence, authorisation, registration, notification, membership or other permission granted by us or other regulatory body?

No Yes

4.18.2 been criticised, censured, disciplined, suspended, expelled, fined, or been the subject of any other disciplinary or intervention action by us or other regulatory body?

No Yes

4.18.3 resigned while under investigation by us, or been required to resign from us or other regulatory body?

No Yes

4.18.4 applied to us or other regulatory body for any of the following and decided not to proceed with it:

- licence;
- authorisation;
- registration;
- notification;
- membership; or
- other permission?

No Yes

4.18.5 had a finding against you in any civil action in relation to any activities regulated by us or other regulatory body?

No Yes

Your involvement in other organisations**4.19 Has any company, partnership, or unincorporated association of which you are or were a controller, director, senior manager, partner, or company secretary, in the UK or elsewhere, at any time during your involvement or within one year of your involvement:**

4.19.1 been put into liquidation, wound up, ceased trading, had a receiver or administrator appointed or entered into any voluntary arrangement with its creditors?

No Yes

4.19.2 been adjudged by a court liable for any fraud, misfeasance, wrongful trading or other misconduct?

No Yes

4.19.3 been investigated or been involved in an investigation by an inspector appointed under companies or any other legislation, or required to produce documents to the Secretary of State, or any other authority, under any such legislation?

No Yes

4.19.4 been convicted of any criminal offence, censured, disciplined or publicly criticised, by any inquiry, by the Takeover Panel or any governmental or statutory authority or any other regulatory body (not mentioned in answer to question 4.18.2)?

No Yes

4.20 Do you have any personal or business interests, employment obligations, or any other situations that may conflict with your role as a controller of the applicant firm or your position at the controller?

No Yes

4.21 Are you aware of any other information relevant to this application that we would reasonably expect you to give, including information that could have a material impact on this application?

No Yes

4.22 If you have answered Yes to any of the questions 4.1 to 4.21, please give clear details on a separate sheet of paper.

You must include:

- the question number the information relates to;
- the date of any events;
- any amounts involved;
- the outcome;
- relevant circumstances and explanations; and
- copies of supporting documents.

Please indicate how many separate sheets of paper you have used

Number of additional sheets	
-----------------------------	--

5 Declaration

It is a criminal offence knowingly or recklessly to give us information that is materially false, misleading or deceptive. If necessary, appropriate professional advice should be sought before supplying information to us.

There will be a delay in processing the application if any information is inaccurate or incomplete.

Failure to notify us immediately of any significant change to the information provided may result in a serious delay in the application process.

With reference to the above, we may seek to verify the information in this form including answers pertaining to fitness and propriety.

- I understand it is a criminal offence knowingly or recklessly to give the FCA or PRA information that is materially false, misleading or deceptive.
- I confirm that the information in this form is accurate and complete to the best of my knowledge and belief.
- I authorise the FCA or PRA to make such enquiries and to seek such further information as it thinks appropriate to verify the information given on this form. I also understand that the results of these checks may be disclosed to the applicant for authorisation.

Name		
Signature		
Date	dd/mm/yy	

What to do next

You must give the form back to the person who is responsible for making the application for authorisation. They should send the form back to the appropriate regulator.