



FINANCIAL SUPERVISION COMMISSION

PERSONAL DECLARATION*

FOR ALL INDIVIDUALS WHO ARE REQUIRED TO BE VETTED IN CONNECTION WITH A LICENCEHOLDER/LICENCE APPLICANT

Please note, submission of incomplete declarations and failure to disclose full information may result in significant delays. Incorrect or incomplete declarations may be returned. The Commission does not accept responsibility for any loss incurred in these circumstances.

The provision of inaccurate or incorrect information can be taken into account when considering whether or not a person is 'Fit and Proper' for the proposed role. It is a criminal offence to knowingly or recklessly give any information which is false.

When updating information relating to criminal proceedings and convictions, you should note that by virtue of the Rehabilitation of Offenders Act 2001 (Exceptions) Order 2001 (as amended), spent convictions must be disclosed to the Commission.

Please return this form, directly or via your employer, to:-

*Financial Supervision Commission
P O Box 58
Finch Hill House
Bucks Road
Douglas
Isle of Man
IM99 1DT*

***This declaration should be used in instances where a new assessment is required and it has been less than 5 years since a person was last assessed.**

VERSION: JULY 2005

Personal Declaration

The form can be downloaded from our website in Microsoft Word format, with boxes that will expand to fit the text. You must not alter or delete any questions (the questions are read-only to protect against accidental alteration). You must not re-type or reformat the form. Alternatively, you can print the form and complete it using **BLOCK CAPITALS AND BLACK INK**. You may provide information on additional sheets, if necessary, signed and dated.

Please read the questions on this declaration alongside the questions and your answers on your original personal questionnaire carefully before completing this form.

Do not assume that information is known to the Commission merely because it is in the public domain or has been previously disclosed to the Commission or to another regulatory body. In all circumstances, disclosures should be full, frank and unambiguous. If you have any doubt about the relevance of information, it should be included.

Key individuals in a regulated business are required to demonstrate that they are "Fit and Proper" to undertake their role. The requirement to be "Fit and Proper" is an ongoing requirement and individuals must therefore demonstrate that they are "Fit and Proper" on an ongoing basis. A summary of the "Fit and Proper" criteria can be obtained from the Commission's website www.fsc.gov.im under Authorisations and full details are found in the Commission's licensing policy for the relevant type of licence (copies of which can be found in the appropriate handbook on the Commission's website www.fsc.gov).

The areas covered on this declaration are not exhaustive of the matters that the Commission may need to consider when assessing whether a person is "Fit and Proper". The Commission may, therefore, request further information in relation to your application. The Commission reserves the right to seek references from any organisations and individuals named in your answers. It is important, therefore, that you ensure that **full names and addresses** are provided wherever relevant.

The Commission will use the personal information provided by you to discharge its statutory functions. In undertaking these functions the Commission may share the information with other regulatory authorities in terms of its statutory powers to do so but it will not disclose it for any other purpose without your permission.

SECTION A: DETAILS OF THE LICENCEHOLDER/LICENCE APPLICANT

1. Name of Licenceholder / Licence Applicant in connection with which this declaration is being completed:

2. Type and category of licence held / applied for:

SECTION B PERSONAL DETAILS OF APPOINTEE

3. Name of individual completing this declaration:

Mr/Mrs/Miss/Other:

Title

Forename(s):

Surname:

4. Date of Birth:

5. Current Job Title:

SECTION C YOUR PROPOSED ROLE

6. Reason for re-assessment:

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7. Please give details of the specific responsibilities of the proposed role/post. *(please attach a signed and dated job specification/description if available.):*

SECTION D

MATERIAL CHANGES TO THE FACTS DECLARED

(Where relevant, additional signed and dated sheets may be attached. A copy of your original questionnaire can be posted to your home address on request)

8. **Version of Original Questionnaire:**

Please insert the date shown at the bottom of the front page of your original questionnaire.

9. **Date of Completion of original questionnaire:**

Please insert the date the original questionnaire was signed by you.

Question Number	Material Change

**SECTION E
ADDITIONAL QUESTIONS FOR PERSONS WHO COMPLETED A VERSION OF
THE PERSONAL QUESTIONNAIRE DATED BEFORE JULY 2005.**

CURRENT CONTACT DETAILS

10. CONTACT DETAILS		
Current Residential Address:	Contact Numbers (including Codes)	
	Home Telephone Number:	
	Daytime Contact Number:	
	Preferred Contact Number:	

YOUR ROLE

11. If your role/post is within a corporate service provider, will you be acting as a director or company secretary of client companies?	YES	NO
	<input type="checkbox"/>	<input type="checkbox"/>
12. If your role/post is within a trustee service provider, will you be acting as a trustee, protector or enforcer?	YES	NO
	<input type="checkbox"/>	<input type="checkbox"/>
13. How much time do you give, or (if a new appointment) do you anticipate giving, to your role?		
14.a) Are you a director, controller, manager, or company secretary of any body corporate?	YES	NO
	<input type="checkbox"/>	<input type="checkbox"/>
If so, please provide total number of appointments (including as alternate director and assistant secretary).		
14b) Are you a trustee, enforcer or protector of any trust in a personal capacity other than in the course of your employment?	YES	NO
	<input type="checkbox"/>	<input type="checkbox"/>

If so, please provide total number of appointments.

CIVIL AND DISCIPLINARY PROCEEDINGS

IF ANY OF THE ANSWERS TO THE QUESTIONS BELOW ARE "YES", PLEASE GIVE FULL PARTICULARS ON A SEPARATE SIGNED AND DATED SHEET, CLEARLY STATING THE NUMBER OF THE QUESTION TO WHICH THE DETAILS RELATE. ANSWERS SHOULD COVER ALL PAST OR CURRENT CIVIL AND DISCIPLINARY MATTERS.

IF YOU ARE IN ANY DOUBT AS TO HOW TO ANSWER THESE QUESTIONS PLEASE CONTACT US.

	YES	NO
15. Have you ever been the subject of a disciplinary enquiry or internal investigation carried out by or on behalf of an employer or in connection with a post or office held? If so, please give full particulars.	<input type="checkbox"/>	<input type="checkbox"/>
16. Have you ever been suspended from any office, asked to resign or been the subject of a written warning or been the subject of any other disciplinary action as to your conduct? If so, please give full particulars.	<input type="checkbox"/>	<input type="checkbox"/>
17. Have you ever been barred from entry to any profession or occupation or been the holder of a practising certificate and have surrendered it, had it revoked, withdrawn or qualified (e.g. where conditions had to be added)? If so, please give full particulars.	<input type="checkbox"/>	<input type="checkbox"/>
18. Have you, or any body corporate, partnership or unincorporated institution with which you are, or have been associated as a director, controller, manager or company secretary been the subject of an investigation by a governmental, professional or other regulatory body or have you ever been questioned in connection with such an investigation? If so, please give full particulars.	<input type="checkbox"/>	<input type="checkbox"/>
19. Has a court or other authority ever disqualified you from acting as a director of a company, or from acting in the management or conduct of affairs of any company, partnership or unincorporated association or has a court ever removed you as a trustee? If so, please provide details.	<input type="checkbox"/>	<input type="checkbox"/>
20. Have you, in any capacity, ever been censured, disciplined or publicly criticised by any Court of Law or by any officially appointed enquiry whether in the Isle of Man or elsewhere or by any professional or regulatory body or any trade association to which you have belonged or do belong, or been the subject of a regulatory order /direction? If so, please explain the circumstances thereof.	<input type="checkbox"/>	<input type="checkbox"/>
21. Is there any outstanding civil litigation against you (including in your capacity as trustee of a trust) or any company of which you are an officer or are there any current proceedings issued by you? If so, please provide details.	<input type="checkbox"/>	<input type="checkbox"/>
22. Have any civil judgements ever been issued against you (including in your capacity as trustee of a trust)? If so, please provide details.	<input type="checkbox"/>	<input type="checkbox"/>

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GENERAL

23. Do you have any close connection with a member of the Commission or any employee of the Commission e.g. family, friends, close business relationship, common business interests etc? If so, please provide details below.	YES	NO
<i>(Please note, this information will not affect your application. It is requested to ensure that the Commission can identify and manage potential conflicts of interest, both in the handling of this application and in any future dealings with your organisation, should you be approved.)</i>	<input type="checkbox"/>	<input type="checkbox"/>
24. Please disclose any other facts that you believe are material to the Commission in considering your application.		

SECTION F – DECLARATION (APPLICABLE TO ALL)

I certify that the information provided is complete and correct to the best of my knowledge and belief.

With reference to my Personal Questionnaire submitted on _____ (date), I confirm that there are no other material changes to the facts declared therein other than those noted above.

I understand the responsibilities and the legislation / regulations which relate to the proposed role.

I understand and accept that the Financial Supervision Commission ("the Commission") may wish to make enquiries - both now and on a continuing basis - to satisfy itself as to my initial and continuing fitness and propriety. Accordingly, I authorise any persons, institutions or bodies named in this Questionnaire, together with any other person, body or institution that the Commission may approach, to provide such information, as the Commission believes may be relevant to its assessment of my initial and continuing fitness and propriety.

I also authorise the Commission to disclose to any licence applicant or licensed business in connection with which I may be assessed, information that the Commission believes may be relevant to its assessment of my initial and continuing fitness and propriety.

Signed:

Date:

**SECTION G - FOUR EYES DECLARATION
(APPLICABLE ONLY TO THOSE PROPOSED AS '4-EYES')**

You have been proposed as a person with the requisite experience, qualifications and integrity to fulfil the Commission's requirement that the business of each licenceholder shall be effectively conducted by at least two individuals ("the 4-eyes criterion").

The Commission looks to a "4-eyes" to demonstrate independence of judgement and exercise proper day-to-day supervision and control over the activity of the licenceholder and of the decisions of the other nominated "4-eyes". The fact that one person may be senior to another does not affect this duty in any way as indeed it does not, for example, affect the duty placed upon any individual involved in dual control or separation of function procedures in any organisation.

The Commission expects that a "4-eyes" will not breach or permit breaches of the Regulatory Codes, any licence condition(s) which the Commission has applied to the licenceholder, or internal control procedures and systems of the licenceholder. If a "4-eyes" becomes aware of such breaches, they are expected to draw them to the attention of the person concerned and, where appropriate, the local Board of Directors, Head Office, parent company and / or the Commission. The Commission expects that a "4-eyes" will ensure, as far as they are able, that incorrect or misleading information is not provided deliberately or recklessly to the Commission either in supervisory returns or in any other way.

Due to the importance of this criterion, the Commission takes any failure to observe it very seriously. Serious breaches, including particularly evidence of bad faith, lack of care and concern for the interests of customers, deceptive acts and behaviour, and incompetence, would be likely to imperil the status of a "4-eyes" as a fit and proper person.

I understand and accept the responsibilities of my role as part of the "4-eyes" as outlined above

Signed:

Date: