



FORM A

[Paragraphs 3 and 25A.1]

APPLICATION FOR APPROVAL OF DIRECTORS, COMPLIANCE OFFICERS AND SENIOR OFFICERS

This application is for the approval by the Commission of:

Director ☐ **Compliance Officer** ☐ **Senior Officer** ☐

(Please specify):

1. Details of Regulated Person submitting application

Name of regulated person:

Address:

Certificate/Licence No. of regulated person:

2. Contact Person(s)

Please provide details of the individual who should be contacted in relation to this application:

Name:

Position:

Telephone:

Fax:

E-mail:

3. Applicant Details

Title:

Surname:

First Name:

Middle Name(s):

Date of Birth:

Place of Birth:

Nationality:

mm/dd/yyyy

Passport No.:

Social Security No.:

Other Identification No. (Please specify):

Previous Name(s) (if any):

Date of Name Change:

mm/dd/yyyy

Reason for change:

Current address:

Length of time resident at current address:

Date first resided:

mm/dd/yyyy

Previous address(es):
(within last 10 yrs)

Resided from

until

4. Details of Position Being Sought

Title for which approval is sought:

Proposed date effecting
employment/appointment:

In the case of an application for Compliance Officer, will the applicant also serve as the regulated person's Money Laundering Reporting Officer? ☐ Yes ☐ No

5. Relationship Between Applicant and Regulated Person

What is the nature of the arrangement between the regulated person and the person proposed for appointment as director/compliance officer/senior officer:

Employee: FT/PT

☐

Group Employee:

☐

Name of Group:

Contract for services:

☐

Partner/Sole Trader:

☐

Other:

☐

If you checked "Other", or if the applicant will be employed on a part-time basis, please provide details of terms of employment:

Does the applicant hold any shares, or have any interest, legal or equitable, direct or indirect, in the regulated person?

Yes ☐ No ☐

If "Yes", provide details of shareholding or other interest:

Is the applicant able, directly, to exercise more than 10% of the voting power of the firm? Yes ☐ No ☐

If "Yes", please provide details:

5A. Relationship with other Entities

Amended 12/12/13

Is the applicant a director of any other entity? Yes ☐ No ☐

If Yes, please specify:

a)the number of directorships held in relation to any regulated entities:

b)The name of each regulated entity and the name and address of the regulatory authority under which each entity is licensed:

Name of Regulated Entity	Name of Regulatory Authority	Address of Regulatory Authority

c)the number of directorships held in non-regulated entities:

d)the total number of directorships held (includes non-regulated entities):

6. Education

Name of Institution(s) attended Received	Degree/Diploma/Other Qualification	Date of Completion
<div></div>	<div></div>	<div></div>

7. Memberships in Professional Bodies

Organisation/Association	Membership Status (e.g. Student, Associate, Fellow, etc.)	Member Since	Membership Number (if applicable)
<div></div>	<div></div>	<div></div>	<div></div>

8. Experience (Employment History for past seven years including current position if currently employed) (If there is relevant employment history spanning beyond seven years, that may be included)

(b)Position held:

Period:

Name of Employer:

Nature of Business:

Supervisor/Contact Person:

Name of Regulator(s) (if any):

Address:

Outline responsibilities held:

Tel:

Fax:

E-mail:

Reason for leaving:

Resignation ☐

Expiration of Contract ☐

Redundancy ☐

Retirement ☐

Termination/Dismissal ☐

Other ☐

If "Other", please specify:

If "Termination/Dismissal", please state the reason(s) for the termination or dismissal:

(c)Position held:

Period:

Name of Employer:

Nature of Business:

Supervisor/Contact Person:

Name of Regulator(s) (if any):

Address:

Outline responsibilities held:

Tel:

Fax:

E-mail:

Reason for leaving:

Resignation ☐

Expiration of Contract ☐

Redundancy ☐

Retirement ☐

Termination/Dismissal ☐

Other ☐

If "Other", please specify:

If "Termination/Dismissal", please state the reason(s) for the termination or dismissal:

(d)Position held:

Period:

Name of Employer:

Nature of Business:

Supervisor/Contact Person:

Name of Regulator(s) (if any):

Address:

Outline responsibilities held:

Tel:

Fax:

E-mail:

Reason for leaving:

Resignation

☐

Expiration of Contract

☐

Redundancy

☐

Retirement

☐

Termination/Dismissal

☐

Other

☐

If "Other", please specify:

If "Termination/Dismissal", please state the reason(s) for the termination or dismissal:

9. Fitness and Propriety (To be completed by the person proposed for appointment as Director/Compliance Officer/Senior Officer)

If you answer YES to any of the questions below you must supply full details by way of a written attachment to the application:

Yes

No

Has an application for your regulatory approval ever been refused?

☐☐

Have you ever been asked to resign, or been dismissed from any fiduciary position of trust?

☐☐

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

☐☐

Have you at any time been convicted of any criminal offence by any court in the Virgin Islands or elsewhere? ☐ ☐

Are you currently the subject of a criminal investigation or an extradition request? ☐ ☐

Have you been found guilty of conducting any unauthorised regulated activity or been investigated for possible conduct of unauthorised regulated activity? ☐ ☐

Have you, in the last ten years, been censured or disciplined by any professional body to which you belong or belonged, or been dismissed from office or employment or refused entry to any profession or occupation in the Virgin Islands or elsewhere? ☐ ☐

Have you, in the last ten years, filed for bankruptcy or been adjudicated bankrupt by a court in the Virgin Islands or elsewhere? ☐ ☐

Have you at any time failed to satisfy any debt due and payable to you as a judgment-debtor under an order of a court in the Virgin Islands or elsewhere? ☐ ☐

Have you in the last ten years been found liable in a civil suit which elicited dishonest or unlawful conduct on your part? ☐ ☐

Have you, in connection with the formation, control or management of any corporate, partnership or unincorporated institution within the last ten years been adjudged by a court in any jurisdiction civilly liable for any fraud, malfeasance or other misconduct by you towards such a body or company, or towards any members thereof? ☐ ☐

Has any body corporate, partnership or unincorporated institution with which you were associated as a director, shareholder or controller, anywhere, been compulsorily wound up or made any compromise or arrangement with its creditors where they did not receive or have not yet received full settlement of their claims, either while you were associated with it or within one year after you ceased to be associated with it? ☐ ☐

Has any body corporate, partnership or unincorporated institution with which you were associated as a director, shareholder or controller, anywhere, been fined or censured by any securities commission, banking commission or any similar regulatory commission or body? ☐ ☐

10. Personal Statement (must be completed by the person proposed for appointment as Director, Compliance Officer or Senior Officer)

Explain briefly why you consider yourself qualified to carry out the functions of this position. Please indicate any directorships or other positions previously or currently held and the jurisdictions in which they were/are held.

11. Declaration by the Proposed Director/Compliance Officer/Senior Officer

I, , do hereby declare that the personal information provided in this application is true and accurate and that all documents submitted with this application in respect thereof are authentic. I understand that providing false or misleading information in respect of this application may cause the Commission to deny the application and any subsequent applications which may be submitted on my behalf.

Signed by:

Name (Print):

Date:

mm/dd/yyyy

12. Declaration by the Regulated Entity

I, do hereby declare, on behalf of (name of regulated person) that the information provided in this application is, to our knowledge and belief, true and accurate and that all documents submitted with this application with respect to the applicant have been verified as authentic. I understand that providing false or misleading information in respect of this application may cause the Commission to deny the application and any subsequent applications which may be submitted on behalf of this applicant, and may cause enforcement action to be taken against us.

Signed by:

Name (Print):

On behalf of:

Date:

mm/dd/yyyy

DOCUMENT CHECKLIST

The following documents must be submitted together with this application for the application to be considered complete.

Please refer to the Guidelines for the Approved Persons Regime for guidance on the prescribed format for providing the relative supporting document.

- ☐ Certified copies of academic and other qualifications
- ☐ Resume or curriculum vitae:
 - i) outlining the relevant qualifications and experience of the applicant; and
 - ii) including the names, addresses and telephone numbers of previous employers
- ☐ Current job description for position for which approval is being sought
- ☐ Current organizational chart for regulated entity completing application
- ☐ Notarized copies of identification documents (e.g., passport identification pages)
- ☐ Professional reference from a person who can speak to the experience and ability of the applicant
- ☐ Financial reference from a financial institution in respect of the applicant
- ☐ Personal reference from an individual who has known the applicant for at least five (5) years
- ☐ Certification of absence of criminal record
- ☐ Certification of absence of dishonesty, bankruptcy, or any arrangement with creditors

NOTES

1. This form should be completed by all regulated persons submitting applications for approval.
2. An application for approval should be made by the regulated person, not the prospective Director/Compliance Officer or Other Senior Officer, even in cases where the prospective regulated person is awaiting approval for licensing or authorisation.
3. A non-refundable application fee of one hundred fifty dollars (\$150) must be submitted with a director or senior officer application form.
4. In the case of an application for compliance officer, a single application form with a single fee two hundred fifty dollars (\$250) may be submitted for a group of companies, provided that those companies are subsidiaries of a common parent or share common ownership. Sections 1, 2, 5 and 12 of this form must be completed by each regulated person in the group. Please print additional pages of these sections as necessary.
5. A police report must be submitted in respect of every person proposed for approval as a director, compliance officer, or senior officer. Where a police report cannot be obtained in a case where a criminal record exists, evidence of the nature of the criminal record, including description of proceedings, dates, circumstances, and other related matters pertaining to the criminal record must be submitted with the application. If a written judgment exists and can be obtained, this must be submitted.
6. Where it is found that the applicant does possess a history of such, written information outlining the nature of the record, dates, description of proceedings, circumstances and other related matters pertaining to the record must be submitted with the application.
7. Please note that the Commission may request additional information from the applicant for the purposes of completeness or verification.
8. An approval fee is required to be paid upon approval by the Commission of this application. This fee is payable in accordance with such instrument made pursuant to the FSC Act or any regulatory legislation, or such directive as may be provided by the Commission.