

Technical Annex: Minimum information to be provided to the supervisory authority concerning the fit & proper assessment

Contact information

- Name of the undertaking.
- Undertaking's registration number.
- Contact person:
 - a) First name.
 - b) Surname.
 - c) Title.
 - d) Telephone number.
 - e) E-mail address.
 - f) Fax number.

Fact being notified

- First appointment.
- Change in previous information.
- Change of position.

Description of the position being notified

- Name of the position.
- Scope of the responsibilities.
- Date of the appointment.
- Length of appointment, if applicable.
- Executive functions or not.
- Any other information the undertaking deems relevant for the assessment.

Information on the person subject to notification

- First name.
- Surname.
- Any previous names.
- Personal address.
- Telephone number.
- Date of birth.
- Place of birth.
- Nationality.
- Information on any previous assessment/notification process by a supervisory authority of the financial sector within the EEA:
 - a) Name of the supervisory authority.
 - b) Country.
 - c) Date.
- Information on previous employments, qualified assignments or appointments as a member of an administrative, management or supervisory body:

- a) Company name and registration number.
- b) Nature and scope of the operations.
- c) The registered office of the undertaking.
- d) Position.
- Any other positions held:
 - a) Company name and registration number.
 - b) Nature and scope of the operations.
 - c) The registered office of the undertaking.
 - d) Position.
- Description of the level of knowledge, competence and experience of the person to perform the task, including:
 - a) Skills, knowledge (university degree, training or diploma).
 - b) Professional relevant experience.
- Information on potential conflicts of interest with details, if applicable.
- Qualifying ownership or any other form of substantial influence in the undertaking.
- Any other companies in which the notified person has a direct or indirect qualifying ownership:
 - a) Company name and registration number.
 - b) Nature and scope of the operations.
 - c) The registered office of the company.
 - d) Possession in percentage.
- Close relatives with ownership shares in the undertaking that notifies or in any other company which has ownership shares in that company.
- Close relatives with any other financial relations to companies mentioned above.
- Any other commitments that may give rise to conflict of interest with explanations as to the circumstances and a statement how the notified person intends to deal with potential conflicts of interest.
- Conviction in a domestic or foreign court within the last X years [number of years according to national law] with explanation of circumstances, if applicable.
- Pending criminal proceedings.
- Membership in a board of directors in an operating undertaking that has not been granted a release from liability.
- Dismissal from a position in a financial institution, company or from employment as a senior executive or termination of an engagement as a board member or auditor in another operating undertaking.
- Participation in an arbitration board.
- Bankruptcies or the equivalent abroad.
- Rejection of an application, exclusion or limitation in any other way in terms of the right to conduct operations or a profession which requires authorisation, registration or such of the competent authority, organisation or equivalent body.

- Supervisory sanctions against the person notified or a company where the person had a key function.
- Any other information relevant to the assessment by the supervisory authority.

Documents to be submitted

- Extract from the judicial record or an equivalent document issued by a competent judicial or administrative authority.

Declarations

- Declaration signed by the appropriately authorized person [according to national law/practice the management or supervisory body or the person responsible for this in the undertaking with the position of the person(s) in the undertaking given] that the assessment was performed in accordance with the laws, regulations and undertaking's fit and proper policy and the person subject to notification was considered as fit and proper for the job.
- Declaration that the information submitted in the notification is correct and complete: date, name of signatories in block letters, signatures.