



**QUESTIONNAIRE FOR SENIOR EXECUTIVES,
CONTROLLERS and DIRECTORS**

Pursuant to sections 25 & 35 of the Banks and Deposit Companies Act 1999

APPENDIX IV

NOTES FOR COMPLETION

- 1. This form must be completed by each intended senior executive, controller, director and any other person(s) by whatever name called, who is to have significant influence over the administration of the company.**
- 2. This form must be submitted typed or written in ink BLOCK CAPITALS.**
- 3. The individual should, on completion of the form, initial each page of the questionnaire and any supplementary sheets and sign the declaration on the last page.**
- 4. Any certificates or certified copies of certificates, evidencing professional qualifications or membership of any professional bodies should accompany the submission of this questionnaire.**
- 5. After completing this form please forward it with all supporting documents to the Manager, Authorisation & Compliance Division, Bermuda Monetary Authority, Burnaby House, 26 Burnaby Street, Hamilton HM 11, Bermuda.**
- 6. If you have any questions please contact the Authorisation & Compliance Division at 295-5278 or by fax at 292-7471. You may also visit the Bermuda Monetary Authority's website at <http://www.bma.bm>**

Contact Name _____ Telephone Number _____
(Please Print)



14. If you are completing this form as a current or prospective controller of the institution, indicate by the category of controller involved (See Appendix A, Note 1).
15. In carrying out your duties will you be acting on the directions or instructions of any other individual or institution? If so, give full particulars.
16. Do you, in your private capacity, or does any related company or associate (See Appendix A, Notes 1 & 2) undertake business with the institution? If so, give full particulars.
17. Of what companies (other than the institution) are you now a director, controller or senior executive? Give relevant dates and if you are a controller of any such companies, indicate the nature of that control.
18. Of what companies (other than the institution and those listed in answer to Question 17) have you been a director, controller or senior executive at any time during the last 10 years? Give relevant dates.



19. How many shares in the institution (or another institution of which the institution is a subsidiary) are registered in your name, the name of a related company or associate? If applicable, give name(s) in which shares are registered and class of shares involved.

20. In how many shares in the institution or another institution of which the institution is a subsidiary-other than shares registered in your name or that of a related company or associate-are you or any related company or associate beneficially interested?

21. Do you or does any related company or associate hold any shares in the institution as trustee or nominee? If so, give full particulars.

22. Are any of the shares mentioned in answer to Questions 19, 20 and 21 equitably or legally charged or pledged to any party? If so, give full particulars.

23. What proportion of the voting power at any general meeting of the institution (or of another institution of which it is a subsidiary) are you or any related company entitled to exercise or control the exercise of?



24. If the exercise of the voting power at any general meeting of the institution (or of another institution of which it is a subsidiary) is or may be controlled by one or more associates or you or of any related party, give the proportion of the voting power so controlled in each case and the identity of each associate.

25. Please answer Yes or No to the following questions.

- (a) Have you at any time been a director, controller or senior executive of any institution whose licence to conduct banking, deposit-taking or other financial business has during the period of your involvement or within 12 months thereafter, been revoked, cancelled, restricted in a similar manner to a restriction under section 17 of the Act, suspended or surrendered under any law? If so, give full particulars.

- (b) Have you at any time been a director, controller or senior executive of any institution whose application for a licence to conduct banking, deposit-taking or other financial business in Bermuda or elsewhere has during the period of your involvement or within 12 months thereafter, been refused or withdrawn? If so, give full particulars.

- (c) Have you at any time been convicted of any offence by any court, in Bermuda or elsewhere? If so, give full particulars of the court by which you were convicted, the offence, the penalty imposed and the date of conviction. (Exclude **1.** Any offence committed when you were under 18 years unless it was committed within the last 10 years; **2.** Any road traffic offence; **3** Any offence that, for the purpose of the Rehabilitation of Offenders Act 1977 should be treated as spent).



- (d) Have you, in Bermuda or elsewhere, been censured, disciplined or criticised by any professional body to which you belong or have belonged or made the subject of a court order at the instigation of any regulatory authority or have you ever held a practicing certificate subject to conditions? If so, give full particulars.
- (e) Have you, or has any company, partnership or unincorporated institution with which you are, or have been associated as a director, controller or senior executive, by reason of any matters relating to it at a time when you were so associated, been the subject of an investigation, in Bermuda or elsewhere, by a governmental, professional or other regulatory body? If so, give full particulars.
- (f) Have you incurred a judgement debt under an order of a court in Bermuda or elsewhere or made any compromise arrangement with your creditors within the last 10 years? If so, give full particulars.
- (g) Have you in Bermuda or elsewhere, been dismissed from any office or employment or barred from entry to any profession or occupation? If so, give full particulars.



- (h) Has any company, partnership or unincorporated institution with which you were associated as a director, controller or senior executive in Bermuda or elsewhere been wound up or otherwise made any compromise or arrangement with its creditors or ceased trading, either when you were associated with it or within one year after you ceased to be associated with it? Has anything analogous to any of these events occurred under the laws of any other jurisdiction? If so, give full particulars.
- (i) Have you been concerned with the management or conduct of affairs of any institution which, by reason of any matter relating to it at a time when you were so concerned, has been censured, warned as to future conduct, disciplined or publicly criticised by or made the subject to a court order at the instigation of any regulatory authority in Bermuda or elsewhere? If so, give full particulars.
- (j) Have you, in connection with the formation or management of any body corporate, partnership or unincorporated institution, been adjudged by a court in Bermuda or elsewhere to have civil liability for any fraud, misfeasance or other misconduct by you towards such a body or company or towards any members thereof? If so, give full particulars.
- (k) Are you presently or do you expect to be engaged in any litigation in Bermuda or elsewhere, other than in a professional capacity? If so, give full particulars.

I have/have not attached with this application further information and documentation.



DECLARATION

I certify that the information given in answer to the questions above is complete and accurate to the best of my knowledge, information and belief and that there are no other relevant facts of which the Authority should be aware.

I undertake to inform the Authority of any changes material to the application, which arises while the Authority is considering the application.

Signature

Date