

PERSONAL QUESTIONNAIRE FOR INDIVIDUAL DEALERS/INVESTMENT ADVISORS, COVERED PERSONS, "CONNECTED PERSONS" (SHAREHOLDERS, OFFICERS, DIRECTORS, RESPONSIBLE OFFICERS AND REPRESENTATIVES) OF COMPANIES LICENSED, OR APPLYING TO BE LICENSED AND REGISTERED UNDER THE FINANCIAL SERVICES COMMISSION ACTS

SECTION I

1. Name of Individual or Financial Institution or Proposed Financial Institution in connection with which this questionnaire is being completed:

SECTION II

2. Complete Legal Name (No Initials): _____

3. Other Names Used (Trade Names, Aliases): _____

4. Complete Address (No P.O. Box Number):

(Home): _____

(Business): _____

5. Occupation: _____

6. Tax Payer Registration No.: _____

7. Place of Birth: _____

8. Date of Birth: _____

9. Nationality: _____

10. If Naturalized Citizen, Indicate Date of Naturalization and Certificate No.:

11. If you are not Jamaican, complete the following:

Visa Type and No.: _____

Passport Type and No.: _____

Alien Identification No.: _____

If you are exempt from holding a Visa, explain why: _____

SECTION III

12. Give details of your employment history up to the date of this questionnaire, including for each place of employment: details of the type of business; your title and the duties attaching to your position; the dates of employment; the names and address of your employer/s; reasons for leaving; the name, position and telephone number of two references. **(Please submit the above information in a resume format.)**
13. Give details of your education and your professional qualifications and affiliations, if any, including relevant dates:

SECTION IV

14. Have you at any time been charged with or convicted of any offence or otherwise found liable by a Civil, Criminal or Military Court (excluding minor road traffic offences) whether in Jamaica or elsewhere? If so, please give details of charge, and if convicted, the date of conviction and full particulars of the offence (including any offences taken into consideration) and the penalty imposed:

15. Have you ever been required to give evidence in any trial or proceedings involving fraud, dishonesty or similar matters, whether in Jamaica or elsewhere other than as an expert witness? If so, give particulars:

16. Has suit ever been brought against you in your personal capacity or against any body corporate, partnership, society or any other business undertaking to which you are connected as a shareholder, partner, director or manager? If pending, please give full details of the circumstances, and if not pending, how was the matter resolved?

17. Have you ever been refused entry to any profession or vocation whether in Jamaica or elsewhere? If so, give particulars:

18. Have you ever been the subject of investigation/disciplinary procedures, censured, disciplined or publicly criticised by any professional body to which you belong or have belonged whether in Jamaica or elsewhere? If so, give particulars:

19. Have you ever been dismissed or requested to resign from any office or employment whether in Jamaica or elsewhere? If so, give particulars:

20. Have you ever been censured, disciplined or publicly criticised by, or made the subject of a Court Order whether in Jamaica or elsewhere at the instigation of:

- a) Any regulatory authority? Yes No
- b) Any officially appointed enquiry? Yes No
- c) Any other established body concerned with the regulation of a relevant activity (as described in the glossary at the end of this form)? Yes No

21. In connection with the formation or management of any partnership, business undertaking or corporation, have you been adjudged by a Court civilly or criminally liable for any fraud, misfeasance or other misconduct towards that corporation, or any member or customer thereof whether in Jamaica or elsewhere? If so, give particulars:

22. Have you ever been disqualified by a Court or by virtue of any statutory enactment from being a director or from acting in the management or conduct of the affairs of any corporation or business undertaking whether in Jamaica or elsewhere? If so, give particulars:

23. Has a bankruptcy petition ever been served on you, or any organization in which you were a shareholder or held the position of director or manager in jurisdiction. If pending, give details of the circumstances and, if not pending, how was the matter resolved?

24. Have you ever, in any jurisdiction:

- a) been adjudged bankrupt by a Court? Yes No
- b) had a receiving or administrative order made against you? Yes No
- c) had your estate sequestered? Yes No
- d) entered into any arrangement, or other composition with your creditors? Yes No

If so, give particulars:

SECTION V

25. Names and addresses of bankers (personal and business) over the past five (5) years:

26. Has any bank or other financial institution with which you or any business undertaking owned, controlled or managed by you does business, ever threatened or commenced legal action/court proceedings or declined doing any new business with you or your undertaking as a result of outstanding debts owed by you or the undertaking, or due to your not honoring other facilities afforded you (e.g. guarantee, etc.) by these institutions? If so, the dispute and the manner in which the issue was resolved?

27. Have you, your company or your employer (past or present) previously dealt on a regular basis with any person carrying on a relevant activity (as described in the glossary at the end of this form) who

has, to your knowledge at any time, indicated that s/he is unwilling to effect further transactions with you, your company, business undertaking or your employer, by reason of an act or omission by you? If so, give particulars:

28. Do you (in your personal capacity or through any entity controlled by you) and/or an immediate relative have outstanding any loans or other forms of indebtedness in excess of J\$500,000.00? If so, state:

a) Form: _____

b) Amount: _____

c) Source: _____

d) Maturity Date: _____

e) Repayment status (i.e. current/up-to-date **or** level of arrears) (Note that information/details requested here relates to each facility outstanding).

29. Has any person, Firm, Company or association guaranteed the indebtedness? If so, give particulars (see previous question):

30. Are you (in your personal capacity or through any entity controlled by you) and/or an immediate relative at present guaranteeing the debts and obligations of any third parties in excess of J\$500,000.00) If so, give particulars:

31. (a) Has any loan or credit facility (or part thereof) extended to you by any financial or lending institution, been restructured, renegotiated, provided against or been the subject of a write-off or debt forgiveness for reasons of non-payment by you? If so, please provide full details of the debts/s, the circumstances surrounding the action and the current status.

(b) Has any financial or lending institution (which has extended credit facilities to you), had to refer, assign or sell your loan./indebtedness to any private or public sector collection agency or any other institution for reasons of non-payment by you? If so, please provide full details of loan/s; date of transfer/assignment/sale; reason for actions taken and current status.

SECTION VI

BUSINESS AFFILIATIONS

32. List **all** companies, partnerships, societies, trust corporations, or other business undertakings in which in which you are presently a director, partner, trustee, employee, owner, or otherwise involved in the management of (including banks and/or bank holding companies).

<u>Date or Commencement</u>	<u>Name & Address</u>	<u>Type of Business</u>	<u>Position Held & Duties</u>
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SECTION VII

AFFILIATIONS WITH OTHER BODIES CORPORATE

33. Have you ever been or are you currently a Director of any limited liability companies, or societies, or other business enterprises engaged in relevant activities, as described in the glossary at the end of this form? If so, state:

a) Name and Address of Companies/Societies/Corporations:

b) Nature of Business:

c) Date of Commencement of Directorship: _____

d) Date of Cessation of Directorship: _____

e) Reason/s for cessation of Directorship _____

f) Whether or not employed on a service contract (e.g. Managing Directorship) in any case:

34. Have you ever been or are you currently a Director of any limited liability companies, societies or other business enterprises other than those stated on the previous questions? If so, state:

a) Name and Address of Companies/Societies/Corporations/Business Enterprise:

b) Nature of Business:

c) Date of Commencement of Directorship: _____

d) Date of Cessation of Directorship: _____

e) Reason/s for cessation of Directorship: _____

35. Have you ever been or are you currently a beneficial owner or shareholder (holding at least 5% of issued share capital) in any limited liability companies or other corporations engaged in relevant activities described in the glossary at the end of this form? If so, state:

a) Name and Address of Companies/Societies/Corporations:

b) Nature of Business:

c) Number of shares held and class:

d) Date of termination of shareholding:

e) Method of termination of shareholding:

36. Are you a beneficial owner of any controlling interest in any body corporate, partnership, society or other business undertaking? If so, give particulars, including nature and address of business/partnership, etc.:

37. Whether in Jamaica or elsewhere, have you ever been a shareholder, director of, or directly concerned in the management of a bank, financial institution, or any other business undertaking:

a) Which has been served with a petition to wind up? Yes No

b) Which has been wound up by a Court? Yes No

c) The licence of which has been revoked? Yes No

d) Which has been placed in receivership? Yes No

e) Which has entered into any arrangement or other composition with its creditors? Yes No

f) Which has had an administrative order made against it? Yes No

g) Which has been sued? Yes No

h) Which has been the subject of censure action by any body that exercises supervisory or regulatory jurisdiction over it? Yes No

i) Whose business has been adjudged to have been conducted Imprudently or fraudulently? Yes No

j) Which has failed to meet the solvency requirements prescribed by Law or by licensing or supervisory authority? Yes No

k) To which financial assistance has been given by a government agency to effect a restructuring? Yes No

l) Which has been placed under Temporary Management/Judicial Management; which has been the subject of administrative censure or penalty; or formal statutory censure action or which has been the subject Yes No

of a Vesting order or any other intervention process by the relevant regulatory authority?

If yes (to any of the above), give full particulars:

38. Whether in Jamaica or elsewhere, have you ever been a shareholder, director, or been directly concerned in the management or conduct of affairs of any body corporate society, partnership or any other business undertaking which has gone into liquidation, whilst you were associated with, or within two years of your association with the entity? If so, give details of the circumstances, including:

a) Name of Company:

b) Name of Liquidator:

c) Address of the Liquidator:

39. Whether in Jamaica or elsewhere, have you ever been concerned with the management or conduct affairs of any body corporate, partnership, society or any other business undertaking which, by reason of any matter relating to a time when you were so concerned, has been censured, disciplined or publicly criticised, intervened or subjected to administrative action by:

- | | | |
|---|---------|--------|
| a) Any regulatory authority? | ___ Yes | ___ No |
| b) Any officially appointed enquiry? | ___ Yes | ___ No |
| c) Any other body concerned with regulation of a relevant activity? | ___ Yes | ___ No |
| d) Any Court? | ___ Yes | ___ No |

If so, give particulars:

SECTION VIII

RELATIONSHIP TO THE LICENSEE/PROPOSED LICENSEE

40. Will you be actively engaged in the business of the financial institution to which this application related and devote the major portion of your time thereto? ___ Yes ___ No

41. Indicate, by checking the applicable space and filling in the information required for subparagraphs (i), (ii) and (iii), the categories that apply to you:

i) a shareholder or proposed shareholder with beneficial ownership of 10 percent or more of any class of shares of the financial institution: ___ Yes ___ No

Class of Shares _____

Percentage of Shares _____

(Note that where application is being made for an acquisition of shares, specific details as to funding for the acquisition must also be supplied.)

ii) a director or proposed director of the financial institution: ___ Yes ___ No

ii) an officer or proposed officer of the financial institution (please indicate your position): ___ Yes ___ No

42. The date on which you became a:

i) shareholder: _____

ii) director: _____

iii) officer: _____

43. Are any shares of the financial institution registered in your name or the name of an immediate relative (as defined in the glossary at the end of this form)? ___ Yes ___ No

If yes, provide each name in which the shares are registered, the relationship to you of any immediate relative and the class and number of shares held by each person:

44. Do you have a beneficial interest in any shares of the financial institution that are not registered in your name or in the name of an immediate relative? ___ Yes ___ No

If yes, please give particulars:

45. Do you or an immediate relative hold any shares in the financial institution as trustee or nominee?
_____ Yes ___ No

If yes, please give particulars:

46. Are, or is it proposed that, any of the shares of the licensee mentioned in the answers to paragraphs 41, 43- 45 equitably or legally charged or pledged to any person (individual, corporation, partnership or business undertaking)?
_____ Yes ___ No

If yes, please give particulars:

47. Indicate, by class of shares, the percentage of votes exercisable at any general meeting of the financial institution, or any subsidiary thereof, that you and/or an immediate relative are entitled to exercise or control:

I declare that the answers to
the above questions are true.

Dated the _____ day of _____
(date) (month) (year)

Signed by the said)

)

)

_____)

in the presence of:)

)

)

_____)

Justice of the Peace/
Attorney-at-Law

Signature

GLOSSARY

1. "Corporation" means:
Any body corporate, incorporated in Jamaica or elsewhere.

 2. "Relevant Activity" means:
 - a) Banking, finance, insurance, money-lending, money management, cambio operations, bureau de change, foreign exchange remittance business, debt-factoring, hire purchase financing, leasing or other financial activities.
 - b) Dealing in Securities.
 - c) Providing investment or financial advice and management services.

 3. "Immediately Relative" as respects any person, means:
The spouse, children (including step-children) and their spouses, parents, and brothers or sisters of that person.
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PLEASE SUBMIT WITH THE FOLLOWING ATTACHMENTS:

- 1. Resume'**
- 2. Police record**