

FINANCIAL ADVISERS ACT
(Cap. 110)
FINANCIAL ADVISERS REGULATION
(Rg 2)

**APPOINTMENT OF CHIEF EXECUTIVE
OFFICER OR DIRECTOR / CHANGE OF
DIRECTOR'S NATURE OF APPOINTMENT
FROM NON-EXECUTIVE TO EXECUTIVE
UNDER SECTION 56**

FORM
11

Explanatory Notes

1. Please read the explanatory notes and questions carefully before completing the application form.
2. All questions must be answered. If a question is not applicable, please mark "N.A." in the space provided. Should there be insufficient space for your answers, please attach annex(es) which should be identified as such and signed by the signatory to this application.
3. Where there is an asterisk (*), please delete whichever is inapplicable.
4. Please tick (✓) in the relevant boxes where appropriate.
5. If there are any changes in the information furnished in the application prior to the approval of the application, the Monetary Authority of Singapore ("the Authority") should be notified immediately.
6. This application form is to be submitted together with a certificate in the form set out in Part X duly signed by a director (other than the proposed appointee) or the secretary of the licensed financial adviser.

I. APPLICATION IS HEREBY MADE FOR

(Full name of appointee/director, including any alias and other names.
Underline family name.)

- TO BE APPOINTED AS A(N) EXECUTIVE DIRECTOR/NON-EXECUTIVE DIRECTOR/CHIEF EXECUTIVE OFFICER* OF

(Full name of licensed financial adviser)

- TO CHANGE HIS/HER NATURE OF APPOINTMENT FROM NON-EXECUTIVE DIRECTOR TO EXECUTIVE DIRECTOR OF

(Full name of licensed financial adviser)

II. APPOINTEE/DIRECTOR'S REPRESENTATIVE STATUS

Is the appointee/director currently an appointed or provisional representative under the Financial Advisers Act (Cap. 110) ("the Act")?

Yes

No

Date of appointment: _____

(Please proceed to Part III)

Representative No.: _____

If the answer to the above is "Yes", please indicate the type(s) of financial advisory service in respect of which the appointee/director is appointed to act as a representative under the Act.

- Advising others, either directly or through publications or writings, and whether in electronic, print or other form, concerning the following investment product(s), other than advising others by issuing or promulgating research analyses or research reports or advising on corporate finance within the meaning of the Securities and Futures (Cap. 289)
- Securities (other than collective investment schemes)
 - Collective investment schemes
 - Futures contracts
 - Contracts or arrangements for the purposes of foreign exchange trading
 - Contracts or arrangements for the purposes of leveraged foreign exchange trading
 - Life policies
 - Structured deposits
- Advising others by issuing or promulgating research analyses or research reports, whether in electronic, print or other form, concerning the following investment product(s):
- Securities (other than collective investment schemes)
 - Collective investment schemes
 - Futures contracts
 - Contracts or arrangements for the purposes of foreign exchange trading
 - Contracts or arrangements for the purposes of leveraged foreign exchange trading
 - Life policies
 - Structured deposits
- Marketing of any collective investment scheme
- Arranging of any contract of insurance in respect of life policies, other than a contract of reinsurance

Please proceed to Part IV of this form.

III. PERSONAL PARTICULARS

1. Set out below the personal particulars of the appointee/director.

| | | | |
|-----|---|---|---------------------------------|
| (a) | Residential Address | | |
| (b) | Telephone No. | Home: | Office: |
| (c) | E-mail Address | | |
| (d) | Date of Birth (dd/mm/yy) | | |
| (e) | Place of Birth | | |
| (f) | Sex | <input type="checkbox"/> Male | <input type="checkbox"/> Female |
| (g) | Nationality (for non-Singapore citizen, state whether you are a Singapore permanent resident) | | |
| (h) | Identity Card No. | | |
| (i) | Passport No. (for non-Singapore citizen) | | |
| (j) | Unique Identification No. (for Singapore permanent resident) | | |
| (k) | For appointee/director who is not a Singapore citizen or permanent resident, has the appointee/director obtained an Employment Pass (EP)? | <input type="checkbox"/> Yes Immigration Ref. No.: _____ Date of grant of EP: _____ Expiry date of EP: _____ <input type="checkbox"/> No but has applied for EP Date of application for EP: _____ <input type="checkbox"/> No and has not applied for EP Reason(s) for not applying: _____ | |
| (l) | Whether appointee/director is a permanent resident in another country and if so, which country? | | |

2. Set out below the particulars of the appointee/director's spouse (if applicable).

| | | |
|-----|------------------------------|--|
| (a) | Name (underline family name) | |
| (b) | Date of Birth (dd/mm/yy) | |

| | | |
|-----|---|--|
| (c) | Place of Birth | |
| (d) | Nationality (for non-Singapore citizen, state whether spouse is a Singapore permanent resident) | |
| (e) | Identity Card No. | |
| (f) | Passport No. (for non-Singapore citizen) | |
| (g) | Occupation | |
| (h) | Name of employer | |

IV. EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Set out details of highest academic and professional qualifications attained by the appointee/director and enclose copies of all relevant certificates.

| Name and location of school/college/university | Period (dd/mm/yy) | | Certificate/diploma/degree awarded |
|--|-------------------|----|------------------------------------|
| | From | To | |
| | | | |

| Professional qualifications (Please indicate whether by examination or experience) | Institution | Year conferred |
|---|-------------|----------------|
| | | |

V. EMPLOYMENT HISTORY

Set out details of the appointee/director's employment history (including periods of part-time employment or unemployment), business and other activities during the past 10 years. If the appointee/director is currently employed by a person other than the licensed financial adviser, state the appointee/director's last day of employment with his current employer.

| Name and address of employer (if self-employed, state so) | Nature of business of employer | Designation and department | Brief description of duties | Period (mm/yy) | |
|---|--------------------------------|----------------------------|-----------------------------|----------------|----|
| | | | | From | To |
| | | | | | |

VI. BUSINESS INTERESTS AND SHAREHOLDING

- Set out details of any directorship/sole proprietorship/partnership/other business interests of the appointee/director in any entity.

| Name of entity and place of incorporation/ establishment | Nature of business | Business Interest (Executive Director/ Non-Executive Director/Sole Proprietor/ Partner/ Other Business Interests) | Date of acquiring business interest | Percentage shareholding/ ownership in entity |
|--|--------------------|---|-------------------------------------|--|
| | | | | |

- Set out any shareholdings where 5% or more of the total number of voting shares are held by the appointee/director in any entity in Singapore or elsewhere and attach financial statements of the corporation for the past 2 financial years.

| Name of entity and place of incorporation/ establishment | Nature of business | Date of acquisition (mm/yy) | Percentage shareholding in entity |
|--|--------------------|-----------------------------|-----------------------------------|
| | | | |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

- | | | Yes | No |
|----|--|--------------------------|--------------------------|
| 3. | Does the appointee/director or any corporation in which the appointee/director controls not less than 20% of the total number of voting shares, have a beneficial interest, at the time of application, whether direct or indirect, in not less than 5% of the total number of voting shares of any corporation listed for quotation or quoted on a securities exchange? | <input type="checkbox"/> | <input type="checkbox"/> |

If answer is "yes", please provide details.

- | | | | |
|----|--|---------------------------------|--------------------------------|
| 4. | Is there/will there be any area of potential conflict of interest arising from the appointee/director's proposed duties as the chief executive officer/director/executive director* and his directorship(s) and shareholding(s) as stated above? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|----|--|---------------------------------|--------------------------------|

If answer is "yes", please provide details.

VII. FIT AND PROPER CRITERIA

If the answer to any of the following questions is in the affirmative, attach annexes and supporting documents, where appropriate, to provide all relevant particulars. If there is any doubt with respect to any part of this section, please provide all relevant information to demonstrate that the appointee/director is considered to be a fit and proper person to hold the office.

Honesty, Integrity and Reputation

- | | | Yes | No |
|-----|---|--------------------------|--------------------------|
| 1. | Within the past 10 years, has the appointee/director | | |
| (a) | been licensed, registered or approved under any law in any jurisdiction which requires licensing, registration or approval in relation to any regulated activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) | been licensed, registered, or otherwise authorised by law to carry on any trade, business (including sole proprietorships and partnerships) or profession (including accountancy, engineering, law and architecture) in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) | been a shareholder of any corporation which holds membership of any class or description of any operator of a market or clearing facility in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) | carried on business under any name other than the name stated in this application in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) | been refused the right or restricted in his right to carry on any trade, business or profession for which a specific licence, registration or other authorisation is required by law in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) | been issued a prohibition order under any Act administered by the Authority or been prohibited from operating in any jurisdiction by any | <input type="checkbox"/> | <input type="checkbox"/> |

financial services regulatory authority?

- (g) been censured, disciplined, suspended or refused membership or registration by the Authority, any other regulatory authority, an operator of a market or clearing facility, any professional body or government agency, whether in Singapore or elsewhere?
- (h) been the subject of any investigations or disciplinary proceedings or been issued a warning or reprimand by the Authority, any other regulatory authority, an operator of a market or clearing facility, any professional body or government agency, whether in Singapore or elsewhere?
- (i) been the subject of any proceedings of a disciplinary or criminal nature or been notified of any potential proceedings or of any investigation which may lead to those proceedings, under any law in any jurisdiction?
- (j) been convicted of any offence, served any term of imprisonment or is being subject to any pending proceedings which may lead to a conviction of any offence, under any law in any jurisdiction?
- (k) had any civil penalty enforcement action taken against him by the Authority or any other regulatory authority under any law in any jurisdiction?
- (l) contravened or abetted another person in breach of any laws or regulations, business rules or code of conduct, whether in Singapore or elsewhere?
- (m) been the subject of any complaint made reasonably and in good faith, relating to activities that are regulated by the Authority or under any law in any jurisdiction?
- (n) been refused a fidelity or surety bond, whether in Singapore or elsewhere?
- (o) been or is a director, partner, substantial shareholder or concerned in the management of a business that has been censured, disciplined, prosecuted or convicted of a criminal offence, or been the subject of any disciplinary or criminal investigation or proceeding, in Singapore or elsewhere, in relation to any matter that took place while he was a director, partner, substantial shareholder or concerned in the management of the business?
- (p) been or is a director, partner, substantial shareholder or concerned in the management of a business that has been suspended or refused membership or registration by the Authority, any other regulatory authority, an operator of a market or clearing facility, any professional body or government agency, whether in Singapore or elsewhere?
- (q) been a director, partner, substantial shareholder or concerned in the management of a business that has gone into insolvency, liquidation or administration during the period when, or within a period of one year after, he was a director, partner, substantial shareholder or concerned in the management of the business, whether in Singapore or elsewhere?
- (r) been dismissed or asked to resign from office, employment, a position of trust, or a fiduciary appointment or similar positions, whether in Singapore or elsewhere?
- (s) been or is subject to disciplinary proceedings by his current or former employer(s), whether in Singapore or elsewhere?
- (t) been disqualified from acting as a director or disqualified from acting in any managerial capacity, whether in Singapore or elsewhere?

- | | | | |
|-------------------------------|--|--------------------------|--------------------------|
| (u) | been an officer found liable for an offence committed by a body corporate as a result of the offence having proved to have been committed with the consent or connivance of, or neglect attributable to, the officer, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Yes | No |
| 2. Has the appointee/director | | | |
| (a) | had any judgment (in particular, that associated with a finding of fraud, misrepresentation or dishonesty) entered against him in any civil proceedings or is a party to any pending proceedings which may lead to such a judgment, under any law in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) | accepted civil liability for fraud, misrepresentation or dishonesty under any law in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |

Financial Soundness

- | | | | |
|---|--|--------------------------|--------------------------|
| | | Yes | No |
| 3. Within the past 10 years, has the appointee/director | | | |
| (a) | been or is unable to fulfill any of his financial obligations, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) | entered into a compromise or scheme of arrangement with his creditors (including a debt repayment scheme) or made an assignment for the benefit of his creditors, being a compromise, scheme of arrangement or assignment that is still in operation, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) | been or is subject to a judgment debt which is unsatisfied, either in whole or in part, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) | been or is the subject of a bankruptcy petition, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) | been adjudicated a bankrupt and the bankruptcy is undischarged, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) | been or is subject to any other process outside Singapore that is similar to those referred to in (d) – (e)? | <input type="checkbox"/> | <input type="checkbox"/> |

VIII. MISCELLANEOUS

Set out any additional information that is relevant or material to this application.

IX. DECLARATION

1. I am aware that section 86(1), (3) and (4) of the Act provides as follows:

“ANY PERSON WHO FURNISHES THE AUTHORITY WITH ANY INFORMATION UNDER OR FOR THE PURPOSES OF ANY PROVISION OF THIS ACT SHALL USE DUE CARE TO ENSURE THAT THE INFORMATION IS NOT FALSE OR MISLEADING IN ANY MATERIAL PARTICULAR.

ANY PERSON WHO –

- (a) SIGNS ANY DOCUMENT LODGED WITH THE AUTHORITY; OR
 (b) LODGES WITH THE AUTHORITY ANY DOCUMENT BY ELECTRONIC MEANS USING ANY IDENTIFICATION OR IDENTIFYING CODE, PASSWORD OR OTHER AUTHENTICATION METHOD OR PROCEDURE ASSIGNED TO HIM BY THE AUTHORITY,

SHALL USE DUE CARE TO ENSURE THAT THE DOCUMENT IS NOT FALSE OR MISLEADING IN ANY MATERIAL PARTICULAR.

ANY PERSON WHO CONTRAVENES SUBSECTION (1) SHALL BE GUILTY OF AN OFFENCE AND SHALL BE LIABLE ON CONVICTION TO A FINE NOT EXCEEDING \$25,000 OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING 2 YEARS OR TO BOTH.”

2. I am aware that under section 56(3) of the Act, the Authority may refuse the application for appointment of chief executive officer/director/executive director if the appointee/director fails to satisfy the Authority that he is a fit and proper person to be approved.
3. I have read the Guidelines on Fit and Proper Criteria (the “Guidelines”) issued by the Authority and in submitting this form, I am satisfied that I am a fit and proper person based on the criteria stated in the Guidelines.
4. I declare that all information given in this application and in the attached annex(es) (if any) is true and correct.

Signature of
Appointee/Director : _____

Date : _____

(dd/mm/yy)

X. CERTIFICATE

This certificate should be signed by a director (other than the proposed appointee) or the secretary of the licensed financial adviser by which the appointee/director is employed or for or by arrangement with which the appointee is acting.

To the Authority –

On the basis of due and diligent enquiry made on the background of the appointee/director named in this form who is in the direct employment/acting for or on behalf of us*, and other information available, I believe him/her* to be of good character and reputation and to have the competence and experience to perform the functions and duties of a chief executive officer/director/executive director*.

Signature : _____

Name : _____

Designation : _____

Date : _____

(dd/mm/yy)