

SECURITIES AND FUTURES ACT
(Cap. 289)

SECURITIES AND FUTURES
(LICENSING AND CONDUCT OF BUSINESS)
REGULATIONS (Rg 10)

**APPLICATION FOR RENEWAL OF A CAPITAL
MARKETS SERVICES LICENCE UNDER SECTION
84(1)**

FORM

2

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. The application form is to be signed by a director or secretary of the applicant.
7. The non-refundable application fee prescribed under regulation 6 of the Securities and Futures (Licensing and Conduct of Business) Regulations (Rg 10) (the Regulations) will be deducted from the applicant's bank account via GIRO.

FOR OFFICIAL USE ONLY

Application received on:

Remarks:

I. APPLICATION IS HEREBY MADE FOR RENEWAL OF CAPITAL MARKETS SERVICES LICENCE BY

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(Full name of applicant)

Licence no. : _____

Expiry date of licence : _____

II. Application is made for the renewal of a capital markets services licence in respect of the following regulated activity or activities:

- Dealing in Securities
- Trading in Futures Contracts
- Leveraged Foreign Exchange Trading
- Advising on Corporate Finance
- Fund Management
- Securities Financing
- Providing Custodial Services for Securities

III. 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 applicant and its shareholders are considered to be fit and proper persons, and its directors and chief executive officer are considered to be fit and proper persons to hold office.

Honesty, Integrity and Reputation

1. Since the last application/notification by the applicant, has the applicant or any of its shareholders, whether the shareholder is an individual or a corporation (including the corporation's related corporations), or any director or chief executive officer of the applicant —

Yes No

- | | | | |
|-----|---|--------------------------|--------------------------|
| (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 its or 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 financial services regulatory authority? | <input type="checkbox"/> | <input type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) | 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? | <input type="checkbox"/> | <input type="checkbox"/> |
| (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 might lead to those proceedings, under any law in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input type="checkbox"/> |
| (k) | had any civil penalty enforcement action taken against it or him by the Authority or any other regulatory authority under any law in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) | contravened or abetted another person in breach of any laws or regulations, business rules or codes of conduct, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |

- (m) 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?
- (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 position 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? Yes No
2. Has the applicant or any of its shareholders, whether the shareholder is an individual or a corporation (including the shareholder's related corporations), or any director or chief executive officer of the applicant —
- | | Yes | No |
|---|--------------------------|--------------------------|
| (a) had any judgment (in particular, that associated with a finding of fraud, misrepresentation, or dishonesty) entered against it or 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

3. Since the last application/notification by the applicant, has the applicant or any of its shareholders, whether the shareholder is an individual or a corporation (including the shareholders' related corporations), or any director or chief executive officer of the applicant —
- | | Yes | No |
|---|--------------------------|--------------------------|
| (a) been or is unable to fulfill any of its or his financial obligations, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) entered into a compromise or scheme of arrangement with its or his creditors, or made an assignment for the benefit of its or 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? | (a) | <input type="checkbox"/> |
| (f) been or is the subject of a winding up petition, whether in Singapore or elsewhere? | (b) | <input type="checkbox"/> |

- | | | | |
|-----|---|--------------------------|--------------------------|
| (g) | been dissolved or is in the course of being wound-up, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) | been or is a corporation where a receiver, receiver and manager, judicial manager, or such other person having the powers and duties of a receiver, receiver and manager, or judicial manager, has been appointed in relation to, or in respect of any property of, the corporation, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) | been or is subject to any other process outside Singapore that is similar to those referred to in (d) – (h)? | <input type="checkbox"/> | <input type="checkbox"/> |

IV OTHER INFORMATION

1. State whether there has been any other event which is likely to have a significant effect on the business of the applicant, its parent corporation or any of their related corporations during the currency of the licence, if renewed.
2. Set out any additional information that is relevant or material to this application, including changes in organisational structure, new business plans and proposed changes in the regulated activities.

V. DECLARATION

1. We are aware that section 92 of the Securities and Futures Act (Cap. 289) (the Act) provides as follows:

“ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR A LICENCE OR THE RENEWAL OR VARIATION OF A LICENCE, WITHOUT REASONABLE EXCUSE, MAKES A STATEMENT WHICH IS FALSE OR MISLEADING IN A MATERIAL PARTICULAR, OR WITHOUT REASONABLE EXCUSE, OMITTS TO STATE ANY MATTER OR THING WITHOUT WHICH THE APPLICATION IS MISLEADING IN A MATERIAL RESPECT, SHALL BE GUILTY OF AN OFFENCE AND SHALL BE LIABLE ON CONVICTION TO A FINE NOT EXCEEDING \$50,000.”
2. We are aware that under section 86(4)(h) of the Act, the Authority may refuse the application for a renewal for a capital markets services licence if the applicant fails to satisfy the Authority that the applicant (including its officers, employees and substantial shareholders) are fit and proper persons.
3. We have read the Guidelines on Fit and Proper Criteria (the “Guidelines”) issued by the Authority and in submitting this form, we are satisfied that the applicant (including its officers, employees and substantial shareholders) are fit and proper persons based on the criteria stated in the Guidelines.
4. We declare that all information given in this application and in the attached annexes (if any) is true and correct.

Signature : _____

Name of
Director/Secretary* : _____

Date : _____
(dd/mm/yy)