

SECURITIES AND FUTURES ACT
(CAP. 289)

SECURITIES AND FUTURES (FINANCIAL
BENCHMARKS) REGULATIONS 2018

REGULATION 15(1) AND 23(1)

**APPLICATION FOR APPROVAL OF CHIEF
EXECUTIVE OFFICER OR DIRECTOR OF
AUTHORISED BENCHMARK ADMINISTRATOR,
AUTHORISED BENCHMARK SUBMITTER OR
DESIGNATED BENCHMARK SUBMITTER**

FORM

3

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. If such space is not provided, the question has to be answered. Forms with unanswered questions will be deemed to be incomplete and therefore rejected. If there is insufficient space for your answers, please attach annex(es) which should be identified as such and signed by the signatories 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 submitted information prior to the completion of the review of this application, the Monetary Authority of Singapore (the “Authority”) should be notified immediately.
6. This application form shall be signed by 2 directors or a director and the secretary of the applicant. The form must be accompanied by the relevant documents and information requested in the various parts of this application and it should be signed by the appointee.

I. INFORMATION ON APPOINTEE

1. Name of Appointee:

2. Application for appointment as —

Chief Executive Officer

Director

Change of the appointee's appointment from non-executive director to executive director

OF

Name of Company (the applicant):

3. Regulatory status —

Authorised benchmark administrator

Authorised benchmark submitter

Designated benchmark submitter

4. Provide the personal particulars of the appointee:

(a) Residential address and country:

(b) Contact details:

(i) Email address:

(ii) Office number:

(iii) Mobile number:

(c) Date of birth (dd/mm/yy):

(d) Place of birth:

(e) Gender: Male / Female*

(f) Nationality (for non-Singapore citizens, please state whether you are a permanent citizen):

(g) Identity card number:

(h) Passport number:

II. EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Set out in the following format information on the appointee's highest academic and professional qualifications attained.

<i>Name and location of school/college/university/ institution</i>	<i>Period (mm/yy)</i>		<i>Certificate/diploma/degree awarded/professional qualification</i>
	<i>From</i>	<i>To</i>	

III. EMPLOYMENT HISTORY

Set out in the following format information on the appointee's employment history (including periods of part-time employment or unemployment), business and other activities during the past 10 years. *If the appointee is currently employed with a company other than the one stated in this application, please state the appointee's last day of employment with his/her current employer.*

<i>Name and address of employer (if self-employed, please indicate)</i>	<i>Nature of business of employer</i>	<i>Designation and Department</i>	<i>Brief description of duties</i>	<i>Period (mm/yy)</i>	
				<i>From</i>	<i>To</i>

IV. DIRECTORSHIP AND SUBSTANTIAL SHAREHOLDING

1. Set out in the following format information on the appointee's directorships in any corporation.

<i>Name of corporation and place of incorporation</i>	<i>Nature of business</i>	<i>Directorship (executive/ non-executive)</i>	<i>Date of appointment (mm/yy)</i>	<i>Percentage shareholding in corporation (if any)</i>

2. Set out in the following format information on the appointee's substantial shareholding (5% or more of the issued share capital) in any corporation. ¹

<i>Name of corporation and place of incorporation</i>	<i>Nature of business</i>	<i>Date of acquisition (mm/yy)</i>	<i>Percentage shareholding in corporation</i>

¹ For avoidance of doubt, the substantial shareholdings include deemed interests as set out in the Companies Act.

V. FIT AND PROPER CRITERIA

If the answer to any of the following questions is in the affirmative, please 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 is considered to be a fit and proper person to hold office.

General

1. Within the past 10 years, has the appointee —

Yes No

(a) been licensed, or registered or approved under any law in any jurisdiction which requires licensing, registration or approval in relation to any regulated activity?

(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?

(c) been a shareholder of any corporation which is a benchmark administrator in any jurisdiction?

(d) carried on business under any name other than the name stated in this application in any jurisdiction?

Honesty, Integrity and Reputation

2. Within the past 10 years, has the appointee —

Yes No

- | | | | |
|-----|--|--------------------------|--------------------------|
| (a) | 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"/> |
| (b) | 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"/> |
| (c) | been censured, disciplined, suspended or refused membership or registration by the Authority, any other regulatory authority, any professional body or government agency, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) | 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"/> |
| (e) | 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"/> |
| (f) | 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"/> |
| (g) | had any civil penalty enforcement action taken against him by the Authority or any other regulatory authority under any law in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) | 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"/> |
| (i) | 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 a clearing facility, any professional body or government agency, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) | been refused a fidelity or surety bond, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (k) | been untruthful or provided false or misleading information to the Authority or been uncooperative in any dealings with the Authority or any other regulatory authority in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) | 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, whether 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? | <input type="checkbox"/> | <input type="checkbox"/> |
| (m) | 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, any professional body or government agency, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (n) | 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? | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | | |
|-----|--|--------------------------|--------------------------|
| (o) | 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? | <input type="checkbox"/> | <input type="checkbox"/> |
| (p) | been or is subject to disciplinary proceedings by his current or former employer(s), whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (q) | been disqualified from acting as a director or disqualified from acting in any managerial capacity, whether in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (r) | 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"/> |
| (s) | been engaged in the management of any corporation other than those disclosed in Part IV (Directorship and Substantial Shareholding) of this application in any jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> |

3. Has the appointee —

- | | | Yes | No |
|-----|--|--------------------------|--------------------------|
| (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

4. Within the past 10 years, has the appointee —

- | | | Yes | No |
|-----|---|--------------------------|--------------------------|
| (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, being a compromise or scheme of arrangement 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 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?
- (f) been or is subject to any other process outside Singapore that is similar to those referred to in (d) and (e)?

VI. OTHER INFORMATION

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

VII. DECLARATION

1. We are aware that sections 329(3) and (4) of the Securities and Futures Act (Cap. 289) provide as follows:

Any person who signs any document lodged with the Authority shall use due care to ensure that the document is not false or misleading in any material particular. Any person who contravenes this requirement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both.

2. We are aware that the Authority may refuse the application for chief executive officer and/or director* if the appointee fails to satisfy the Authority that he/she* is a fit and proper person to be approved.
3. We have read the Guidelines on Fit and Proper Criteria (the “Guidelines”) issued by the Authority and in submitting this form, we believe the appointee to be a fit and proper person, based on the criteria stated in the Guidelines, to perform the functions and duties of a chief executive officer and/or director*.
4. We declare that all information given in this application and in the attached annexes (if any) are true and correct.

Signature

Name of Director

Date (dd/mm/yy)

Signature

Name of Director/Secretary*

Date (dd/mm/yy)

VIII. DECLARATION BY APPOINTEE

1. I am aware that sections 329(3) and (4) of the Securities and Futures Act (Cap. 289) provide as follows:

Any person who signs any document lodged with the Authority shall use due care to ensure that the document is not false or misleading in any material particular. Any person who contravenes this requirement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both.

2. I declare that the information given in this application and in the attached annexes (if any) are true and correct.

Signature

Name of appointee

Date (dd/mm/yy)