

SECURITIES AND FUTURES ACT
(CAP. 289)

SECTION 28(3)

**APPLICATION FOR APPROVAL OF CHAIRMAN,
CHIEF EXECUTIVE OFFICER DIRECTOR, OR
KEY PERSONS**

FORM

9

Explanatory Notes

1. Please read the explanatory notes and questions carefully before completing the form.
2. All questions must be answered. If a question is not applicable, please mark “N.A.” in the space provided. 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. The term “key person” means a person to be appointed to a key management position or committee of the approved exchange, the appointment of whom the Authority has, by notice in writing, required an approved exchange to obtain the approval of the Authority.
7. This application is to be signed by 2 directors or a director and a secretary of the approved exchange, by whom the chairman, chief executive officer, director or key person (referred to as the appointee) is or proposed to be employed and must be accompanied by the relevant documents and information requested in the various parts of this application.

I. NAME OF APPOINTEE

(Full name of appointee, including any alias and other names. Please underline surname)

Application for appointment as —

- Chairman
- Chief Executive Officer
- Director
- Key Person (State position: _____)

OF

Name of Approved Exchange (the applicant):

II. PERSONAL PARTICULARS

1. Set out below the personal particulars of the appointee:

(a) Residential Address:

(b) Telephone and facsimile number(s):

- (i) Home number:
- (ii) Office number:
- (iii) Facsimile number:

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

(d) Place of Birth:

(e) Sex

Female

Male

(f) Nationality:

(g) Identity Card Number:

(h) Unique Identification Number (for Singapore citizen or permanent resident):

(i) Passport Number (for non-Singapore citizen):

(j) For appointee who is not a Singapore citizen or permanent resident

Has the appointee obtained an Employment Pass (EP)?

Yes

Immigration Ref. No.:

Date of grant of EP:

Expiry date of EP:

No but has applied for EP

Date of application for EP:

No and has not applied for EP

Reason(s) for not applying:

(k) Permanent resident status in other countries (if applicable):

III. 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>	

IV. 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 appointee is currently employed with a company other than the approved exchange stated in this application, please state appointee's last day of employment with appointee's 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>

V. DIRECTORSHIP AND SUBSTANTIAL SHAREHOLDING

1. Set out in the following format information on the appointee's directorships in any corporation. Please indicate if there are none held.

<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 Please indicate if there are none held.

<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>

- | | | |
|--|--------------------------|--------------------------|
| | Yes | No |
| 3. Are there any potential areas of conflict(s) of interest arising from the appointee's proposed duties with the approved exchange and his/her directorship(s) and/or shareholding(s) as stated above. If yes, please elaborate. | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Does the appointee, or any corporation in which the appointee is in a position to control not less than 20% of the voting rights, have a beneficial interest, whether direct or indirect, in at least 5% of the issued shares of any corporation quoted on an approved exchange whether, in Singapore or elsewhere? If yes, please elaborate and provide a list of such corporations. | <input type="checkbox"/> | <input type="checkbox"/> |

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

VI. 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, giving all relevant particulars.

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

	Yes	No
(a) been licensed or registered under any law which requires licensing or registration in relation to specified products, futures, derivatives contracts or leveraged foreign exchange activities?	<input type="checkbox"/>	<input type="checkbox"/>
(b) been licensed, registered, or otherwise authorised by any law to carry on any trade, business or profession (for example, accounting, engineering, law or architecture) whether alone or jointly with others (including sole proprietorships and partnerships)?	<input type="checkbox"/>	<input type="checkbox"/>
(c) 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"/>
(d) been issued a prohibition order under any Act administered by the Authority or has been prohibited from operating in other jurisdiction by any financial services regulatory authority?	<input type="checkbox"/>	<input type="checkbox"/>
(e) been censured, disciplined, suspended or refused membership or registration by the Authority, any other regulatory authority, an operator of a market or clearing facility, professional body or government agency, in Singapore or elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>
(f) been the subject of any complaint made reasonably and in good faith relating to activities regulated by the Authority or under any law in any jurisdiction?	<input type="checkbox"/>	<input type="checkbox"/>
(g) been the subject of any proceedings of a disciplinary or criminal nature or has 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"/>
(h) been convicted of any offence, or is being subject to any pending proceedings which may lead to such a conviction, under any law in any jurisdiction?	<input type="checkbox"/>	<input type="checkbox"/>
(i) had any judgment (including 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"/>
(j) 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"/>

- | | | | |
|-----|--|--------------------------|--------------------------|
| (k) | contravened or abetted another person in breach of any laws or regulations, business rules or codes of conduct, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) | 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, professional body or government agency, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (m) | been refused a fidelity or surety bond, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (n) | been a director, partner or concerned in the management of a business that has been censured, disciplined, suspended or refused membership or registration by the Authority, any other regulatory authority, operator of a market or clearing facility, professional body or government agency, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (o) | been a director, partner or concerned in the management of a business that has gone into insolvency, liquidation or administration during the period, or within a period of one year, when he was a director, partner or concerned in the management of the business, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (p) | been dismissed or asked to resign, from office, employment, a position of trust, or a fiduciary appointment or similar position, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (q) | been subject to disciplinary proceedings by his current or former employer(s), in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (r) | been disqualified from acting as a director or disqualified from acting in any managerial capacity, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (s) | 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, in Singapore or elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> |
| (t) | been engaged in the management of any corporation other than those disclosed in Form 2 of the Securities and Futures Act (Cap. 289) on "Information on Chief Executive Officer and Directors"? | <input type="checkbox"/> | <input type="checkbox"/> |
| (u) | carried on business under any name other than the name or names shown in this application? | <input type="checkbox"/> | <input type="checkbox"/> |

2. Is the appointee —

	Yes	No
(a) unable to fulfill any of his financial obligations, 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, in Singapore or elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>
(c) subject to a judgment debt which is unsatisfied, either in whole or in part, in Singapore or elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>

VII. DECLARATION AND CERTIFICATE

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 approval of chairman, chief executive officer, director and/or* key person if the appointee fails to satisfy the Authority that he/she* is a fit and proper person to be approved. We have read the Guidelines on Fit and Proper Criteria issued by the Authority.
3. We declare that all information given in this application and in the attached annexes (if any) are true and correct.
4. To the Authority on the appointee —

On the basis of due and diligent enquiry made of the background of the appointee named in this application and other information available, we believe him/her* to be a fit and proper person to be approved.

Signature

Signature

Name of Director

Name of Director/Secretary*

Date (dd/mm/yy)

Date (dd/mm/yy)