**Application**

**Application for an Authorised Electronic Money Institution

Qualifying holding (Controller) Individual**

**Full name of applicant firm**

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**Important information you should read before completing this form**

The FCA processes personal data in line with the requirements of The General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018. For further information about the way we use the personal data collected in this form, please read our privacy notice available on our website: [www.fca.org.uk/privacy](http://www.fca.org.uk/privacy) .

**It is important that you provide accurate and complete information and disclose all relevant information. If you do not, you may be committing a criminal offence and it may increase the time taken to assess your application.**

**Terms in this form**

In this form the FCA uses the following terms:

* **‘Applicant’** or **‘applicant firm’** refers to the firm applying for authorisation
* **‘Controller’** means a person with a qualifying holding
* **‘EMRs’** refers to the Electronic Money Regulations 2011
* **‘FCA’, ‘we’, 'our', or ‘us’** refers to the Financial Conduct Authority
* **‘You’** refers to the person(s) signing on behalf of the applicant firm
* **‘Qualifying holding’** refers to a direct or indirect holding in an undertaking which represents 10% or more of the capital or of the voting rights or which makes it possible to exercise a significant influence over the management of that undertaking as defined in Article 4(1)(36) of Regulation (EU) No 575/2013

**Purpose of this form**

This form collects information about the individual controller who has a qualifying holding in the applicant firm.



**Filling in the form**

**1** If you are using your computer to complete the form:

* use the TAB key to move from question to question and press SHIFT TAB to move back to the previous question
* print the completed form, sign the declaration in Section 8, then scan and attach it to the firm’s application as a PDF document

**2** If you think a question is not relevant to you, write 'not applicable' and explain why.

**3** If you leave a question blank or do not attach the required supporting information without telling us why, we will treat the application as incomplete. This will increase the time taken to assess your application.

**4** If there is not enough space on the form, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant question number.

**5** Ensure you attach this form, together with the relevant supporting documents to your Electronic Money application on Connect.

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|  1 | Individual controller’s details |

 **1.1 First name(s)**

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 **1.2 Surname**

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 **1.3 Any previous surnames or first names. Please include details of when individual controller changed them.**

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 **1.4 Name commonly known by, if different**

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 **1.5 Date of birth (dd/mm/yy)**

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 **1.6 Place of birth**

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 **1.7 National Insurance number or passport number (if National Insurance Number not available)**

[ ]  Copy of passport (or equivalent) attached

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 **1.8 Nationality**

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 **1.9 Has the individual controller ever had a different nationality? If yes, the individual controller must give their previous nationality.**

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**1.10 You must attach the individual controller’s CV.**

This should include a detailed account of the individual controller’s education, training, previous professional experience and any professional activities or other functions currently performed.

[ ] [ ]  [ ]  Attached

**1.11 You must provide information about the individual controller’s financial position. This should include details concerning sources of revenues, assets and liabilities, security interests and guarantees, whether granted or received.**

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**1.12 You must provide a description of any links the individual controller has to politically exposed persons, as defined in Regulation 35(12) of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (SI 2017/692) .**

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|  2 | Individual controller’s address |

 **2.1 Current private address**

If the individual controller lives outside the UK and does not have a UK address, the individual controller must provide their address outside the UK and tick the box below.

[ ]  The individual controller lives outside the UK and has no UK address.

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| Address |       |
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| Postcode |       |

 **2.2 When did the individual controller move into this address (mm/yy)?**

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If the individual controller moved into this address less than three years ago, please give previous addresses for the last three years. There is space to write three addresses; please use a separate piece of paper if more space is needed.

**Previous address 1**

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 **Previous address 2**

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**Previous address 3**

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Please indicate how many separate sheets of paper you have used (if applicable)

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|  3 | Directorships and controlling interests |

 **3.1 Does the individual controller hold any directorships within or outside the UK?**

[ ]  No⏵Continue to Question 3.2

[ ]  Yes⏵Give details below

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| Name of undertaking |  | Status (eg active or dissolved) |  |
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 **3.2 Does the individual controller hold directly or indirectly control, including shares or voting power in, or shares and voting power as a result of which they are able to exercise significant influence over, any other companies within or outside the UK?**

[ ]  No⏵Continue to Question 3.3

[ ]  Yes⏵Give details below

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| Name of undertaking |  | Status (eg active or dissolved) |  | Percentage of control held |
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 **3.3 The individual controller must provide a description of any insolvency or similar procedures that have been applied to undertakings listed above.**

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|  4 | Fitness and propriety |

A condition for authorisation under regulation 6(6)(a) of the EMRs is that the applicant must satisfy us that any persons having a qualifying holding in it are fit and proper persons having regard to the need to ensure the sound and prudent conduct of the affairs of the authorised electronic money institution. Please respond to the following questions.

In answering these questions, the individual controller and applicant firm are expected to give words the widest possible interpretation. Remember, the FCA treats non-disclosure very seriously.

**Criminal proceedings**

In answering the questions in this section, the individual controller should include matters whether in the United Kingdom or overseas. By virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, if the individual controller is subject to the law of England and Wales, they must disclose spent convictions and spent cautions (other than a protected conviction or caution). By virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 and the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979, if the individual controller is subject to the law of Scotland or Northern Ireland, they must disclose spent convictions (other than a protected conviction).

For the avoidance of doubt, references to the legislation above are references to the legislation as amended.

 **4.1**

 **i Has the individual controller been convicted of any criminal offence? (The individual controller should include any conviction of an offence for which the individual controller received an absolute or conditional discharge. Include traffic offences only if they resulted in a ban from driving or involved driving without insurance.)**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii Is the individual controller currently the subject of any pending criminal investigation?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **4.2**

 **i Is the individual controller currently the subject of any proceedings relating to any criminal offence?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii Has the individual controller ever been the subject of any proceedings relating to any criminal offence where the individual controller has been found against and which were not set aside?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iii Where such documents can be obtained, the individual controller must attach an official certificate or equivalent document detailing any criminal matters or, where applicable, evidencing the absence of such matters (eg a Disclosure and Barring Service (DBS) certificate or any other similar document).**

[ ]  [ ]  Attached

 **4.3 Has any entity at which the individual controller holds or has held a position of responsibility ever:**

 **i been convicted of any criminal offence?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii been the subject of any proceedings relating to any criminal offence?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

The individual controller should include but not limit their answer to matters arising from conduct failings in respect of fraud, dishonesty, corruption, money laundering, terrorist financing or other financial crime or of failure to put in place adequate policies and procedures to prevent such events.

The individual controller should include all matters arising during the individual controller’s association with that entity. All matters even where the proceedings did not result in a conviction should be included.

 **4.4 If the individual controller has answered yes to any of the questions under criminal proceedings above, please give full details in Section 7. Tick this box to confirm that full details have been provided, including reason(s), date(s) and duration as applicable, as well as any supporting documents.**

[ ] [ ]  [ ]  Yes

**Civil and administrative proceedings**

In answering these questions the individual controller should include matters whether in the United Kingdom or overseas.

 **4.5 Has the individual controller ever been:**

 **i the subject of any bankruptcy, insolvency or similar procedures? (The individual controller should include, for example, any judgement debt or award.)**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii the subject of any civil or administrative investigations?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iii subject to civil or administrative decisions that were found against them? (The individual controller should include, for example, injunctions and employment tribunal proceedings.)**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iv the subject of any civil or administrative enforcement proceedings, sanctions or other enforcement decisions?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

(The individual controller should include all County Court Judgment(s) (‘CCJs’) made against them, whether satisfied or not. Please include in Section 7:

* the sum and date of all judgment debts or CCJs (whether satisfied or not); and
* the total number of all CCJs ordered.)

When answering Question 4.5 (iii) (civil or administrative decisions) the individual controller should include matters of relevance to the authorisation process. They should also include details of any administrative sanctions or measures imposed as a consequence of a breach of laws or regulations (including disqualification as a company director). In answering this question the individual controller is not required to disclose details of civil or administrative proceedings that were set aside or where an appeal is pending or may be filed.

When answering Question 4.5 (ii & iv) (civil and administrative investigations and/ or enforcement proceedings) the individual controller should disclose matters which may be considered relevant to the authorisation to commence the activity of an electronic money institution, or to the sound and prudent management of an electronic money institution.

 **v Where such documents can be obtained, the individual controller must attach an official certificate or equivalent document detailing whether or not the civil or administrative matters detailed above have occurred in respect of the individual controller.**

[ ]  [ ] Attached

 **4.6 Has any entity at which the individual controller holds or has held a position of responsibility ever been subject to any administrative investigations, sanctions or other enforcement decisions for conduct failings?**

The individual controller should include but not limit their answer to matters arising from conduct failings in respect of fraud, dishonesty, corruption, money laundering, terrorist financing or other financial crime or of failure to put in place adequate policies and procedures to prevent such events.

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

(The individual controller should include all matters arising during their association with that entity.)

 **4.7 Has the individual controller ever (tick all that apply):**

 **i filed for bankruptcy or had a bankruptcy petition served on them?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii been adjudged bankrupt?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iii been the subject of a bankruptcy restrictions order (including an interim bankruptcy restrictions order) or offered a bankruptcy restrictions undertaking?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iv made any arrangements with creditors, for example a deed of arrangement or an individual voluntary arrangement (or in Scotland a trust deed)?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **v had assets sequestrated?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **vi been involved in any proceeding relating to the above matters even if such proceedings did not result in the making of any kind of order or result in any kind of agreement?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **4.8 Is the individual controller** **currently** **involved in any proceedings in relation to any of the matters set out in Questions 4.7(i) – (vi) above (the individual controller should include where they are in the process of entering into any kind of agreement in favour of their creditors)?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

Please specify in Section 7 whether any bankruptcy orders made have been discharged.

 **4.9 Does the individual controller** **have any outstanding financial obligations connected with regulated activities (including any activities regulated by the FCA or any other regulatory body), which they have carried on in the past?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

**4.10 If the individual controller has answered yes to any of the questions above please give full details in Section 7. Tick this box to confirm that the individual controller has provided full details, including reason(s), date(s) and duration as applicable as well as supporting documents.**

[ ] [ ]  [ ] Yes

**Business and employment matters**

In answering the questions the individual controller should include matters whether in the United Kingdom or overseas.

 **4.11 Has the individual controller ever been:**

 **i dismissed;**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii asked to resign; or**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iii suspended**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **from any profession, vocation, office, employment, position of trust, fiduciary appointment or similar, whether or not remunerated?** (The individual controller is not required to disclose an appointment coming to an end by passage of time.)

 **4.12 Has the individual controller ever been:**

 **i disqualified from acting as a director or similar position?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii the subject of any proceedings of a disciplinary nature (whether or not the proceedings resulted in any finding)?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iii the subject of any investigation which might lead to or might have led to disciplinary proceedings?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **iv notified of any potential proceedings of a disciplinary nature?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **v the subject of any allegations of malpractice or misconduct in connection with any business activities?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **4.13 If the individual controller has answered yes to any of the questions above, please give full details in Section 7. This as a minimum should include the reason(s), date(s) and duration as applicable, as well as supporting documents. Tick this box to confirm that full details have been provided**

[ ] [ ]  [ ]  Yes

Regulatory matters

In answering the questions in this section the individual controller should include matters whether in the United Kingdom or overseas.

 **4.14 Has the individual controller ever:**

 **i been refused, had revoked or terminated, any authorisation, registration, membership or licence to carry out a trade, business or a profession?**

[ ]  [ ]  No [ ] [ ]  [ ]  Yes

 **ii been excluded by a competent authority or public sector entity in the financial services sector or by a professional body or association (including, for example, any disbarment, dismissal or expulsion)?**

**[ ]**  [ ]  No [ ] [ ]  [ ]  Yes

 **4.15 If the individual controller has answered yes to any of the questions above, please give full details in Section 7. This at a minimum should include the reason(s), date(s) and duration as applicable. Tick this box to confirm that full details have been provided with supporting documentation.**

[ ] [ ]  [ ]  Yes

Other matters

 **4.16 Has an assessment of reputation of the individual controller already been conducted by another competent authority?**

[ ]  Yes ⏵Give details below including the name of the authority, the date of the assessment and evidence of the outcome of this assessment.

[ ]  No

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| 5 | Details of the qualifying holding |

 **5.1 Has this information been provided in another qualifying holding form?**

[ ]  Yes ⏵Give details below and continue to Section 6.

[ ]  No

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 **5.2 What are the individual controller’s financial or business reasons for owning the qualifying holding? Provide full details.**

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 **5.3 What is the individual controller’s strategy regarding the qualifying holding? Provide full details.**

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 **5.4 How long does the individual controller intend to hold the qualifying holding for? Provide full details.**

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 **5.5 Does the individual controller intend to increase, reduce or maintain their level of holding in the foreseeable future? Provide full details.**

[ ]  Yes ⏵Give details below

[ ]  No

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 **5.6 What influence does the individual controller intend to exercise over the applicant firm, including in relation to dividend policy, strategic development and the allocation of its resources? Provide full details.**

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 **5.7 Does the individual controller intend to act as an active minority shareholder (as applicable)?**

[ ]  Yes ⏵Give details of their reasons for that

[ ]  No

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 **5.8 Provide information on the individual controller’s willingness to support the applicant firm with additional funds if needed for the development of its activities or in the case of financial difficulties.**

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 **5.9 Provide details of any intended shareholder’s or member’s agreements with other shareholders or members in relation to the applicant firm.**

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 **5.10 Explain what impact the qualifying holding held by the individual controller will have on, including as a result of the individual controller’s close links to the applicant, the ability of the applicant to provide timely and accurate information to the competent authorities.**

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 **5.11 Provide here any information that we would reasonably expect the individual controller to give which they have not provided elsewhere.**

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| **6** | **Source of funding** |

 **6.1 Has this information been provided in another qualifying holding form?**

[ ]  Yes ⏵Give details below and continue to Section 7.

[ ]  No

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 **6.2 Provide full details of how the entire cost of the individual controller’s holding in the applicant firm has been funded.**

The individual controller should include details of any financial instruments to be issued.

Information on the use of borrowed funds (eg maturities, terms, security interests and guarantees) should also be provided, including:

* the name of the lender(s);
* details of the facilities granted;
* information on the source of revenue to be used to repay such borrowings; and
* where the lender is not a credit institution or a financial institution authorised to grant credit, additional information on the origin of the borrowed funds.

Where private financial resources are to be used, please provide information on the availability and source of these resources.

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| Costs |  | Details of funding |
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[ ]  Documentation evidencing the origin of the funds attached (eg a loan agreement or bank statement).

 **6.3 If the individual controller is not attaching supporting documentation they must explain why below.**

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 **6.4 Does the individual controller have any financial arrangement(s) with other shareholders or members of the applicant firm?**

[ ]  Yes ⏵Give details below

[ ]  No

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| **7** | **Supplementary information** |

If there is any other information the individual controller or the applicant considers may be relevant to the application, it must be included here.

Please also include here any additional information indicated in previous sections of the form.

If there is insufficient space, please continue on a separate sheet of paper and clearly identify the section and question to which the additional information relates.

Full details must be provided here if there were any issues that could affect the Fitness and Propriety of the individual controller that arose when leaving an employer listed in Section 4.

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| Question | Information |
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| **8** | **Declaration** |

**Declaration of Individual**

Knowingly or recklessly giving the FCA (or providing to another person to give to the FCA) information which is false or misleading, is a criminal offence (under the Electronic Money Regulations 2011) and may lead to disciplinary sanctions or other enforcement action by the FCA. If necessary, appropriate professional advice should be sought before supplying Information to us.

All information that the FCA might reasonably consider relevant to this notification should be supplied to the FCA. It should not be assumed that information is known to the FCA merely because it is in the public domain or has previously been disclosed to the FCA or another regulatory body, and the applicant is not entitled to assume that, in assessing this application, the FCA will check its existing records in respect of (or for information relating to) the applicant or persons connected to it. If there is any doubt about the relevance of information, it should be included.

The FCA processes personal data in line with the requirements of The General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018. For further information about the way we use the personal data collected in this form, please read our privacy notice available on our website: [www.fca.org.uk/privacy](http://www.fca.org.uk/privacy) .

With reference to the above, the FCA may seek to verify the information given in this Form including answers pertaining to fitness and propriety. This may include a credit reference check and/or a Police National Computer (PNC) check.

I authorise the FCA to make such enquiries and seek such further information as it thinks appropriate in the course of verifying the information given in this Form. I understand I may be selected to undergo a PNC check to determine whether any criminal records are held in relation to me. I understand that the FCA may disclose the results of these enquiries to the firm submitting this application.

I confirm that the information in this Form is accurate and complete to the best of my knowledge and belief and that I have read the notes to this Form.

**I confirm I am legally authorised to sign on behalf of the controller.**

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| Name |       |

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| Signature |  |

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| Date | dd/mm/yy |

**Declaration of Applicant Firm / Electronic Money Institution**

It is a criminal offence (under the EMRs) to knowingly or recklessly give us information which is false or misleading. If necessary, appropriate professional advice should be sought before supplying information to us.

All information that the FCA might reasonably consider relevant to this notification should be supplied to the FCA. It should not be assumed that information is known to the FCA merely because it is in the public domain or has previously been disclosed to the FCA or another regulatory body, and the applicant is not entitled to assume that, in assessing this application, the FCA will check its existing records in respect of (or for information relating to) the applicant or persons connected to it. If there is any doubt about the relevance of information, it should be included.

You must notify us without delay of any material change to the information provided. Failure to notify us without delay of any material change or inaccuracy is a breach of the EMRs, may result in a delay in the application process and may also call into question whether the applicant meets the conditions for authorisation.

In making this application the applicant firm believes on the basis of due and diligent enquiry that the individual is a fit and proper person. The firm also believes, on the basis of due and diligent enquiry, that the individual is competent to fulfil the duties required.

I confirm that the information in this form is accurate and complete to the best of my knowledge and belief.

I confirm that I have authority to make this application, and sign this form, on behalf of the applicant firm(s). I also confirm that a copy of this form, as submitted to the FCA, will be sent to each of those firms at the same time as submitting the form to the FCA.

**I confirm that I am legally authorised to sign on behalf of the applicant firm.**

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| Name |       |

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| Signature |  |

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| Date | dd/mm/yy |