## Delegated Regulation (EU) 2017/1943

# Form 3: Application for Management Suitability Assessment

When an undertaking applies for authorisation to conduct securities business, board members, alternate board members, the managing director and the deputy managing director shall provide information for a management suitability assessment in accordance with Article 4(a) of Delegated Regulation (EU) 2017/1943[[1]](#footnote-1).

This form can be used to provide the information required in accordance with Article 4(a). A board member, alternate board member, managing director and deputy managing director shall provide information in accordance with **Part 1**, while the applicant, namely the undertaking to which the management suitability assessment refers, shall provide information in accordance with **Part 2**.

The same information shall also be provided to Finansinspektionen when a new chair of the board, board member, alternate board member, managing director or deputy managing director is appointed.

This form can also be used for the information that shall be provided in accordance with Article 6 of Delegated Regulation (EU) 2017/1946 on ownership suitability assessment.

As a part of the management suitability assessment, Finansinspektionen obtains information from the Swedish Police, the Swedish Companies Registration Office, the Swedish Tax Agency, and undertakings that provide credit assessments.

## Contact details

Whom should Finansinspektionen contact about this application?

First name:

Last name:

Title:

Address:

Telephone number:

Email:

To which undertaking does the management suitability assessment refer (including CIN)?

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## Position in the board or role

Which position in the board or role will be assessed?

[ ]  Chair of the Board of Directors

[ ]  Board Member

[ ]  Alternate Board Member

[ ]  Managing Director

[ ]  Deputy Managing Director

## Part 1 – Information to be provided by the senior executive in question

## Personal details

1. *If you are registered in Sweden*

First name:

Last name:

Address:

Telephone number:

Personal ID number or

national ID number:

Place of birth:

*If you are not registered in Sweden\**

First name:

Last name:

Address:

Telephone number:

Personal ID number or

national ID number:

Date of birth:

Place of birth:

Nationality:

Passport number:

Previous nationalities (if any):

Previous name (if any):

\*If you are not registered in Sweden, append a certified copy of an identity document.

## CV

1. Attach a detailed curriculum vitae stating relevant education, training and professional experience, including the names of all organisations where you have worked, in what functions and how long, in particular with regard to tasks in the same area as the roles to which the application refers.

For positions held in the past ten years, the description of the tasks shall contain detailed information about delegated authorisations, internal decision-making rights and operational areas for which you were responsible.

## Employment and board or senior executive assignments

1. Specify the undertaking in which you are employed, receive consistent assignments or are an appointed board member.

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| Company name(including CIN) | Type of business | Registered office | Position on board or role |
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1. Specify in which of your board assignments you can be considered to be an independent board member.

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## Qualifying ownership

1. Specify if you or your close relations directly or indirectly have a qualifying holding[[2]](#footnote-2) in the undertaking to which the management suitability assessment refers, the parent undertaking, subsidiaries and shareholders.

Close relation refers to a spouse, registered partner, cohabitee, child, parent or other relation with whom you share living accommodations.

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## Financial and non-financial interests

1. Describe the financial and non-financial interests of your close relations in, or relationships to senior executives and persons in key functions in, the undertaking to which the management suitability assessment refers, the parent undertaking, subsidiaries and shareholders.

“Financial interests” refers to credit transactions, guarantees and liens, while non-financial interests could be familial relations or close relations.

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1. State your position in the undertaking to which the management suitability assessment refers and any other engagements that may give rise to conflicts of interest and describe how these will be handled.

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## Suitability, reputation and experience

1. Provide documentation regarding your reputation and experience, in particular a list of references with contact details and letters of recommendation.

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1. Specify how much time you will be setting aside as a minimum to discharge your responsibilities in the undertaking (per year and month).

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1. Have you
	1. been the subject of refusal of registration, authorisation, membership or licence to carry out a profession or conduct business by decision of a supervisory or governmental body or a professional or trade organisation?

Yes [ ]  No [ ]

* 1. been the subject of withdrawal, revocation or termination of registration, authorisation, membership or licence by decision of a supervisory or governmental body or a professional or trade organisation?

Yes [ ]  No [ ]

* 1. been the subject of exclusion by decision of a supervisory or governmental body or a professional or trade organisation?

Yes [ ]  No [ ]

* 1. been dismissed from employment or a position of trust, a fiduciary relationship, or a similar situation?

Yes [ ]  No [ ]

* 1. been the subject of a suitability assessment by a Swedish or a foreign supervisory authority as owner or senior executive?

Yes [ ]  No [ ]

1. Have you
2. been the subject of criminal investigations or criminal proceedings, other disciplinary proceedings or been or are in any criminal records?

Yes [ ]  No [ ]

1. been convicted by a Swedish or foreign court, or formally been charged as a suspect for financial crime in respect of which imprisonment is included in the range of penalties?

Yes [ ]  No [ ]

1. been convicted to imprisonment by a Swedish or a foreign court for another crime than that stated in b)?

Yes [ ]  No [ ]

1. been a board member or managing director or deputy managing director of a commercial undertaking in which the board of directors was not granted a release from liability?

Yes [ ]  No [ ]

1. Have you or any undertaking in which you are or have been a senior executive or a board member or you have or have had control over
2. been party to arbitration proceedings or civil (excluding family-related matters) or management proceedings concerning tax or business?

Yes [ ]  No [ ]

1. been (or still are) subject to a debt restructuring, composition or company reconstruction or entered into bankruptcy or an equivalent process in Sweden or another country?

Yes [ ]  No [ ]

1. been sanctioned by either a Swedish or foreign supervisory authority?

Yes [ ]  No [ ]

1. If you have answered yes to any of the questions under 10, 11 and 12, please explain the circumstances.

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## Additional information

Provide any additional information to Finansinspektionen below.

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## The undersigned hereby certifies that the information provided in this application is correct and complete.

Date:

Signature of the senior executive

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Name in print

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# Part 2 – Information to be provided by the applicant

## Self-assessment of suitability

1. Provide detailed information about the outcome of any suitability assessments the undertaking (to which the management suitability assessment refers) has conducted itself of members in the undertaking’s board of directors, the managing director and, if relevant, alternates/deputies of such persons.

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## Introduction and training

15 Provide information about human and financial resources that are set aside for introduction and training of senior executives in the undertaking (per year).

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## Additional information

Will the person subject to the management suitability assessment replace an existing senior executive in the securities company?

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Provide any additional information to Finansinspektionen below.

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## The undersigned hereby certifies that the information provided in this application is correct and complete.

Date:

Signature of authorised signatory

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Name in print

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1. Commission Delegated Regulation (EU) 2017/1943 of 14 July 2016 supplementing Directive 2014/65/EC of the European Parliament and of the Council with regard to regulatory technical standards on information and requirements for the authorisation of investment firms. [↑](#footnote-ref-1)
2. Qualifying holdings in accordance with the definition set out in Chapter 1, section 5, point 18 of the Securities Market Act (2007:528). [↑](#footnote-ref-2)