

Finansinspektionen's Regulations

Publisher: Hans Schedin, Finansinspektionen, Box 6750, 113 85 Stockholm.
Ordering address: Fakta Info Direkt, Box 6430, 113 82 Stockholm. Tel. +468-587 671 00, Fax +468-587 671 71.
Subscribe also by e-mail at www.fi.se.
ISSN 1102-7460

FFFS 2002:16

Published
15 October 2002

Amendments to Finansinspektionen's (The Swedish Financial Supervisory Authority) General Guidelines (1998:14) regarding ownership and management assessment;

decided on 2 October 2002.

Finansinspektionen hereby decides that sections 1, 2 and 7 of Finansinspektionen's General Guidelines (FFFS 1998:14) regarding ownership and management assessment shall be worded as follows.

1 § These General Guidelines relate, where appropriate, to exchanges, authorised marketplaces, clearing organisations, banks, insurance companies, credit market companies, securities companies and electronic money institutions.

2 § Information from a suitability assessment of board members and senior executives should be provided to Finansinspektionen when an application is assessed regarding operations as an exchange, authorised marketplace, clearing operations, banking business, financing business, securities business, insurance business or the issuance of electronic money.

Other information should be provided to Finansinspektionen in conjunction with:

- the assessment of an acquisition of a qualifying holding of shares or interests in a legal person which is licensed to conduct operations under Finansinspektionen's supervision;
- changes in the management of a legal person with a qualifying holding in a legal person which is licensed to conduct operations under Finansinspektionen's supervision; and
- the appointment of any new board member, alternate board member, managing director or deputy in an institution which is licensed to conduct operations in accordance with section 1.

7 § Provisions regarding ownership assessment are set forth in:

- Chapter 2, section 3 and Chapter 3, sections 2-2d of the Insurance Business Act (SFS 1982:713);
- Chapter 7, sections 10-14 b and Chapter 9, section 3 of the Banking Business Act (SFS 1987:617);
- Chapter 2, section 1 and Chapter 6, sections 3a-3e of the Securities Operations Act (SFS 1991:981);
- Chapter 11, sections 2a-e of the Securities Exchange and Clearing Operations Act (1992:543);
- Chapter 2, section 1 and Chapter 5, sections 11-15b of the Financing Business Act (SFS 1992:1610);
- Chapter 2, section 2 of the Members' Banks Act (SFS 1995:1570); and
- Chapter 2, section 2 and Chapter 6, section 10 of the Issuance of Electronic Money Act (SFS 2002:149).

Provisions regarding suitability assessments regarding board members, alternate board members, managing directors or deputies are set forth in:

- Chapter 2, section 3 of the Insurance Business Act;
- Chapter 9, section 3 of the Banking Business Act;
- Chapter 2, section 3 of the Savings Banks Act (SFS 1987:619);

- Chapter 2, section 1 of the Securities Operations Act;
- Chapter 2, section 2, Chapter 7, section 2, and Chapter 8, section 2 of the Securities Exchange and Clearing Operations Act;
- Chapter 2, section 1 of the Financing Business Act;
- Chapter 2, section 2 of the Members' Banks Act; and
- Chapter 2, section 2 of the Issuance of Electronic Money Act.

These General Guidelines shall enter into force on 27 October 2002.

CLAES NORGRÉN

Martina Jäderlund