***You may insert your letterhead icon/logo here***

**SD1.0 Certificate**

***Certificate of compliance and authority to apply for licence.***

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| **Certificate for Financial Markets Authority**  Certification of Applicant’s compliance with requirements – and authority to apply  for market service licence/s under Part 6 of the Financial Markets Conduct Act 2013 (FMC Act) | | | |
| **Applicant details** | **Full legal name of entity to be licensed** | **FSP number** | |
| **Licences sought**  *Individual independent trustees should use combined form SD1.04* | ***Please specify the licence/s you are applying for tick one or more*** | | |
| 1. **Crowd funding service provider** | | € |
| 1. **Peer-to-peer lending service provider** | | € |
| 1. **MIS manager** – for non-restricted and registered managed investment scheme/s | | € |
| 1. **DIMS provider** – for discretionary investment management service/s | | € |
| 1. **Derivatives issuer** | | € |
| 1. **Independent trustee (corporate) –** for restricted scheme | | € |
| **Related body corporates** | *Please list ALL related body corporates included in your application as proposed ‘authorised bodies’ under the licence (if applicable).* | | |

*Please upload signed form to your application – and retain original on file. We may ask for this later.*

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| **Certification by Applicant** |
| 1. **Compliance *You must certify to the first statement – but please delete others if they do not apply.***   The Applicant certifies to the Financial Markets Authority (FMA), by reference to the minimum standards in the relevant FMA Licence Application Guide for the licence type/s applied for:   1. The Applicant satisfies the requirements in section 396(a)–(e) of the FMC Act for a market services licence. 2. The Applicant satisfies the additional requirements in section 396(f) of the FMC Act for a MIS manager and/or a DIMS provider licence. 3. The Applicant satisfies the requirements in section 400(1)(a) of the FMC Act in relation to each related body corporate listed in this certificate. 4. Each related body corporate listed in this certificate satisfies the requirements of section 400(1)(b)–(e) of the FMC Act, and of regulation 188 of the Financial Markets Conduct Regulations 2014 (Regulations). 5. The Applicant satisfies the requirements set out in regulation186 of the Regulations, for a crowd funding service provider**.** 6. The Applicant satisfies the requirements set out in regulation 187 of the Regulations, for a peer-to-peer lending service provider. 7. The applicant certifies that it has identified all persons who are “relevant parties” as defined in regulation189 (3) (a) ( i ) – (v) inclusive of the Regulations, has disclosed the relevant parties to the FMA and that it has submitted with this application the relevant party declarations required by FMA of all of those persons. 8. **Authorisation *Please delete one option***   ***for entity applicant:***  The Applicant, certifies to the FMA that [insert name and position of person authorised to submit the application] is authorised to act on behalf of the Applicant in making this application, and this licence application has been approved by the Applicant’s governing body.  ***for individual applicant:***  I certify to the FMA that this licence application has been approved by me, being an individual Applicant.   1. **True and correct information**   The Applicant certifies to the FMA that, after having conducted all necessary enquires, the information provided to the FMA in connection with the licence application this certificate relates to, is true and correct to the best of its/my knowledge.   1. **Signed by:**   To be signed by two directors of the Applicant’s governing body, or if the Applicant has a sole director by that director, or for an individual Applicant by that individual. If none of these options apply it must be signed by person/s authorised to bind the Applicant in relation to the matters covered in this certification.   |  |  | | --- | --- | | **Signature** | **Name** | | **Date**  **day/month/year** | **Position** |  |  |  | | --- | --- | | **Signature** | **Name** | | **Date**  **day/month/year** | **Position** |   Under section 512 of the FMC Act every person commits an offence who, with respect to a document required by or for the purposes of the FMC Act, makes, or authorises the making of, a statement in it that is false or misleading in a material particular knowing it to be false or misleading and is liable on conviction to imprisonment for a term not exceeding five years, a fine not exceeding $200,000, or both.  Section 412 of the FMC Act requires a licensee to report to the FMA if a licensee believes that the information provided in applying for a licence under Part 6 of the Act is false or misleading in a material particular.  The FMA may exercise powers under section 414 of the FMC Act, including the power to suspend or cancel a licence, if the information provided by a licensee in applying for a licence is false or misleading in a material particular. |
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