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DA1.1 Declaration

by *director or senior manager*
of applicant

Applicant <i>to provide personalised digital advice under the Financial Advisers (Personalised Digital Advice) Exemption Notice 2018</i>	
Applicant name	Applicant FSP number

Director or senior manager <i>to be completed by person making the declaration</i>			
Personal details	Gender <i>tick one</i> Male Female	Date of birth / / DD MM YYYY	
Your name	First name	Middle name(s)	Last name
Other names you are, or have ever been known as e.g. maiden names, aliases	First name	Middle name(s)	Last name
Contact email and daytime phone	Business email		Landline/mobile – include area code
Residential details	Street number and name		Suburb
	Town or city		Postcode Country
Position	<i>tick one</i> I am a director of the Applicant I am a senior manager with responsibility for the Applicant's digital advice service		
	Senior managers only: I have provided: a position description with details about my senior manager's role in Appendix 2		

My declaration for the 'good character' assessment

- Please select YES or NO for each question. **If any answer is YES, you must provide full details in Appendix 1.**
- You must answer each question in relation to both New Zealand and/or other jurisdictions.
- Nothing in this form affects your rights under the Criminal Records (Clean Slate) Act 2004.

1.	Have you ever been charged with or convicted of (in New Zealand or overseas) a criminal offence relating to dishonesty, fraud, or misleading or deceptive conduct?	YES	NO
2.	Have you ever been convicted (in New Zealand or overseas) of any offence that you were sentenced to, or were liable to be sentenced to, a term of imprisonment for (even if you were not imprisoned)?	YES	NO
3.	Have you ever been charged with or convicted of an offence, or subject to a proceeding: <ul style="list-style-type: none"> a. In New Zealand under any financial markets legislation, as defined in the Financial Markets Authority Act 2011? b. In another jurisdiction under any financial markets legislation equivalent to that referred to in 'a' above? 	YES	NO
4.	Have you ever been the subject of any civil proceedings (in New Zealand or overseas) for conduct relating to dishonesty, fraud, or misleading or deceptive conduct?	YES	NO
5.	Have you ever been the subject of any proceedings or action taken by a regulatory authority in New Zealand, or overseas?	YES	NO
6.	In the last 15 years have you been (in New Zealand or overseas) a trustee, director or partner of, or held any position of senior management in, any company or other incorporated or unincorporated entity which, while you were connected to that entity: <ul style="list-style-type: none"> a. was placed into liquidation, administration, receivership or statutory management (or any overseas equivalent status), or b. entered into any compromise agreement, moratorium or other restructuring to avoid liquidation, administration or receivership (or any overseas equivalent)? 	YES	NO
7.	Have you ever been banned (in New Zealand or overseas) from: <ul style="list-style-type: none"> a. providing financial services, or b. acting as director of a company or other incorporated body, or c. being involved in the management of any class of incorporated or unincorporated entity? 	YES	NO
8.	Have you ever been dismissed or asked to resign, or subject to disciplinary proceedings resulting from, or in respect of, a position of trust, fiduciary appointment or similar (in New Zealand or overseas)?	YES	NO
9.	Have you ever been refused registration or other entry into, or restricted from the right to carry on in, any profession or occupation under the law of the country, or under the membership rules of any professional body <i>at any time</i> (in New Zealand or overseas)?	YES	NO
10.	In the last 15 years have you been made bankrupt, entered into a compromise agreement with creditors or been placed into statutory management (in New Zealand or overseas)?	YES	NO
11.	Are you subject to any pending proceedings or actions (in New Zealand or overseas) that mean you would have to answer YES to any of the above questions if an adverse finding is reached?	YES	NO
12.	Are you aware of any other matters that may have an adverse impact on our view of your character?	YES	NO

Consent and declaration

Consent to disclosure of information

I understand the information provided in this form is being collected by the Financial Markets Authority (FMA) in relation to an application to be included in the list of providers able to provide personalised digital advice under the Financial Advisers (Personalised Digital Advice) Exemption Notice 2018.

In signing this declaration, I authorise the FMA to conduct enquiries and collect personal information about me from any **third party**, including any person and any New Zealand or overseas government agency, regulatory body or professional body – **for the purpose** of determining I am a person of **good character** to hold the position of **director** or **senior manager** of the Applicant's business. This includes carrying out identity, good character, and criminal record checks.

For that purpose I authorise:

- The FMA to disclose my personal information to any third party
- The third party to disclose my personal information to the FMA
- The FMA to use my personal information, provided or collected in connection with the Applicant's application, when the FMA performs its functions and exercises its powers under the Financial Advisers Act 2008, or any other legislation
- The FMA to disclose any personal information provided or collected about me to the Applicant, for the purposes of assessing the application, communicating the outcome of the assessment or providing reasons for the FMA's position on the application.

Declaration

I _____ of _____
Full name *Town/city and country*

Declare that:

1. I am a director / senior manager (*delete one*) of the Applicant.
2. The information provided in this form, and in the appendices attached to it, is true, correct and complete.

Signature

Dated: _____ day of _____ 20__

Applicant: please attach the signed form to your application – and retain original on file. We may ask for this later.

Please use these appendices to provide the background and position information requested (if applicable). Your completed declaration, including appendices, should be provided and uploaded as one document.

Appendix 1: Disclosure for ‘good character’ assessment

If you said **YES** to any of the questions 1-12 please provide full details below next to the correct question number.

Q 1
Q 2
Q 3
Q 4
Q 5
Q 6
Q 7
Q 8
Q 9
Q 10
Q 11
Q 12

Appendix 2: Position description

What is your position title?	
What position do you report to?	How many direct reports to your role?
What is the description of your role?	