

Form 2

THE SECURITIES ACT, 2012

APPLICATION FOR AUTHORISED AGENTS/ REPRESENTATIVE'S LICENCE

I. Notes:

1. Please read the explanatory notes and questions carefully before completing the application form.
2. All questions must be answered. If a question is not applicable, please mark "N.A." in the space provided. Should there be insufficient space for your answers, please attach annexure (s) which should be identified as such and signed by the signatory to this application.
3. Where there is an asterisk (*), please delete whichever is inapplicable.
4. A cheque, made out to "The Financial Services Regulatory Authority" for the non-refundable application fee of E1, 000.
5. Your attention is drawn to the declaration in section of this application form which sets out the penalty for offences committed under section 66 of the FSRA Act.

II. LICENCE APPLIED FOR

1. Application is hereby made for: dealer's representative's/investment adviser's representative's/exempt dealer's representative's/authorised agent's licence* to be employed by or act for or on behalf of:

.....
(Full Name of principal)

2. State the applicant's nature of appointment in the principal company:

.....
(Agent/Employee)

3. Please state applicant's designation in the principal company and give brief description of duties:

.....
.....
.....

III. PERSONAL PARTICULARS

4. Set out below the personal particulars of the applicant.

1.1	Full name (in Block Letters)	
1.2	Miss/Mr/Mrs/Mdm./Dr	

1.3	(a).Married name:	
	(b).Other Name(s)	
1.4	Date of Birth	
1.5	Age	
1.6	Place of Birth	
1.7	PIN	
1.8	Passport No	
1.9	Name of Spouse if applicable (underline surname)	
1.10	Residential Address	
1.11	(a) Home Tel. No.	
	(b) Office Tel. No	
	(c) Cell No	
1.12	Citizenship	

1.13 For an applicant who is not a Swazi citizen or permanent resident, please answer the following-

- (a) Has obtained a work permit.
.....
- (b) Work Permit No
.....
- (c) Has applied for a work permit
.....
- (d) has not applied for a work permit
.....

IV. EMPLOYMENT HISTORY

1. Set out in the following format full details of the applicant’s employment history (including period of part-time employment or unemployment), business and other activities in the past 10 years. For any period of unemployment, please state details of

activities applicant was engaged in (e.g. on vacation, attending courses, pursuing further studies or assisting in family business).

Name and address of employer (If selfemployed, please state so)	Nature of business	Designation	Brief description of duties	Period(mm/dd /yy)	
				From	To

V. DIRECTORSHIP AND SUBSTANTIAL SHAREHOLDING

1. Set out below details of any directorship and substantial shareholding in companies in Swaziland or elsewhere:

Name of Company	Nature of business	Directorship (executive/nonexecutive)	Date of appointment	Percentage shareholding in corporation

VI. EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

1. Set out below details of highest academic and professional qualifications attained. Please enclose copies of all certificates, including the applicants' CV.

Name and location of school/college/university	Period (mm/yy)	Certificate/Diploma/Degree awarded

	From	To	
Professional qualifications	Institution		Year Conferred

VII. OTHERS

1. Does the applicant or any company in which the applicant is in a position to control not less than 20% of the voting rights, at any time, have a beneficial interest, whether direct or indirect, in not less than 5% of the issued shares of any company quoted on a stock exchange

.....

VIII. FIT AND PROPER TEST

If the answer to any of the following questions is in the affirmative, attach annexes and supporting documents, where appropriate, to provide all relevant particulars. If there is any doubt with respect to any part of this section, please provide all relevant information to demonstrate that the applicant and its shareholders are considered to be fit and proper persons.

Honesty, Integrity and Reputation

1. Within the past 10 years has the representative-
 - (i) been a director, partner or concerned in the management of a business that has been censured, disciplined, suspended or refused membership or registration by FSRA, any other regulatory authority, an operator of a market or a clearing facility, any professional body or government agency, whether in Swaziland or elsewhere;
 - (ii) been a director, partner or concerned in the management of a business that has gone into insolvency, liquidation or administration during the period when, or within a period of one year after, the licensed person was a director, partner or concerned in the management of the business, whether in Swaziland or elsewhere;
 - (iii) been declared insolvent in Swaziland or elsewhere;

- (iv) been dismissed or asked to resign from office; employment; a position of trust; or a fiduciary appointment or similar position, whether in Swaziland or elsewhere;
- (v) been subject to disciplinary proceedings by his current or former employer(s), whether in Swaziland or elsewhere;
- (vi) been disqualified from acting as a director or disqualified from acting in any managerial capacity, whether in Swaziland or elsewhere; and
- (vii) been an officer found liable for an offence committed by a body corporate as a result of the offence having proved to have been committed with the consent or connivance of, or neglect attributable to, the officer, whether in Swaziland or elsewhere.

Competence and Capability

2. Does the representative-

- (a) have satisfactory past performance or expertise, having regard to the nature of the licensed person's proposed business or duties, as the case may be, whether in Swaziland or elsewhere;
- (b) have satisfactory educational qualification or experience, whether in Swaziland or elsewhere;
- (c) have satisfactory educational qualification or experience, whether in Swaziland or elsewhere, having regard to the nature of the duties he is to perform; and
- (d) have satisfied the requirements stipulated for authorised dealer representatives (ADR's), as may be applicable to the dealing staff.

Financial Soundness

3. Within the past 10 years, has the representative-

- (a) been or is unable to fulfil any of its or his financial obligations, whether in Swaziland or elsewhere;
- (b) entered into a compromise or scheme of arrangement with its or his creditors, being a compromise or scheme of arrangement that is still in operation, whether in Swaziland or elsewhere;
- (c) been subject to a judgment debt which is unsatisfied, either in whole or in part, whether in Swaziland or elsewhere.

4. Set out any additional information considered relevant to this application by attaching annexures

IX. DECLARATION

1. I am aware of Section 66 (c) of the Financial Services Regulatory Act, 2010 relating to false statements made in applications.
2. I declare that all information given in this application and in the attached annexures (if any) is, to the best of my knowledge and belief, true and correct.

Dated thisday of20.....

Signature..... (Signed by Applicant)

X. CERTIFICATE

This certificate should be signed by two directors or a director and secretary of the company by whom the applicant is employed or for or by arrangement with who the applicant is to act.

To the Registrar:

On the basis of due and diligent enquiry made of the background of the applicant named in this form who is in the direct employment or acting for or on behalf of us, and other information available, we believe him/her to be of good character and reputation and to have the competence and experience to perform the function of a representative.

Dated this day of 20.....

Signature		Signature	
Name		Name	
Capacity		Capacity	
Company		Company	