

# Application for Exempt Regulated Activities registration (UK)



This form should be completed if you wish your firm to undertake exempt regulated activities through ACCA under the Financial Services and Markets Act 2000.

Please read carefully section 3 of the *Practice Information* booklet, which can be found on ACCA's website ([www.accaglobal.com/members/professionalstandards](http://www.accaglobal.com/members/professionalstandards)) or requested from professional standards (tel: +44 (0)141 534 4175), before completing this form. Please use **BLOCK CAPITALS** and black ink throughout and retain a photocopy of the completed form for future reference.

Return the form to: Professional Standards, ACCA, 2 Central Quay, 89 Hydepark Street, Glasgow G3 8BW.

(Form 'PIB(UK)' (registration of non-ACCA partners/directors/employees) is at page 11.)

Please note that all confirmations of registration are issued on a calendar year basis and are valid until 31 December each year only.

## REGISTRATION DETAILS

### A Contact partner/director

Full name \_\_\_\_\_

ACCA membership number (if known/applicable)

### B Trading name of firm

Please ensure that this name agrees with the name on your letterhead. (Incorporated firms (limited companies and limited liability partnerships) – confirmations of exempt regulated activities registration will be issued in the name of the incorporated firm, not its trading name(s))

Name of firm \_\_\_\_\_

Firm's ACCA reference number (if known/applicable)

### C Registrations required

Please indicate which of the following services your firm requires registration to undertake on an incidental basis (firms undertaking these services as a mainstream activity must be authorised by the Financial Services Authority (FSA)).

Regulated mortgages  Long-term care insurance (LTCI)  Other insurance mediation  Non-insurance investment business

(Information will be provided to FSA in order for it to maintain a register of firms eligible to undertake LTCI and/or other insurance mediation services. The name of the firm's nominated contact partner/director who will be responsible for such activities will also appear on the register. Responsibility rests with the sole practitioner or partner/directors of the firm to ensure that their firm is included on the FSA's register of exempt professional firms before undertaking LTCI and/or other insurance mediation services.)

#### Firms undertaking insurance mediation work

Please answer the following three questions if your firm requires registration to undertake insurance mediation.

- 1 In order to undertake insurance mediation a firm is required to hold professional indemnity insurance (PII) cover of the equivalent of €1.5m in the aggregate and €1m on each and every claim.

Please confirm if you already have in place the appropriate level of PII cover

Yes  No

If no, please tick to confirm that you will take out the appropriate PII cover before undertaking any insurance mediation work.

Yes

- 2 Does anyone within either the management structure of your firm or the staff directly involved in insurance mediation\* have a criminal conviction for any serious offences relating to financial activities or crimes against property?

Yes†  No

3 Is anyone within either the management structure of your firm or the staff directly involved in insurance mediation\* an undischarged bankrupt? Yes  No

† Please provide details on a separate sheet.

\* 'Staff' means sub-contractors and consultants as well as employees.

#### D Previous authorisation/registration

My firm has previously been granted/applied for exempt regulated activities registration from another Designated Professional Body (DPB) or full investment business authorisation from the FSA\* Yes  No

\* You must tick 'Yes' if your firm (or any of its partners/directors) has made any form of application, including any application which was rejected or withdrawn, or which is still awaiting consideration.

If YES, please indicate which ACCA  ICAEW  ICAS  ICAI  FSA

Was the application successful? Yes  No

If no, please state the reasons on a separate sheet and attach it to this form.

Has your firm (or any of its partners/directors/responsible individuals) ever been subject to any regulatory action in respect of audit, investment business or insolvency by a regulatory body?\*\*\* Yes  No

\*\*\* You must tick 'Yes' if your firm (or any of its partners/directors/responsible individuals) has any pending regulatory matter(s) under investigation by a regulatory body.

If YES, please provide details on a separate sheet and attach it to this form.

Are you aware of any other regulatory matter(s) which may impact on your application? Yes  No

If YES, please provide details on a separate sheet and attach it to this form.

#### E Composition of firm

Please tick one box only

My firm is controlled by practising members of DPBs and contains ACCA partners/directors

My firm is controlled by practising members of DPBs and contains **no** ACCA partners/directors (the above contact partner/director must apply for direct admission to ACCA membership as ACCA can only register firms for exempt regulated activities if at least one of the partners/directors in the firm is an ACCA member. The relevant forms are available via ACCA's website at [www.accaglobal.com](http://www.accaglobal.com) or by contacting ACCA Connect on +44 (0)141 582 2000.)

### CONDITIONS FOR EXEMPT REGULATED ACTIVITIES REGISTRATION

In signing this section of the form I confirm that:

#### Eligibility

my firm is eligible for exempt regulated activities registration in accordance with the Chartered Certified Accountants' Designated Professional Body Regulations 2001 (DPBRs) 3(1), 3(2) and 3(3), as applicable, as it is:

a sole proprietorship and I hold an ACCA practising certificate valid for the UK;

or

a partnership or incorporated firm with at least one partner who is a member of ACCA and who holds an ACCA practising certificate valid for the UK; and

all other partners or directors are entitled to practise accountancy and are members of another DPB or, in the opinion of Admissions and Licensing Committee, hold an adequate qualification; and

the partners who are members of ACCA or of another DPB manage or control the firm; and

each partner who is a member of ACCA holds a practising certificate valid in the UK.

#### Undertakings

each partner/director/controller who is not a member of ACCA will give the undertakings to Admissions and Licensing Committee in either (a) or (b) below in accordance with DPBR 3(2)(a)(i), 3(2)(a)(ii), 3(3)(a)(i) and 3(3)(a)(ii), as applicable:

a member of another Designated Professional Body

"I confirm that I am a member of another DPB and undertake to agree to be bound by:

- i the Chartered Certified Accountants' Global Practising Regulations 2003, Authorisation Regulations 1998 and Designated Professional Body Regulations 2001 (as amended from time to time) as if I was a member of ACCA;
- ii all bye-laws and regulations of ACCA (and regulations made pursuant to the bye-laws) concerning or relating to the undertaking of exempt regulated activities as if I was a member of ACCA;
- iii the regulations concerning liability of ACCA in damages for its acts and omissions; and
- iv the disciplinary procedures of ACCA and penalties which may be imposed under such provisions insofar as such penalties could be applicable to a person who is not a member of ACCA."

- b other individuals eligible to practise accountancy and who, in the opinion of Admissions and Licensing Committee, holds an adequate qualification

"I confirm that I am eligible to practise accountancy and undertake to agree to be bound by:

- i the Chartered Certified Accountants' Global Practising Regulations 2003, Authorisation Regulations 1998 and Designated Professional Body Regulations 2001 (as amended from time to time) as if I was a member of ACCA;
- ii the Charter, all bye-laws and regulations of ACCA (and regulations made pursuant to the bye-laws) concerning or relating to the undertaking of exempt regulated activities as if I was a member of ACCA;
- iii the regulations concerning liability of ACCA in damages for its acts and omissions; and
- iv the disciplinary procedures of ACCA and penalties which may be imposed under such provisions insofar as such penalties could be applicable to a person who is not a member of ACCA."

(Each partner/director or non-partner/director responsible for undertaking exempt regulated activities who is not a member of ACCA must provide additional information in a form specified by, and to the satisfaction of, Admissions and Licensing Committee. One copy of the appropriate form, PIB (UK), is attached to this form.)

#### **Main business**

the main business of my firm is the provision of public practice accountancy services other than regulated activities in accordance with DPBR 3(5)(a) and 3(5)(b);

#### **Trading name of firm**

the name of the firm specified on this form is the name under which exempt regulated activities are undertaken and that any change to the name of the firm will be notified 28 days in advance of the implementation of any change from the stated date of the change as required under GPR 12(1)(a)(i) and GPR 12(1)(b);

(If undertaking long-term care insurance and/or other insurance mediation services, this name will be provided to the Financial Services Authority (FSA) in order for it to maintain a register of firms eligible to undertake these services.)

#### **Overseas branches and offices**

my firm with a branch (or branches) or office (or offices) outside of the United Kingdom shall be eligible to undertake exempt regulated activities in the UK from its UK branch (or branches) or office (or offices) (subject to the requirements of other relevant regulations);

#### **Other authorisations**

my firm does not hold investment business authorisation by FSA under the Financial Services and Markets Act 2000;

#### **Approval and withdrawal of registration, misconduct**

my firm accepts that its application for registration will be dealt with in accordance with the provisions laid down in the Authorisation Regulations 1998 (ARs) and ARs 3, 4 and 5 in particular, and that its registration may be subject to conditions, suspensions or withdrawal as determined by ACCA in accordance with the DPBRs. It further accepts that breaches of the DPBRs and undertakings given thereunder by partners/directors, or other persons connected with the firm may be treated as misconduct for the purpose of disciplinary proceedings against the firm and/or any of its partners/directors;

#### **Prohibited activities**

my firm will not carry out any prohibited activities as detailed in DPBR 4(2);

#### **Arrangements with third parties**

my firm will not enter into arrangements with third parties that contravene DPBR 5(3);

#### **Notification, monitoring and enforcement**

my firm acknowledges its duty to notify ACCA in writing of all matters specified under GPR 12 and that such notification must, in certain circumstances, be given 28 days in advance. My firm undertakes to notify ACCA immediately in the event of any information previously supplied to it in support of a registration ceasing to be true, accurate or complete, or in the event of any change in circumstances, or the continuation of any registration granted. My firm will provide such information as necessary for ACCA to carry out its duties as a Designated Professional Body under the Financial Services and Markets Act 2000 ("the Act") and will co-operate with ACCA in its monitoring and enforcement of its regulations as required by GPR 14 and by regulation 20 of the UK Annex to the GPRs;

#### **Liability**

my firm acknowledges that in the course of registering it to undertake exempt regulated activities, neither ACCA nor any of its officers or servants or agents nor any members of any committee of Council shall be liable in damages or otherwise for anything done or omitted to be done in the discharge or purported discharge of any function under the Act set out below unless the act or omission is shown to have been in bad faith. The functions referred to above are the functions of ACCA so far as relating to or matters arising out of:

- a the bye-laws, regulations and arrangements of ACCA so far as they relate to or are applied in respect of the undertaking of exempt regulated activities under the Act or any matters concerning the Act and/or to which the requirements of the Act requires ACCA to comply;
- b any guidance issued by ACCA in respect of any matter dealt with by such rules as are mentioned in (a) above;
- c the obligations, powers and duties to which ACCA is subject by virtue of the Act;
- d any orders or directions given by the Financial Services Authority;

**Professional indemnity insurance**

my firm accepts its obligation to hold professional indemnity insurance cover of the equivalent of €1.5m in the aggregate and €1m on an each and every claim basis in order to undertake insurance mediation work. (Providing information to an intermediary or insurance company after an introduction has been made a regulated activity but will be exempt from the increased professional indemnity insurance requirement.)

(Where reference is made to the GPRs, applicants registering to undertake exempt regulated activities should note that they must also comply with the UK Annex to the GPRs.)

**Contact partner's/director's signature**

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**PROFESSIONAL INDEMNITY INSURANCE AND CONTINUITY OF PRACTICE**

**Professional indemnity insurance**

I detail below the name of my firm's insurer and policy number/I enclose a quotation document as evidence that I have applied for a policy and undertake to provide details of my policy number to ACCA once it has been confirmed.\*

Insurance company 

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Policy number 

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\* Delete as applicable

**Continuity of practice**

My firm has made arrangements for continuity of practice

in the partnership agreement or memorandum and articles of association

**OR**

with the following firm which has exempt regulated activities registration or full investment business authorisation

Name of firm 

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 Professional body 

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Address 

---

Town 

---

 County 

---

Country 

---

 Postcode 

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**OFFICE DETAILS**

The principal office address of this firm is

Town 

---

 County 

---

 Postcode 

---

Tel 

---

 Fax 

---

E-mail 

---

 Website 

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**Incorporated firms only:** is this the firm's registered address? Yes  No

If no, please ensure that the firm's registered address is clearly indicated below or attached on a separate sheet.

The branch offices of this firm are (please continue on a separate sheet if necessary)

**A** 

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Town 

---

 County 

---

 Postcode 

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Tel 

---

 Fax 

---

 E-mail 

---

**B**

Town	County	Postcode
Tel	Fax	E-mail

**C**

Town	County	Postcode
Tel	Fax	E-mail

**D**

Town	County	Postcode
Tel	Fax	E-mail

**COMPOSITION OF FIRM**

Each partner/director (including contact partner/director) must sign below. In signing this section, each partner/director expressly gives the undertakings contained in pages 2 – 4 and 9 of this form.

Continue on a separate sheet if necessary.

**A ACCA partners/directors**

Office (ie principal or A, B, etc. as above)	Name	ACCA membership number	Signature
_____	_____	<input type="text"/>	_____
_____	_____	<input type="text"/>	_____
_____	_____	<input type="text"/>	_____
_____	_____	<input type="text"/>	_____

**B Non-ACCA partners/directors\***

Office	Name	Qualification (if any)	Signature
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**C Non-partners/directors, ie employees or consultants, undertaking ERA on behalf of the firm\***

Office	Name	Qualification (if any)	Signature
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(\* Each person at 'B' and 'C' must complete a form PIB (UK) irrespective of whether or not they undertake ERA on behalf of the firm.)

## SHAREHOLDER DETAILS

This section is to be completed by incorporated firms only ie limited companies and, where applicable, limited liability partnerships.

### A Share capital (not applicable to limited liability partnerships)

Authorised share capital \_\_\_\_\_ shares of £ \_\_\_\_\_ each. Shares issued \_\_\_\_\_

If there is more than one share category, please provide full details on a separate sheet.

### B Company registration number

Country in which registered \_\_\_\_\_

Date of latest Annual Return to Registrar of Companies \_\_\_\_\_

### C Shareholders (limited liability partnerships should use this section to provide the voting rights of partners)

#### Directors

#### i ACCA directors who are shareholders (please continue on a separate sheet if necessary)

Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%

#### ii Non-ACCA directors who are members of other DPBs who are shareholders (please continue on a separate sheet if necessary)

Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%

#### iii Directors who are not members of ACCA or other DPBs who are shareholders (please continue on a separate sheet if necessary)

Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%
Name _____	Percentage of voting rights exercisable at general meetings _____	%

**Controllers** (Do not include persons already included above. Please continue on a separate sheet if necessary.)

#### iv Non-directors who are ACCA members and controllers of 15% or more of voting rights

Membership no.           Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Membership no.         Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

v **Non-directors who are not members of ACCA but who are members of other DPBs who are controllers of 15% or more of voting rights\*\***

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

vi **Non-directors who are not members of ACCA or other DPBs who are controllers of 15% or more of voting rights\*\***

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

(\*\*Each non-ACCA controller must complete a form PIB (UK) irrespective of whether or not they undertake ERA on behalf of the firm.)

vii **Percentage of total voting rights held by those named at C(i), (ii), (iv) and (v) \_\_\_\_\_ %**

If this total is less than 50%, ensure that you indicate below (by annotations in the margin) which of the remaining shareholders are members of ACCA or another DPB.

viii **Other shareholders** (please continue on separate sheet if necessary)

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Signature \_\_\_\_\_

Enter the percentage of voting rights exercisable at general meetings \_\_\_\_\_ %

## CONFIRMATION

I confirm, on behalf of my firm, that the information in this application form is true, accurate and complete to the best of my knowledge and belief after making all reasonable enquiries. I understand that a false declaration on this form may lead to disciplinary action being taken against me and/or my firm and may invalidate any decision relevant to this application. I confirm that I have read, and undertake to comply with, bye-law 8 (liability to disciplinary action) and the conditions for the issue of a firm's exempt regulated activities registration and that there are no regulatory, disciplinary or any other matters that may call into doubt the validity of my application, which I should draw to ACCA's attention. I am aware of, and will abide by, my continuing obligation to draw any such matters to ACCA's attention. I also confirm that I have read the Chartered Certified Accountants' Global Practising Regulations 2003 and the Chartered Certified Accountants' Designated Professional Body Regulations 2001 and have taken particular note of the notification obligations.

Contact partner's/director's signature

Date

## ENCLOSURES

### **Attached forms**

Completed PIB (UK) for each partner/director/controller who is not a member of ACCA and each employee/consultant undertaking ERA on behalf of the firm.

### **Headed notepaper**

Please enclose a sample of your headed notepaper/proposed headed notepaper with this form. If the principal and branch offices use different notepapers, enclose a sample of each notepaper used by the firm.

### **Additional sheets of information**

I attach \_\_\_\_\_ (enter 'no' if applicable) additional sheets of information.

**Please return this form to: Professional Standards, ACCA, 2 Central Quay, 89 Hydepark Street, Glasgow G3 8BW**

- 8 a** A member, relevant firm or registered student shall, subject to bye-law 11, be liable to disciplinary action if:
- i** he or it, whether in the course of carrying out his or its professional duties or otherwise, has been guilty of misconduct;
  - ii** in connection with his or its professional duties, he or it has performed his or its work, or conducted himself or itself, or conducted his or its practice, erroneously, inadequately, inefficiently or incompetently;
  - iii** he or it has committed any breach of these bye-laws or of any regulations made under them in respect of which he or it is bound;
  - iv** in the case of a relevant firm, any person has in the course of the business of that firm committed any breach of these bye-laws or of any regulations made under them in respect of which that person is bound;
  - v** he is a specified person in relation to a relevant firm against which a disciplinary order has been made and which has become effective or which has been disciplined by another professional body or pursuant to some other disciplinary process;
  - vi** he or it has been disciplined by another professional body or pursuant to some other disciplinary process;
  - vii** he or it has made an assignment for the benefit of creditors, or has made an arrangement for the payment of a composition to creditors, or has had an interim order made by the court in respect of him, or is a specified person in relation to a relevant firm which has made such an assignment or composition or been wound up as an unregistered company, or entered into a voluntary arrangement, administration or liquidation, in each case where applicable under the Insolvency Act 1986, or other similar or analogous event has occurred in relation to him or it under applicable legislation; or
  - viii** he or it has failed to satisfy a judgment debt without reasonable excuse for a period of two months (and the fact that he or it did not have sufficient funds to discharge the debt shall not be a reasonable excuse for this purpose) whether or not the debt remains outstanding at the time of the bringing of the disciplinary proceedings hereunder.
- b** Each of the paragraphs in bye-law 8(a) shall be without prejudice to the generality of any of the other paragraphs therein.
- c** For the purposes of bye-law 8(a), misconduct includes (but is not confined to) any act or omission which brings, or is likely to bring, discredit to the individual or relevant firm or to the Association or to the accountancy profession.
- d** For the purposes of bye-law 8(a), in considering the conduct alleged (which may consist of one or more acts or omissions), regard may be had to the following:
- i** whether an act or omission, which of itself may not amount to misconduct, has taken place on more than one occasion, such that together the acts or omissions may amount to misconduct;
  - ii** whether the acts or omissions have amounted to or involved dishonesty on the part of the individual or relevant firm in question;
  - iii** the nature, extent or degree of a breach of any code of practice, ethical or technical, adopted by Council, and to any regulation affecting members, relevant firms or registered students laid down or approved by Council.
- e** The following shall be conclusive proof of misconduct:
- i** the fact that a member, relevant firm or registered student has pleaded guilty to, or been found guilty of, any offence discreditable to him or, as the case may be, it, or derogatory to the Association or the accountancy profession, before a court of competent jurisdiction in the United Kingdom or before a court of competent jurisdiction in any other country where such court's judgments are in the opinion of Council (or relevant committee of Council) relevant;
  - ii** the fact that a member, relevant firm or registered student has been found to have acted fraudulently or dishonestly in any civil proceedings before any court of competent jurisdiction in the United Kingdom or before a court of competent jurisdiction in any other country where such court's judgments are enforceable in the United Kingdom.

Application for registration of a non-ACCA partner/director/controller  
or a non-partner/director responsible for Exempt Regulated Activities  
work in a firm seeking Exempt Regulated Activities registration



One form must be completed by each non-ACCA partner/director/controller and by each non-partner/director ie employee/consultant responsible for exempt regulated activities work, in a firm which is seeking exempt regulated activities registration from ACCA. Further copies can be found on ACCA's website ([www.accaglobal.com/members/professionalstandards](http://www.accaglobal.com/members/professionalstandards)) or requested from professional standards (tel: +44 (0)141 534 4175), but photocopies are acceptable.

Please use **BLOCK CAPITALS** and black ink throughout. Please retain a photocopy of the completed form for future reference.

Please return the form to: Professional Standards, ACCA 2 Central Quay, 89 Hydepark Street, Glasgow G3 8BW, United Kingdom.

#### PERSONAL INFORMATION

Full name	Title	Date of birth
<hr/>		
Business address		
<hr/>		
Town	County	Postcode
<hr/>		
Tel	Fax	
<hr/>		
E-mail	Website	
<hr/>		

Is there an ACCA partner/director at your business address? Yes  No

If 'no' complete page 13 of this form and ensure it is signed by all the ACCA partners/directors.

#### EDUCATION

Please state  
Professional examinations passed or membership of professional bodies, with dates

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Degrees held, with dates

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## EMPLOYMENT HISTORY

Please list below your employment history (including, and commencing with, your current post). If you held more than one position with the same employer, please list these separately.

Firm's/Employer's name

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Address

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Business

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Job title

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Responsibilities

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Dates: From

To

Firm's/Employer's name

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Address

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Business

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Job title

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Responsibilities

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Dates: From

To

Firm's/Employer's name

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Address

---

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Business

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Job title

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Responsibilities

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Dates: From

To

(continue on separate sheet if necessary)

## DISCIPLINARY MATTERS

Please answer all of the following questions and, where 'yes' supply full details on a separate sheet.

Tick as applicable

- a i Has a petition for bankruptcy or for sequestration of your estate been presented against you at any time in the previous ten years? Yes  No
- ii Are you aware that any such petition is pending? Yes  No
- b Have you at any time in the previous ten years had a receiver appointed, failed to satisfy a debt adjudged due or a debt in respect of which a decree has been passed against you, or come to a compromise or similar arrangement with your creditors? Yes  No
- c Have you at any time in the last ten years been subject to any disciplinary measures imposed on you by a regulatory and/or professional body of which you are, or were at the time, a member or by any other regulatory and/or professional body in Ireland/UK? Yes  No
- d Have you been publicly criticised or disciplined in Ireland/UK or overseas in the last ten years by any organisation or body recognised or designated under the Irish Investment Intermediaries Act 1995 or the Financial Services and Markets Act 2000 or by any other professional body? Yes  No
- e i Have any legal proceedings been successfully brought against you in relation to your investment business over the previous three years? Yes  No
- ii In the same period have you agreed, as a result of any such legal proceedings, any out of court settlements? Yes  No
- iii Are you involved in any such proceedings at the time of this application? Yes  No
- f Have you ever been convicted of an offence involving fraud or other dishonesty or an offence under legislation (whether or not of Ireland) relating to other companies (including insider dealing), building societies, industrial and provident societies, credit unions, friendly societies, insurance, banking or other financial services, insolvency, consumer credit or consumer protection? Yes  No

## UNDERTAKING BY THE PARTNERS/DIRECTORS

We hereby undertake to appoint \_\_\_\_\_ being an ACCA partner/director in the firm and in full-time practice in the UK holding a practising certificate issued by ACCA as the partner/director responsible for ensuring adherence to DPBR 7 (Compliance Procedures) in respect of non-ACCA partners/directors

Signed by each of the ACCA partners/directors in the firm

Full name	Signature	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## CONFIRMATION

I \_\_\_\_\_ (name of person detailed on page 11)

declare that the whole of the information contained in this form is true, accurate and complete to the best of my knowledge and belief. I acknowledge that any statement contained herein which is known by me to be false may invalidate any decision by the Council of ACCA or any of its Committees as to the eligibility of my firm for registration by ACCA to undertake exempt regulated activities. I have read bye-law 8 (liability to disciplinary action) and there are no regulatory, disciplinary or any other matters that may call into doubt the validity of my application, which I should draw to ACCA's attention.

I also confirm that I am not ineligible to practise accountancy and undertake and agree to be bound by

- i the Chartered Certified Accountants' Global Practising Regulations 2003, Authorisation Regulations 1998 and Designated Professional Body Regulations 2001 (as amended from time to time) as if I was a member of ACCA;
- ii the Charter, all bye-laws and regulations of ACCA (and regulations made pursuant to the bye-laws) as if I was a member of ACCA (insofar as the same are appropriate and applicable) other than those relating to members' rights to attend and vote at meetings of ACCA and obligations to pay subscriptions;
- iii the regulations concerning liability of ACCA in damages for its acts and omissions; and
- iv the disciplinary procedures of ACCA and penalties which may be imposed under such provisions insofar as such penalties could be applicable to a person who is not a member of ACCA.

Signature \_\_\_\_\_

Date \_\_\_\_\_

## BYE-LAW 8 – LIABILITY TO DISCIPLINARY ACTION

- 8 a** A member, relevant firm or registered student shall, subject to bye-law 11, be liable to disciplinary action if:
- i** he or it, whether in the course of carrying out his or its professional duties or otherwise, has been guilty of misconduct;
  - ii** in connection with his or its professional duties, he or it has performed his or its work, or conducted himself or itself, or conducted his or its practice, erroneously, inadequately, inefficiently or incompetently;
  - iii** he or it has committed any breach of these bye-laws or of any regulations made under them in respect of which he or it is bound;
  - iv** in the case of a relevant firm, any person has in the course of the business of that firm committed any breach of these bye-laws or of any regulations made under them in respect of which that person is bound;
  - v** he is a specified person in relation to a relevant firm against which a disciplinary order has been made and which has become effective or which has been disciplined by another professional body or pursuant to some other disciplinary process;
  - vi** he or it has been disciplined by another professional body or pursuant to some other disciplinary process;
  - vii** he or it has made an assignment for the benefit of creditors, or has made an arrangement for the payment of a composition to creditors, or has had an interim order made by the court in respect of him, or is a specified person in relation to a relevant firm which has made such an assignment or composition or been wound up as an unregistered company, or entered into a voluntary arrangement, administration or liquidation, in each case where applicable under the Insolvency Act 1986, or other similar or analogous event has occurred in relation to him or it under applicable legislation; or
  - viii** he or it has failed to satisfy a judgment debt without reasonable excuse for a period of two months (and the fact that he or it did not have sufficient funds to discharge the debt shall not be a reasonable excuse for this purpose) whether or not the debt remains outstanding at the time of the bringing of the disciplinary proceedings hereunder.
- b** Each of the paragraphs in bye-law 8(a) shall be without prejudice to the generality of any of the other paragraphs therein.
- c** For the purposes of bye-law 8(a), misconduct includes (but is not confined to) any act or omission which brings, or is likely to bring, discredit to the individual or relevant firm or to the Association or to the accountancy profession.
- d** For the purposes of bye-law 8(a), in considering the conduct alleged (which may consist of one or more acts or omissions), regard may be had to the following:
- i** whether an act or omission, which of itself may not amount to misconduct, has taken place on more than one occasion, such that together the acts or omissions may amount to misconduct;
  - ii** whether the acts or omissions have amounted to or involved dishonesty on the part of the individual or relevant firm in question;
  - iii** the nature, extent or degree of a breach of any code of practice, ethical or technical, adopted by Council, and to any regulation affecting members, relevant firms or registered students laid down or approved by Council.
- e** The following shall be conclusive proof of misconduct:
- i** the fact that a member, relevant firm or registered student has pleaded guilty to, or been found guilty of, any offence discreditable to him or, as the case may be, it, or derogatory to the Association or the accountancy profession, before a court of competent jurisdiction in the United Kingdom or before a court of competent jurisdiction in any other country where such court's judgments are in the opinion of Council (or relevant committee of Council) relevant;
  - ii** the fact that a member, relevant firm or registered student has been found to have acted fraudulently or dishonestly in any civil proceedings before any court of competent jurisdiction in the United Kingdom or before a court of competent jurisdiction in any other country where such court's judgments are enforceable in the United Kingdom.