

Credit licence application: Template Statement of Personal Information for controllers and officers, partners, trustees and senior managers of controllers

This template is to be used only in relation to fit and proper people as outlined in section 37A of the *National Consumer Credit Protection Act 2009* that were not already nominated in your application. This will include controllers of the applicant and officers, partners, trustees and senior managers of the controller. For more information, please see [Information Sheet 244](http://www.asic.gov.au/for-finance-professionals/credit-licensees/applying-for-and-managing-your-credit-licence/credit-licence-applications-providing-information-for-fit-and-proper-people/) *Credit licence applications: Providing information for fit and proper people* (INFO 244) for further information.

# Privacy notice

ASIC is authorised to collect the information under the *National Consumer Credit Protection Act 2009*. We will not use it for any other purpose nor will we disclose it unless we have obtained your consent or the use or disclosure is permitted under the *Privacy Act 1988*.

For more details, see the privacy policy on our website [www.asic.gov.au/privacy](http://www.asic.gov.au/privacy).

# Statement of Personal Information for:

| **For Applicant name:** | *[Applicant name]* |
| --- | --- |

## Licences, Authorisation

|  |  |
| --- | --- |
| 1. Within the last 10 years, within Australia or overseas, have you ever been refused the right, or been restricted in the right, to carry on any trade, business or profession for which an authorisation (licence, certificate, registration or other authority) is required by law?  | *[Yes or no]* |
| 2. Within the last 10 years, within Australia or overseas, have you ever been subject to disciplinary action in relation to any such authorisation? | *[Yes or no]* |
| 3. Within the last 10 years, within Australia or overseas, have you ever been the subject of any investigations or proceedings that are current or pending and which may result in disciplinary action being taken in relation to any such authorisation? | *[Yes or no]* |
| 4. Within the last 10 years, within Australia or overseas, have you ever been engaged in the management of any companies/businesses that are or were the subject of any investigations or proceedings by any regulatory body, licensed entity with a code or industry/professional association? | *[Yes or no]* |

## Professional Memberships, Accreditation and Indemnity Insurance

|  |  |
| --- | --- |
| 5. Within the last 10 years, within Australia or overseas, have you ever been reprimanded, or disqualified or removed, by a professional or regulatory body or external dispute resolution scheme in relation to matters relating to your honesty, integrity or business conduct? | *[Yes or no]* |
| 6. Within the last 10 years, within Australia or overseas, have you ever had any past, present or pending claim made against a professional indemnity insurance policy in relation to advice you have tendered? | *[Yes or no]* |
| 7. Within the last 10 years, within Australia or overseas, have you ever been refused professional indemnity insurance? | *[Yes or no]* |
| 8. Within the last 10 years, within Australia or overseas, have you ever been denied accreditation by a lender, mortgage manager or mortgage insurer? | *[Yes or no]* |
| 9. Within the last 10 years, within Australia or overseas, have you ever had your accreditation cancelled or suspended by a lender, mortgage manager or mortgage insurer, other than for volume reasons, or had your membership of an aggregator or franchise group terminated, or is similar action pending against you? | *[Yes or no]* |

## Names

|  |  |
| --- | --- |
| 10. Within the last 10 years, within Australia or overseas, have you ever carried on business under any name other than the name or names previously notified to ASIC? | *[Yes or no]* |
| 11. Within the last 10 years, within Australia or overseas, have you ever been known by any name other than the name or names previously notified to ASIC? | *[Yes or no]* |

## Offences

|  |  |
| --- | --- |
| 12. Within the last 10 years, within Australia or overseas, have you ever been the subject of administrative, civil or criminal proceedings or enforcement action, which were determined adversely to you (including by you consenting to an order or direction, or giving an undertaking not to engage in unlawful or improper conduct) in any country? | *[Yes or no]* |

## Solvency

|  |  |
| --- | --- |
| 13. Within the last 10 years, within Australia or overseas, have you ever been declared bankrupt or insolvent under administration, or is there any such action pending? | *[Yes or no]* |
| 14. Within the last 10 years, within Australia or overseas, have you ever been engaged in the management of any companies/businesses that have had an external administrator appointed, or which have entered into a compromise, or scheme of arrangement, with its creditors? | *[Yes or no]* |
| 15. Within the last 10 years, within Australia or overseas, have you ever been engaged in the management of any companies/businesses that were declared insolvent? | *[Yes or no]* |
| 16. Within the last 10 years, within Australia or overseas, have you ever been engaged in the management of any companies/businesses that were declared the equivalent of insolvent under the law of an external territory or country other than Australia? | *[Yes or no]* |

# Attachment of explanations

If you have answered yes to any question in the Statement of Personal Information, please attach an explanation of each matter including:

• the judgement and if it has been satisfied

• for a declaration of bankruptcy or insolvency:

– date of the declaration and district in which it was made

– bankruptcy number.

For a deed of arrangement, assignment or where creditors have accepted a composition under Part X of the *Bankruptcy Act 1966*:

• date of the deed of arrangement, assignment or the special resolution accepting composition and the district in which it was made

• name and address of the trustee of the deed of arrangement, assignment or of the composition

• identifying number used in relation to the deed of arrangement, assignment or the composition in the office of the Registrar in Bankruptcy.

# Signatures

**I certify that the information in this Statement and all attachments are true and correct.**

|  |  |
| --- | --- |
| Signature of person |  |
| Role |  |
| Date signed | *[DD/MM/YY]* |

|  |  |
| --- | --- |
| Witness name |  |
| Witness signature |  |
| Witness address |  |
| Date signed | *[DD/MM/YY]* |

# More information

• Go to [www.asic.gov.au/credit](http://www.asic.gov.au/credit) for the latest information on credit and to download copies of the regulatory guides.

• Go to [www.asic.gov.au/search](http://www.asic.gov.au/search) to search the Australian Credit Register.