



Municipal Association of Victoria

Fit and Proper Person Policy

For Directors and the President of MAV, members of the Insurance Board, members of the Audit and Risk Committee, other officers and responsible managers of the MAV



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1 Purpose

The purpose of this policy is to:

- set out the criteria that applies to those persons who are eligible to take up and remain holding their respective positions with the Municipal Association of Victoria (**MAV**);
- set out the persons to whom this policy applies as at the date of last approval of this policy as set out in the Document History section of this policy (**Date Last Approved**);
- provide for the times when and manner in which the persons to whom this policy applies are required to demonstrate to the Chief Executive Officer or their delegate as appointed under this policy (**CEO**) that they meet the applicable eligibility criteria;
- protect the integrity and reputation of the MAV and its ability to hold an Australian financial services licence (**AFSL**); and
- otherwise provide for matters relevant to the operation of this policy including review and update of this policy and reporting to the board of directors of the MAV (**MAV Board**).

2 Scope

2.1 Application of this policy

This policy applies to all directors of the MAV Board (**Directors**), the president of the MAV Board (**President**), all members of the MAV Insurance Board, and all other persons who are 'officers' of MAV or, if they are not 'officers' the responsible managers for the purposes of the MAV's AFSL and members of the Audit and Risk Committee from time to time.

2.2 Determining who is an 'officer'

Whether or not a person is an 'officer' of MAV is determined by reference to the Corporations Act 2001 (Cth) (**Corporations Act**) as amended from time to time.

At the Date Last Approved, 'officer' in relation to a 'corporation' is defined under the Corporations Act as follows:

'Officer' of a corporation means –

- (a) a director or secretary of the corporation; or
- (b) a person:
 - (i) who makes, or participates in making, decisions that affect the whole, or a substantial part of the business of the corporation; or
 - (ii) who has the capacity to affect significantly the corporation's financial standing; or

- (iii) in accordance with whose instructions or wishes the directors of the corporation are accustomed to act (excluding advice given by the person in the proper performance of functions attaching to the person's personal capacity or their business relationship with the directors of the corporation);
- (c) a receiver, or receiver and manager, of the property of the corporation; or
- (d) an administrator of the corporation; or
- (e) an administrator of a deed of company arrangement executed by the corporation; or
- (ea) a restructuring practitioner for the corporation; or
- (eb) a restructuring practitioner for a restructuring plan made by the corporation; or
- (f) a liquidator of the corporation; or
- (g) a trustee or other person administering a compromise or arrangement made between the corporation and someone else.

2.3 Persons to whom this policy applies

As at the Date Last Approved, it has been determined that the persons who for the time being hold the following offices or positions of employment are persons to whom this policy applies:

- Directors of the MAV
- President of the MAV
- Members of the MAV Insurance Board
- the CEO
- the Chief Financial Officer
- General Manager – MAV Insurance
- Governance Manager
- Executive Director, Policy and Advisory
- Responsible Managers

For the avoidance of doubt, this policy will also apply to any other persons who become 'officers' or Responsible Managers after the Date Last Approved.

The requirement to be fit and proper persons will extend to members of the Audit and Risk Committee. For the avoidance of any doubt, the MAV has not assessed the members of the ARC as being officers under the Corporations Act.

3 Legislative context

3.1 MAV Act and MAV Rules

The MAV is a membership body established by the Municipal Association Act 1907 (**MAV Act**) and is constituted a body corporate under section 2 of that Act. It is therefore both a 'corporation' and a 'body corporate' for the purposes of the Corporations Act. The MAV is not subject to the provisions of the Public Administration Act 2004.

As at the Date Last Approved, the Municipal Association of Victoria Rules 2022 (as approved by the Governor in Council under section 3(2) of the MAV Act and gazetted on 20 October 2022 (**MAV Rules**) provided that (among other things):

- (a) the person elected to the office of President (Rule 11.4) and each Director (Rule 12.4) must:
 - (i) demonstrate to the CEO at such times and in such manner as is required in accordance with the Fit and Proper Person Policy that they meet the Eligibility Criteria; and
 - (ii) notify the CEO as soon as practicable upon becoming aware they no longer meet the Eligibility Criteria; and
- (b) the President (Rule 11.5) and each Director (Rule 12.5) do not take office and are not entitled to any allowances until the CEO confirms that the person elected meets the Eligibility Criteria; and
- (c) a casual vacancy is created on the MAV Board when the President or a Director, among other things, is unable to demonstrate to the CEO within 1 month or such longer period as the CEO acting reasonably allows from the time the person is required or requested to do so, that they meet the Eligibility Criteria.

3.2 AFS licence

The MAV holds an AFSL issued by the Australian Securities and Investments Commission (**ASIC**) under section 913B of the Corporations Act.

ASIC may:

- (a) suspend or cancel the MAV's AFSL (albeit not without giving the MAV an opportunity to be heard or make submissions) if the fit and proper persons requirements in section 913BA are not met (section 915C(1)(b)); or
- (b) make a banning order against a person if it has reason to believe that the person is not a fit and proper person to provide one or more financial services or perform one or more of their functions as an officer or, if applicable, controller of the MAV (section 920A(1)(d)); or
- (c) refuse an application to vary the MAV's AFSL if the MAV is unable to demonstrate to ASIC that it is a fit and proper person (section 914B(2)).

3.3 The persons who ASIC require are fit and proper

Section 913BA(1) provides that for the purposes of section 914B(2) and section 915C(1)(b) as referred to above, the fit and proper person requirements will be met if ASIC has no reason to believe that:

- (a) the MAV it is not a 'fit and proper person' to provide the financial services covered by its AFSL;
- (b) that an officer of the MAV is not a fit and proper person to perform one or more functions as an officer of the MAV;
- (c) any person who controls the MAV is not a fit and proper person to control the MAV;
- (d) if a controller is a body corporate – that an officer of the controller is not a fit and proper person to perform one or more functions as an officer of an entity that controls the MAV; and
- (e) if the controller is a partnership or the multiple trustees of a trust:
 - (i) that any of the partners or trustees are not fit and proper persons to control the MAV; or
 - (ii) that any of the senior managers of the partnership or the trust are not fit and proper persons to perform one or more functions as an officer of an entity that controls the MAV.

'Control' of the MAV as a body corporate is:

- (a) having the capacity to control the composition of the body corporate's board or governing body; or
- (b) having the capacity to determine the outcome of decisions about the body corporate's financial and operating policies, taking into account:
 - (i) the practical influence that can be exerted (rather than the rights that can be enforced); and
 - (ii) any practice or pattern of behaviour affecting the body corporate's financial or operating policies (whether or not it involves a breach of an agreement or breach of trust).

At the Date Last Approved, there was no individual person, body corporate, partnership or trustees that controlled the MAV.

ASIC also requires the MAV's responsible managers to be fit and proper persons.

3.4 Matters ASIC must have regard to

In considering whether a person is a fit and proper person, ASIC must have regard to the matters in section 913BB(2) of the Corporations Act, being, so far as relevant to the individuals to whom this policy will apply:

- (a) whether the person held an AFSL or Australian credit licence or registration under the Transitional Act within the meaning of the National Consumer Credit Protection Act 2009 (**NCCP Act**) that has ever been suspended or cancelled;
- (b) whether a banning order or a disqualification order under Division 8 Subdivision B of Part 7.8A of the Corporations Act or a banning order or a disqualification order under Part 2-4 of the NCCP Act has ever been made against the person;
- (c) whether the person has ever been disqualified under the Corporations Act or any other Commonwealth, State or Territory law, from managing corporations;
- (d) whether the person has ever been banned from engaging in a credit activity (within the meaning of the NCCP Act or under a law of a State or Territory);
- (e) whether the person has ever been linked to a refusal or failure to give effect to a determination made by the Australian Financial Complaints Authority (**AFCA**);
- (f) whether the person has ever been an insolvent under administration;
- (g) whether in the last 10 years, the person has been convicted of an offence;
- (h) any relevant information in relation to the person has been given to ASIC by a State or Territory or authority of a State or Territory;
- (i) any other matter prescribed by the regulations (none as at the Date Last Approved);
- (j) any other matter ASIC considers relevant.

4 Eligibility Criteria

4.1 Fit and Proper Person requirements

The Eligibility Criteria that have been determined to apply to the Directors, the President, the members of the MAV Insurance Board, the members of the Audit and Risk Committee and all other officers and responsible managers of MAV are that:

The relevant person (and where relevant, any company or other entity that the relevant person controls or manages) must **not** during the last 10 years, within Australia and/or overseas, have been:

- (a) determined by ASIC not to be a 'fit and proper person';
- (b) the holder of an AFSL or credit licence issued under the National Consumer Credit Protection Act 2009 (**NCCP Act**) that has been suspended or cancelled;
- (c) subject to a banning or disqualification order made by a court against the person under Part 7.6 Division 8 Subdivision B of the Corporations Act or Part 2-4 of the NCCP Act;
- (d) disqualified from managing corporations under Part 2D.6 of the Corporations Act;
- (e) banned from engaging in any credit activity as defined in the NCCP Act or any other State or Territory law;

- (f) linked to a refusal or failure to give effect to a determination made by the AFCA as defined in section 910C of the Corporations Act;
- (g) been convicted of an offence against Commonwealth, State, Territory or a foreign law;
- (h) refused the right, or been restricted in the right to carry on any trade, business or profession for which a licence, registration or other authority is required by law;
- (i) refused or suspended from membership of, or disciplined by, any securities, stock, futures, commodities or other exchange;
- (j) removed from or refused membership of or disciplined by any professional body or external dispute resolution scheme;
- (k) the subject of any findings, judgment or current proceeding in relation to fraud, misrepresentation or dishonesty in any administrative, civil or criminal proceedings in any country;
- (l) declared bankrupt under the laws of Australia (or their equivalent under the laws of a jurisdiction outside Australia);
- (m) engaged in the management of any companies/business that have had an external administrator appointed or been declared insolvent (or the equivalent under the laws of an external territory or country other than Australia);
- (n) engaged in the management of any companies/businesses that are or were the subject of any investigations or proceedings by any regulatory body or licensed entity with a code or industry/professional association;
- (o) engaged in the management of any companies/businesses that have failed to comply with a determination from an external dispute resolution scheme (such as AFCA);
- (p) engaged in the management of a company that has had an instrument of approval under the Superannuation Industry (Supervision) Act 1993 revoked; or
- (q) engaged in the management of any companies/businesses that have had a licence or registration or other authority required for the purposes of carrying on such business (including under the Corporations Act, NCCP Act or Insurance Agents and Brokers Act) revoked or suspended,

unless the MAV CEO considers in their absolute discretion that the circumstances are such (other than with respect to paragraph (a) above) that it would be unreasonable for the person to be treated as not being a fit and proper person for their role under this Fit and Proper Person Policy.

5 Demonstration that a person meets the Eligibility Criteria

5.1 Manner of demonstrating Eligibility Criteria is met

To demonstrate they are a fit and proper person, the President, each Director, each member of the MAV Insurance Board, each member of the Audit and Risk Committee and each other officer and responsible manager of the MAV must provide to the CEO:

(a) *Statement of Personal Information*

The 'Statement of Personal Information' must be in the form in Appendix 1 with the person providing the statement being able to answer 'No' to each question or provide details and supporting evidence for each question where the answer is 'Yes' so that the CEO can consider whether it would be unreasonable for the person to be treated as not being a fit and proper person under this policy.

'No' may be answered to any question where to answer 'Yes' would require disclosure of a conviction that under Part VIIC of the Crimes Act 2014 (**Crimes Act**) is permitted not to be disclosed¹.

If there is any question to which the relevant person cannot respond 'No' they must respond 'Yes' and provide details as to why a 'No' response is unable to be given and any supporting information or other information requested by the CEO as soon as practicable after receiving a request to provide such information and in any event within 1 month or such longer period as the CEO acting reasonably allows from the time information is required or requested.

The CEO must consider any information provided as to why a 'No' response is unable to be given and determine whether in the CEO's opinion, acting reasonably, it would be unreasonable for the person to be treated as not being a fit and proper person for their role under this Fit and Proper Person Policy.

If ASIC has occasion to consider and forms the view that a person is not a fit and proper person, then the person is not a fit and proper person notwithstanding that the MAV Board may have formed a contrary view.

(b) *Criminal history checks not more than 12 months old from Australia and each overseas country that the person has resided in for periods of one year or more over the last 10 years*

National

¹ Part VIIC of the Crimes Act 2014 (**Crimes Act**) which provides for non-disclosure of convictions for certain offences where the person has received a pardon, the conviction is spent or has been quashed each as defined in the Crimes Act

An Australian national criminal history check can be obtained from one of the following sources:

- (i) the Australian Federal Police;
- (ii) state and territory police services; or
- (iii) brokers accredited by the Australian Criminal Intelligence Commission (**ACIC**),

but should not be the type of national criminal history check that includes details of spent convictions (eg, a national criminal history check obtained for a firearms licence).

If a person who is required to demonstrate that they are fit and proper has only lived in Australia for 6 months since moving from overseas, a national criminal history check is not required.

Overseas

If the person has lived in an overseas country for one year or more over the last 10 years, a criminal history check must be provided from:

- (i) a national government authority in the relevant country;
- (ii) if (i) is not possible, a criminal history check issued by a state or provincial authority for each state or province where the person has lived for one year or more over the last 10 years; or
- (iii) if neither (i) or (ii) is possible, a statutory declaration² declaring that the person has no criminal history and detailing the attempts made to obtain a criminal history check from the relevant authorities.

- (c) *a bankruptcy check that is not more than 12 months old from Australia and each overseas country that the person has resided in for periods of one year or more over the last 10 years*

Australia

A national bankruptcy check may be obtained from the Australian Financial Security Authority (**AFSA**).

If the person to whom the search applies has never lived in Australia or arrived in Australia within six months before being required to demonstrate they are a fit and proper person, an Australian bankruptcy check will not be needed in addition to the overseas bankruptcy check.

Overseas

If the person has lived in an overseas country for one year or more over the last 10 years, an overseas bankruptcy check must be obtained:

- (i) from a national government authority in the relevant country;
- (ii) if (i) is not possible, a bankruptcy check issued by a state or provincial authority for each state or province where the person has lived for one year or more over the last 10 years;

² If the person is residing in Australia at the time of making the statutory declaration, the declaration must be signed and witnessed by an Australian legal practitioner, justice of the peace, notary or other equivalently qualified person. If the person is residing overseas at the time of making the declaration, the statutory declaration must be notarised and registered at the Australian Consulate of the country of residence.

- (iii) if neither (i) or (ii) is possible, the person must provide a statutory declaration (see footnote 3) declaring that the person has never been bankrupt and detailing the attempts made to obtain a bankruptcy check from the relevant authorities.

5.2 Times at which Eligibility Criteria must be met

The times at which the persons that are subject to this policy must demonstrate that they meet the Eligibility Criteria are set out in the table below with the information required for demonstrating that they meet the Eligibility Criteria being provided to the CEO as soon as practicable after the time specified but in any event no later than 1 month (or such longer period as the CEO acting reasonably allows) after such time:

<p>Each Director and the President</p>	<ul style="list-style-type: none"> • Upon being elected to hold office if not already holding office prior to the date this Fit and Proper Person Policy is first approved as set out in the Document History page of this policy (Date First Approved) • Annually on the first 1 July that is at least 12 months after taking office • At any time that MAV is applying for a variation to its AFSL • At any other time requested by the CEO
<p>Persons filling a casual vacancy of a Director or President of MAV</p>	<ul style="list-style-type: none"> • Before being appointed by the CEO under Rule 15.6 of the Rules • Otherwise as per Directors and the President as applicable
<p>Each Member of the MAV Insurance Board</p>	<ul style="list-style-type: none"> • Before taking office if not already holding office prior to the Date First Approved • Annually on the first 1 July that is at least 12 months after taking office • At any time that the MAV is applying for a variation to its AFSL • At any other time requested by the CEO
<p>Each Member of the Audit and Risk Committee</p>	<ul style="list-style-type: none"> • Before taking office if not already holding office prior to the Date First Approved • Annually on the first 1 July that is at least 12 months after taking office • At any other time requested by the CEO.
<p>Other officers and responsible managers</p>	<ul style="list-style-type: none"> • Before being appointed to their position if not already appointed prior to the Date First Approved • Annually on the first 1 July that is at least 12 months after taking office • At any time that the MAV is applying for a variation to its AFSL • At any time requested by the CEO

If a person fails to demonstrate that they meet the Eligibility Criteria in accordance with this Fit and Proper Person Policy, whether they can be appointed to office or remain in office will be determined by the CEO, acting reasonably and having regard to the MAV Rules, the requirements of the Corporations Act, and the terms of employment or engagement of the person concerned and any submissions made by the person concerned having been given an opportunity to do so by the CEO.

5.3 Notice if no longer able to meet Eligibility Criteria

If a person to whom this policy applies becomes aware (assuming they were asked to complete a Statement of Personal Information at the relevant time) that they:

- (a) could no longer respond 'No' to the questions in the Statement of Personal Information in Appendix 1 to which they previously answered 'No'; or
- (b) previously answered 'Yes' to a question in the Statement of Personal Information in Appendix 1 but would again need to respond 'Yes' but due to different circumstances having arisen to those which gave rise to the previous response,

they must immediately notify the CEO after becoming so aware.

5.4 Application to the CEO

The Audit and Risk Committee must review the Statement of Personal Information required to be provided by the CEO and consider information provided by the CEO in circumstances where a 'No' response cannot be provided for the purpose of determining whether or not the CEO may be regarded as a Fit and Proper Person.

For the purpose of applying the requirements of this Policy to the CEO references to the CEO should be read as references to the Audit and Risk Committee.

5.5 Reporting in relation to Eligibility Criteria

The CEO must report to the Audit and Risk Committee the position as to whether or not the Eligibility Criteria is met in relation to each person to whom this Policy applies including information as to all determinations and the reasons for such determinations made by the CEO in relation to persons who could not provide a 'No' response to any question.

The Audit and Risk Committee must report to the MAV Board the position as to whether or not the Eligibility Criteria is met in relation to each person to whom this Policy applies (including the basis of determinations that a person is or is not a Fit and Proper Person in circumstances where a 'No' response could not be given on any question).

6 Obligations and responsibilities under this Policy

6.1 The MAV Board

The MAV Board will review and, if considered appropriate, adopt an updated policy at any time the MAV Rules change or if the fit and proper person requirements of ASIC change and, in any event, no less than every three years.

6.2 CEO

The CEO is responsible for implementation of this policy including:

- (a) establishing procedures for ensuring that the persons to whom this policy comply with this policy;
- (b) building an organisational culture that supports compliance with this policy through appropriate education, training and enforcement activities;
- (c) assessing from time to time whether any additional persons are or will become officers or responsible managers for the purposes of section 2.3 or if there is any controller of the MAV;
- (d) undertaking reviews of this policy for the purpose of ensuring it remains up to date and appropriate and making recommendations to the MAV Board for the purposes of the MAV Board meeting its responsibilities for review of this policy;
- (e) oversight of compliance with this policy and reporting breaches of this policy to the MAV Board;
- (f) reporting to the Audit and Risk Committee or the MAV Board, as the case requires, in relation to persons who fail to meet or no longer meet the Eligibility Criteria or are considered to have breached this policy; and
- (g) keeping records of all actions under this policy.

The CEO may, by documenting in writing, delegate some or all of the CEO's responsibilities under this policy to another person in the MAV that the CEO reasonably considers has appropriate skills and a sufficient level of seniority to undertake such responsibilities.

The CEO remains responsible for the supervision of the delegate. The delegate must report to the CEO at regular intervals as determined by the CEO to enable the CEO to report to the Audit and Risk Committee and MAV Board as required under this policy.

The CEO must notify persons to whom this policy applies of any person who it has appointed to act as its delegate and may by writing change the person appointed to act as delegate from time to time.

6.3 Directors, the President, members of the Insurance Board, members of the Audit and Risk Committee and other officers and responsible managers

Directors, the President, members of the Insurance Board, members of the Audit and Risk Committee and other officers and responsible managers are responsible for:

- (a) being aware of the Eligibility Criteria that applies to them;
- (b) demonstrating that they meet the Eligibility Completing in the manner and at the times required under this policy (and where applicable the MAV Rules);

- (c) reporting to the CEO (or in the case of the CEO, the Audit and Risk Committee) if they no longer meet the Eligibility Criteria; and
- (d) complying with the requirements of this policy and any related policies.

6.4 Audit and Risk Committee

The Audit and Risk Committee must report determinations made by the CEO in relation to compliance with the Eligibility Criteria and determinations made by it in relation to the CEO in connection with the Eligibility Criteria, if any, to the MAV Board.

7 Record keeping

Properly documented records and the retention of those records are imperative to demonstrating compliance with this policy.

The documents completed and provided by the persons to whom this policy applies to demonstrate that they meet the Eligibility Criteria or information as to the circumstances in which they fail to meet the Eligibility Criteria, any notices that a person to whom this policy applies no longer meets the Eligibility Criteria, any education and training undertaken for the purposes of this policy, any document by the CEO delegating any or all of its responsibilities under this policy, any reports to the CEO made by such delegate, any reports by the CEO to the Audit and Risk Committee and to the MAV Board and any other correspondence or documents relating to this policy, are to be scanned and retained on the MAV Document Management System (MAVIS).

Consideration of any recommendations by the CEO with respect to the update of this policy or the MAV Board's decisions on matters reported to it under this policy are to be recorded in the minutes of the meeting. These minutes are retained in MAVIS-.

8 Breach of this policy

Breaches of this policy may range from inadvertent through to intentional and corrupt conduct. Breaches could include, but are not limited to, a failure by a person to whom this policy applies to provide information to demonstrate whether or not the person meets the Eligibility Criteria, a failure to report when the person no longer meets the Eligibility Criteria or the provision of false or misleading information.

If a person to whom this policy applies becomes aware of their own inadvertent breach of this policy, they should immediately advise the CEO in writing setting out the details.

The CEO will decide whether any action needs to be taken and will list the matter for consideration at the next meeting of the MAV Board. The appropriate course of action will depend on the nature and circumstances of any breach and whether it can be remedied.

Breaches may result in:

- Warnings being given
- Education and/or counselling

- Immediate termination of the relevant person's position
- The involvement of the Victoria Police or IBAC in the case of corrupt or criminal activity

MAV reserves the right to take any other action it considers appropriate to address a breach of this policy.

9 Privacy

The disclosure of personal information by a person under and in accordance with this policy will be handled in accordance with the MAV's Information Privacy Policy and the Victorian *Privacy and Data Protection Act 2014*.

10 Related Policies

- [Code of Conduct for members of the Management Board, Insurance Board, Workcare Board, Audit and Risk Committee](#)
- [Staff Code of Conduct](#)
- [Information Privacy Policy](#)
- [Fraud and Corruption Control and Reporting Policy](#)
- [Public Interest Disclosures Procedures](#)

11 Appendices

1. Statement of Personal Information

APPENDIX 1 - STATEMENT OF PERSONAL INFORMATION FOR:

For Applicant name:	[Applicant name]
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11.1 Within the last 10 years, within Australia and/or overseas:

1.	Have you been refused the right, or been restricted in the right, to carry on any trade, business or profession for which a licence, registration or other authority is required by law?	[Yes or no]
2.	Have you been a member, or partner in a member firm, of any securities, stock, futures, commodities or other exchange?	[Yes or no]
3.	Have you been suspended from membership of, or disciplined by, any securities, stock, futures, commodities or other exchange?	[Yes or no]
4.	Have you been refused membership of any securities, stock, futures, commodities or other exchange?	[Yes or no]
5.	Have you been removed from membership of, or disciplined by, any professional body or external dispute resolution scheme?	[Yes or no]
6.	Have you carried on business under any name other than the name or names shown in this application?	[Yes or no]
7.	Have you been known by any name other than the name or names shown in this application?	[Yes or no]
8.	Have you been the subject of any findings, judgment or current proceeding, including findings, in relation to fraud, misrepresentation or dishonesty, in any administrative, civil or criminal proceedings in any country?	[Yes or no]
9.	Are you, or have you ever been, declared bankrupt or insolvent under administration?	[Yes or no]
10.	Have you been engaged in the management of any companies/businesses that have had an external administrator appointed?	[Yes or no]
11.	Have you been engaged in the management of any companies/businesses that were declared insolvent?	[Yes or no]
12.	Have you been engaged in the management of any companies/businesses that carry on a trade, business or profession for which a licence, registration or other authority is required by law?	[Yes or no]
13.	Have you 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]

<p>14. Have you been engaged in the management of any companies/businesses that have failed to comply with a determination from an external dispute resolution scheme?</p>	<p>[Yes or no]</p>
<p>15. Have you 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?</p>	<p>[Yes or no]</p>
<p>16. Have you ever been engaged in the management of any company that has had an instrument of approval under the <i>Superannuation Industry (Supervision) Act 1993</i> revoked?</p>	<p>[Yes or no]</p>
<p>17. Have you ever been engaged in the management of any companies/businesses that have had a <i>Corporations Act 2001</i> (or previous corresponding laws) licence or <i>National Consumer Credit Protection Act 2009</i> licence or <i>Insurance Agents and Brokers Act 1984</i> registration revoked or suspended?</p>	<p>[Yes or no]</p>

ATTACHMENTS

If you have answered Yes to any question, please provide a separate attachment that includes individual details. In addition, please provide the following:

Question 8	the judgment and if it has been satisfied
Question 9 to 15	<p>For a declaration of bankruptcy or insolvency:</p> <ul style="list-style-type: none"> – date of the declaration and district in which it was made – bankruptcy number. <p>For a deed of arrangement, assignment or where creditors have accepted a composition under Part X of the <i>Bankruptcy Act 1966</i>:</p> <ul style="list-style-type: none"> – 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 or 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

Role

Date signed [DD/MM/YY]

Witness name

Witness signature

Witness address

Date signed [DD/MM/YY]

MORE INFORMATION

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