

FINANCIAL SUPERVISORY COMMISSION



Cook Islands

PERSONAL AFFIDAVIT

[FSC Form MRB-2]

**FOR APPLICANTS OR INDIVIDUALS WHO ARE OR WILL BE
SUBSTANTIAL SHAREHOLDERS/ DIRECTORS/ OFFICERS**

**(As Required under Sections 12 and 13 of the Money-changing and Remittance
Businesses Act 2009 and Section 5 of Prudential Statement No. 12-2010)**

PERSONAL AFFIDAVIT

For Applicants or Individuals Who Are or Will be Substantial Shareholders / Directors / Officer / Manager

(Name of Applicant)

1. Name of Person Completing this Form:

(First Name)

(Middle Name)

(Last Name)

2. Present/Proposed Designation or Role: *(Check whatever is applicable and for directors/officers or managers include brief description of duties and responsibilities)*

Applicant:

Substantial Shareholder: _____ Director: _____ Officer (Manager): _____

Duties and Responsibilities:

3. Present Home Address in: _____

Country of Residence

Present Citizenship: _____

Country of Citizenship

Since (indicate period): From Month _____ Year _____

4. Other Previous Home Addresses for the past 10 years (not stated above and start with most recent address. Use additional sheet if necessary):

Previous/Principal Address No. 1 From _____ To _____
(Month/Year) (Month/Year)

Previous/Principal Address No. 2 From _____ To _____
(Month/Year) (Month/Year)

Previous/Principal Address No. 3 From _____ To _____
(Month/Year) (Month/Year)

5. Date of Birth (Month /Day /Year): _____

6. Employment History¹:

Provide the following information in reverse chronological order regarding your employment or self-employment during the past ten (10) years. Use additional sheet(s) to provide the same information for each employer.

Employer: _____

Address: _____

Business Description:

Dates Employed: _____

Job Title/Description: _____

¹ If you are a proposed or existing officer/manager for the applicant, provide complete details of your money-changing and/or remittance business experience, or other financial institution related experience. Include information on positions held in money-changing and remittance companies, savings institutions, credit unions and other types of financial institutions, including the number of employees supervised, etc. Use additional sheet(s) if necessary.

Reason for Leaving: _____

List any licensed financial institution in the Cook Islands, other than the applicant in which you have been or are a substantial shareholder, director or officer. Include percentage of ownership and description of position.

7. Educational and Professional Credentials (Use additional Sheet if necessary):

(a) Include high (secondary) school and university (indicate name of institutions, dates attended, and degrees/major field of study).

(b) List any professional qualifications or licence or similar certificates now held or have ever held i.e., attorney (solicitor), physician, CPA, teacher, etc (indicate type of licence/qualification/certificate, issuer, date issued, time currently being devoted to the profession and whether the licence/certificate has been revoked and the reasons for revocation if applicable).

(c) List training courses attended relevant to the position you are holding/will hold in applicant company (Indicate title of training course, date, approximate period in terms of hours or days, i.e. 2 weeks full time, or 10 days full time or 10 days session of 2 hours or 20 hours, and institution conducting the training.)

8. Immediate family members (spouse, parents, children or other parties you consider immediate family)

(Full Name)

(Relationship)

9. Provide reference letter from at least one bank that would be in a position to know of your financial affairs over the last 3 years or more.

10. Provide 2 letters as character references from two professional people who are not immediate relatives, with whom you have been dealing with for at least 2 years and who know you personally.

11. Provide a copy of your Passport pages, certified by a Notary Public or Solicitor, showing personal details and dates of issue and expiry, and any other current National Identity Card.
12. Provide original copy of police² clearance, which should be dated within 6 months prior to the filing date of this form.
13. Law Enforcement or Disciplinary Proceedings:
 - a. Have you ever been in a position that required a fidelity bond? If any claims were made on the bond, give details?
 - b. Have you ever been refused a professional, occupational or vocational licence by any public or governmental licensing agency or regulatory authority, or has any such licence held by you ever been suspended or revoked? If so, give details.
 - c. Have you or any corporation, partnership, or other entity in which, at the time you were an officer, director, trustee, employees, substantial shareholder, been named in any complaint, pleading, judgment, order, or decree filed in any court of law which cited violations or alleged violations of applicable laws? If so, give details.
 - d. Have you ever been an officer, director, trustee, employee, or substantial shareholder of a financial institution, which became insolvent or was placed under supervision or in receivership, rehabilitation, liquidation or conservatorship while you occupied any such position or within one year thereafter? If so, give details.
 - e. Has the certificate of incorporation or authority or licence to do business as a financial institution of which you were an officer or director ever been suspended or revoked while you occupied any such position or within one year thereafter? If so, give details.
 - f. Have you ever been requested, advised, ordered or told by any governmental regulatory authority, board, commission or agency to: (a) Divest any stock ownership or other ownership interest you have in any financial institution? If so, give details. (b) Leave or resign as an officer, director, agent, employee, consultant or representative of any financial institution? If so, give details.
 - g. Are you a named party in any ongoing or pending legal or administrative hearing, proceeding or investigation including in your capacity as a manager, director, trustee, employee or substantial shareholder? If so, give details.
5. Are you aware of any other facts or circumstances which could reasonably be considered relevant to the assessment of your being a fit and proper person referred to in Section 5 of Prudential Statement No. 12-2010 and pertinent sections of the Money-changing and Remittance Businesses Act?

² Please be guided by FSC clarification on procedures for filing/seeking police clearances. In the case of trusts, the names of infant beneficiaries are needed for record purposes only. Police checks will not be necessary. However, information may be required on the "controlling minds".

CERTIFICATION

I CERTIFY that the above information is complete and correct to the best of my knowledge and belief and I undertake that, as long as I continue to be a substantial shareholder, director or officer of applicant I will notify the Financial Supervisory Commission of any material change affecting the completeness of the Personal DECLARATION within fifteen (15) days from the occurrence of the changes.

I ALSO HEREBY AUTHORISE the Financial Supervisory Commission to make such enquiries and seek such further information as it thinks appropriate in verifying the information given in this Personal AFFIDAVIT or in any other documents submitted as part of this application for the purposes of performing its due diligence and background checks. I also understand that the results of these checks may be disclosed to the applicant or person who signed the Application form.

Dated and signed this _____ day of _____, 20_____.

(Signature)

(Print or type full name)

Declared to before me this _____ day of _____, 20_____.

(Seal)

(Notary Public Signature)

(Print or type full name)