Fit & Proper declaration (A)

**A declaration on fitness, propriety, and professional competence to accompany the application for authorisation or registration of an alternative investment fund manager**

A notification must be submitted to the FIN-FSA on the following persons responsible for the management of the organisation of a supervised entity:

* Member and deputy member of the board of directors (or supervisory board) and independent board member if regulation requires the appointment of one,
* Managing director, deputy managing director and others serving directly under the managing director in a senior management capacity within a supervised entity or effectively managing the operation of the entity

and on the following persons:

* for example key function holders, such as
  + Compliance Officer
  + Internal auditor
  + Person in charge of risk management
  + Person in charge of Portfolio management
  + Manager and deputy manager of a foreign branch of a Finnish supervised entity,
  + Manager and deputy manager of a Finnish branch of a foreign supervised entity domiciled outside the European Economic Area (EEA).

A notification must also be submitted on non-Finnish citizens.  
  
After granting the authorisation a notification must be submitted to the FIN-FSA when

* A new person is appointed to any of the positions mentioned above.
* A person specified above is appointed to a position more significant than the one held previously or a person's responsibilities increase substantially (for example as a result of merger or other business restructuring or organisational changes).

The FIN-FSA recommends that the notification is submitted well in advance, prior to the appointment decision or before the person takes up the new position.   
  
This notwithstanding, a notification must always be submitted without delay after the appointment or a change in the person's responsibilities, and no later than two weeks from the appointment decision or from the date at which the person has taken up the new position.

After granting the authorisation Fit and Proper declarations are made in Financial Supervisory Authority e-services. Please see more information on e-services on [FIN-FSA's website](https://www.finanssivalvonta.fi/en/about-the-fin-fsa/financial-supervisory-authority-e-services/).  
  
In drawing up the report, the supervised entity declares that it has verified that:

* The person's competence and previous work experience satisfy the requirements of the position.
* The person has been informed that the FIN-FSA will check the person's criminal record and register of fines.
* The supervised entity is aware of the positions of trust, holdings and financial commitments which have an effect on the person's integrity, and it has assessed their impact on the person's competence to perform the tasks required.
* The person has no such payment remarks or financial irregularities which could have an impact on the conduct of the duties or the maintenance of trust in the operation of the supervised entity.
* The impact of any reprimand procedures concerning the person has been assessed.
* The supervised entity has considered other matters of which it has become aware, and which can be deemed to be of material importance when assessing the person's fitness and propriety in respect of the position to which he or she will be appointed.

In the notification, the supervised entity must disclose any adverse facts found in the assessment which have not obstructed the appointment of the person.

The form must be completed in full. If there is nothing to report in any of the questions, please answer with “Nothing to report/dash (-)”.

Notification part

# Supervised organization

|  |  |
| --- | --- |
| 1. Name   Click or tap here to enter text. | 1. Business ID   Click or tap here to enter text. |

# Reported person

|  |
| --- |
| 1. Full name (also possible previous names), date and place of birth, nationality, personal identity number\*, place of permanent residence and address details, phone number and email of the person to be reported   Click or tap here to enter text.  \*If there is no Finnish social security number, fill in a national personal id and attach a copy of dentification card or similar. |

# Work assignment information

|  |  |
| --- | --- |
| 1. Position at the organization   Click or tap here to enter text. | |
| 1. The date when the person is proposed to be elected or selected for the position   Click or tap here to enter text. | |
| 1. Commencement date on the position   Click or tap here to enter text. | |
| 1. Job description and responsibilities in the supervised organization   Click or tap here to enter text. | |
| 1. Fitness and propriety evaluation carried out by the supervised organization on the person to be reported   Information of the evaluation results (including any information on the outcome of the collective assessment)  *Detailed information on the results of the suitability assessment already carried out by the institution, an assessment of the adequacy of the person's experience, and information on any training plan that may be required. EBA/GL/2021/06, Annex III, points 2 and 3. The Guideline applies to credit institutions and investment firms. The FIN-FSA considers that the same principles are also applicable to alternative investment fund managers.*  Click or tap here to enter text.  **Attachment:** Documents/reports related to the institution's suitability evaluation | |
| 1. Previous working experience (curriculum vitae)   *Curriculum vitae showing the full name of the person, personal identification number, place of birth, education, position in the management company and any previous positions in the financial sector, previous work experience and participation in major training programs or professional courses. VMA 227/2014 section 9, subsection 1.*  *The information can also be submitted in a separate CV*  Click or tap here to enter text.  CV as an attachment | |
| 1. Documents concerning the person's reputation and experience, incl. a person's own declaration of good repute   **Compulsory attachment:** Signed declaration of good repute  *Written and personally signed declaration of good repute, including the name of the Alternative Investment Fund Manager, the person's full name, personal ID, any previous names, place of birth and a declaration that the person has not been given a reprimand from a competent supervisory body, or a report of the offence for which the person has been given such a reprimand. VMA 227/2014 section 9, subsection 1.*  **Attachment:** Possible list of referrals and letters of recommendation  *A list of reference persons, if any, including contact information and letters of reference, preferably for employers in the banking or financial sector. (The contact information must include full name, institution, position, telephone number, email address, nature of the professional relationship and any whether or not any non-professional relationship exists or existed with this individual). EBA/GL/2021/06, Annex III, point 1. This Guideline shall apply to credit institutions and investment firms. Fiva considers that the same principles apply to alternative investment fund managers.* | |
| 1. Information on criminal investigations and criminal proceedings against the person concerned, on civil and administrative cases and disciplinary proceedings, incl. business ban on business management, bankruptcy, insolvency and similar procedures   *Extracts and certificates must be provided in the form of an official certificate (if and to the extent that it is available from the Member State, or third country concerned) or other equivalent document; information on pending investigations can be provided through a declaration of honor and conscience. EBA/GL/2021/06, Annex III, point 4*  *VMA 227/2014 section 9, subsection 1, points 2-5.*  Extract from the bankruptcy and corporate restructuring register [[1]](#footnote-1)  Extract from the business banning register [[2]](#footnote-2)  Extract from the debt settlement register[[3]](#footnote-3)  Extract from the guardian register [[4]](#footnote-4)  Click or tap here to enter text. | |
| 1. Possible observation and repudiation procedures from regulatory bodies (regulatory or supervisory body or a professional organization)   *A statement that the person has not received a comment from the appointed supervisory body, or a statement of the offense for which the person has received such a comment. VMA 227/2014 section 9, subsection 1, point 6.*  Click or tap here to enter text. | |
| 1. Information indicating dismissal from a job or a position of trust, or termination of employment or a position of trust, or a similar   *An explanation of any other circumstance that a person considers essential to assessing his/her suitability and reliability. VMA 227/2014 section 9, subsection 1, point 8.*  Click or tap here to enter text. | |
| 1. Reports and results of the assessment of the person's reliability and competence made by another supervisory authority   *If another Financial Supervisory Authority has made a person's suitability and reliability statement, the result of the report; VMA 227/2014 section 9, subsection 1, point 7.*  Click or tap here to enter text. | |
| 1. The financial and other interests of the reported person and his/her close relatives   *All financial and other interests that may create potential conflicts of interest. EBA/GL/2021/06, Annex III point 5*  Click or tap here to enter text. | |
| 1. Information about the minimum period of time the person uses to perform his/her duties in the organization (hours in a week and days in a year)   *Essential information for assessing a person's suitability and reliability. EBA/GL/2021/06, Annex III point 6.*  Click or tap here to enter text. | |
| 1. List of all other tasks that the person takes care of at the same time as the work assignment, and the time they take (hours in a week and days in a year)   *EBA/GL/2021/06, Annex III point 6*  Organization, task, time it takes (hours in a week, days in a year)  Click or tap here to enter text.  No other simultaneous tasks | |
| 1. In addition to the above, any other issues that the notifier may wish to raise and which may be considered essential for the assessment   *A statement of any other matter that the person considers relevant in assessing his or her suitability and reliability. VMA 227/2014 section 9, subsection 1, point 8.*  Click or tap here to enter text. | |
| 1. Other possible attachments   Attachment: Minutes of the General Meeting confirming the appointment of a new member to the supreme administrative body  Attachment: Minutes of the top management body confirming the appointment of a new member  Any other attachment: Click or tap here to enter text. | |
| Place and date  Click or tap here to enter text. | Signature and clarification of signature of the reported person  Click or tap here to enter text. |
| Place and date  Click or tap here to enter text. | Signature and clarification of signature of the managing director / representative of the supervised entity’s board of directors  Click or tap here to enter text. |

1. a statement that the person is not bankrupt and that he or she is in control of himself / herself and his / her property; [↑](#footnote-ref-1)
2. extract from Legal Register Centre’s register of prohibitions to pursue a business [↑](#footnote-ref-2)
3. extract from Legal Register Centre’s register of debt adjustments [↑](#footnote-ref-3)
4. extract from the register of guardianship matters [↑](#footnote-ref-4)