**FORM NO. BDC/Q2**

**THE BUREAUX DE CHANGE BUSINESSES DIRECTIVE OF 2014 (R.A.A. 560/2014)**

**PERSONAL QUESTIONNAIRE**

**FOR THE EXAMINATION OF THE FITNESS AND PROPERNESS**

**OF NATURAL PERSONS WHO ARE** **DIRECT OR INDIRECT CONTROLLERS**

**OF A BUREAU DE CHANGE BUSINESS,**

**MEMBERS OF THE BOARD OF DIRECTORS**

**AND PERSONS RESPONSIBLE FOR THE MANAGEMENT**

**Name of the bureau de change business**

**.........................................................................................**

**Name of the Person and position to be held:**

**.........................................................................................**

**.........................................................................................**

Unless there is a different meaning in the text, for the purpose of completing this questionnaire, the meanings set out in paragraph 3 of the Bureaux de Change Businesses Directive of 2014 (hereinafter the "Directive").

1. **The questionnaire**

The questionnaire must be completed for examining the fitness and properness of natural persons who intend to become direct and indirect controllers of the bureau de change business, the members of the board of directors and persons responsible for the management. The provisions of subparagraphs (1(J) and (1)(a), (8) and (10) of paragraph 5 of the Directive shall apply.

**2.**  **Instructions for completing the questionnaire**

**2.1.** The questionnaire must be completed, signed and submitted to the Central Bank of Cyprus (hereinafter the “CBC") by the interested person through the bureau de change business.

**2.2.** The space provided after each question is not indicative as to extent of the expected answer.

**2.3.** All questions must be answered. Where questions are not applicable, state on the questionnaire the phrase "Not applicable" or “N/A” which are the initial letters of the two words.

**2.4.** Certified true copies of all the requested documents such as copy of the identity card, degree, diploma etc shall be attached on the application except the police clearance report which must be in its original form together with an official translation, in case it is required. In case the applicant is unable to submit any of the required documents, he/she must explain the reasons for such an omission in a letter to be sent together with this questionnaire. Any undue delay for the submission of the required supporting documents will cause a delay in the examination of the application.

**2.5.** The documents that will be attached on the questionnaire should have the same number with the paragraph of the application requiring their submission. The numbering of the attachments must remain unchanged, even if no attachments have been submitted regarding the previous paragraphs.

**2.6.** Where the applicant is requested to confirm a statement, a tick (√) placed in the relevant box will be taken as confirmation.

**2.7** Any questions that have a YES and a NO box, the answers must be indicated by a tick (√) in the appropriate box.

**2.8.** In the course of examining the fitness and properness of a person, the CBC reserves the right to request, if considered appropriate, additional documents and / or information.

**2.9.** If it is determined that the submission of essential information was knowingly avoided, or false or misleading information was knowingly submitted, your integrity will be in doubt as well as your fitness and properness to acquire control of the bureau de change business or to participate in its management.

**2.10.** All the persons completing this questionnaire must submit to the CBC the declaration which is attached as a sample under the title "General Declaration".

**2.11.** In case the questionnaire is completed by a prospective member of the board of directors, must also submit to the CBC the declaration attached as sample under the title "Special Declaration".

**2.12.** Each page of the questionnaire must bear the initials of the person completing it.

Application documentation should be submitted via the CBC’s e-platform. For further details and relevant instructions, please send an email request to licensingsection@centralbank.cy. Should the CBC request for original documents, these should be sent to:

Licensing Section,

Supervisory Approvals Department,

Central Bank of Cyprus,

P.O. Box 25529,

CY-1395 Nicosia,

Cyprus

The use of regular postal services and/or unsecured email is not recommended for sensitive or confidential material.

1. **CONTACT DETAILS**

**Name of the person that the CBC will communicate for the purposes of this questionnaire.**

Title: .....................................................................................................................

Name: .................................................................................................................

Surname: ................................................................................................

Professional title: ...........................................................................................

Company Name: ...........................................................................................

Business address:  ...........................................................................

Postal Code: ..................................................................................................

Phone Number: ..............................................................................................

 Mobile number (optional)   ...................................................................

Facsimile number :  ..............................................................................

Email Address: .............................................................................................

1. **PERSONAL INFORMATION OF THE PERSON BEING EXAMINED**

Title

Surname

Name

Maiden name, if different and / or the date the name changed, if applicable

Date of birth

Identity number (attach copy)

Passport number (attach copy)

Country and place of birth

Nationality / dual nationality, if applicable

Previous nationality, if applicable

Date of change of nationality, if applicable

Method of obtaining the nationality

Email Address

Phone number

**Place of residence**

Current residence address and date from which you live in this (month / year):

Address: ...................................................

 ................................................... From (month / year):

All your previous residential addresses in the last five years and dates, if applicable.

|  |  |  |
| --- | --- | --- |
| Address  | From (month / year)  | To (month / year  |
|   |   |   |
|   |
|   |   |   |
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|   |   |   |
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1. **Description of your current business activities.**

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|      |

1. **Description of your duties in the bureau de change business.**

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|     |

1. **Criminal Record**

Attach a recent original criminal record from the competent authorities of your country of residence.

If in the last five years you resided outside Cyprus, submit a criminal record from the competent authorities of the country in which you resided.

If the criminal record will not be in Greek or in English, please submit an official translation.

1. **Certificate of non-bankruptcy**

Attach a recent original certificate of non-bankruptcy from the competent authorities of your country of residence.

If in the last five years you resided outside Cyprus, submit a certificate of non-bankruptcy from the competent authorities of the country in which you resided. If this certificate will not be in Greek or English, please submit an official translation.

1. **References**

Two reference letters from persons who know you personally and your business activities must be attached.

The above reference letters should be in English or in Greek. In case the reference letters are in any other language, please submit an official translation.

1. **Experience / employment history**

A CV (Curriculum Vitae) must be attached which should include, inter alia, the following:

**10.1** Matters in connection with your professional activity, starting from the most recent employment. For each period of employment include the following information:

* The date of commencement and termination of the employment and the reasons for which it was terminated,
* name, address and nature of the employer’s business,
* position held and key areas of responsibility and
* experience and knowledge gained and if relevant to the proposed position.

**10.** Details about your academic qualifications together with certified true copies (name of educational institution, degree / diploma which was obtained, period of studies (from - to), date obtained).

**10.** Details about your professional qualifications and the professional bodies in which you are a member (name of the professional body, title of the professional qualification, date of obtaining the qualification / date registered as a member (month/year)). Attach relevant certified true copies.

**10.** Details about any other relevant education / training (description, duration and the name of the educational institution) together with certified true copies.

1. **Current/previous approvals**

Have you even been approved in the past by any Regulatory / Supervisory Authority in Cyprus (eg the CBC, the Securities and Exchange Commission, the former Superintendent of Supervision of Cooperative Societies, the Superintendent of Insurance) or by any other foreign Regulatory/Supervisory Authority with similar powers to hold the position of a member of a board of directors or the manager of a regulated entity?

YES [ ]  NO [ ]

If YES, please indicate the following:

|  |
| --- |
| Name of Authority:   |
| Name of regulated entity:   |
| Position for which you have been approved:  From (month / year): To (month / year):  |

1. **Other business activities**

**12.1** Do you currently hold a position or positions in any other legal persons from which you can influence decision making?

[ ]  YES [ ]  NO

If yes please provide details:

|  |  |  |
| --- | --- | --- |
| Name of legal person  | Sector and country in which it carries out its business  | Relationship between the legal person and the bureau de change business  |
|   |   |   |
|   |   |   |
|   |   |   |
|   |   |   |
|   |   |   |
|   |   |   |

**12.2**       Do you have a qualifying holding in the share capital of any other legal persons?

[ ]  YES [ ]  NO

If yes please provide details:

|  |  |  |
| --- | --- | --- |
| Name of legal person  | Relationship between the legal person and the bureau de change business  | Sector and country in which it carries out its business  |
|   |   |   |
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**12.3** In the case where companies in which you have a qualifying holding or you hold a managerial post have been rated by international rating agencies, please provide full details.

1. **Reputation and Character**

The following questions should be answered by entering a (√) in the appropriate box.

In case the response to a question is YES, full details should be given on a separate sheet of paper and referenced to the appropriate question.

**13.1** Have you ever been convicted, in Cyprus or elsewhere, of an offence involving fraud, theft, falsification of accounting transactions, or other serious offences?

YES [ ]  NO [ ]

**13.2** Have you ever been convicted, in Cyprus or abroad, of any offence concerning payment institutions, insurance companies, banking / credit institutions or other financial services, securities or payment instruments, insolvency, consumer credit or consumer protection, money laundering, market manipulation, insider dealing or usury?

YES [ ]  NO [ ]

**13.3** Have you ever been convicted, in Cyprus or abroad, of an offence other than those listed in 13.1 and 13 .2? (Do not include traffic offenses, unless they resulted in a ban from driving, or involved driving without insurance).

YES [ ]  NO [ ]

**13.4** Have you ever been convicted in Cyprus or abroad, of offences relating to tax legislations or tax evasion?

YES [ ]  NO [ ]

**13.5**       Have you ever been given a caution in relation to any criminal offence?

YES [ ]  NO [ ]

**13.6** Are you the subject, in Cyprus or abroad, of any current criminal investigation or proceeding?

YES [ ]  NO [ ]

**13.7** Are you or have you ever been, in Cyprus or elsewhere, the subject of any civil proceedings, arbitration or litigation, including proceedings that may lead to a Court Judgement or other adjudicating claim (ie judgement debts) against you?

YES [ ]  NO [ ]

**13.8** Are you aware of anyone’s intention, in Cyprus or abroad, to initiate civil proceedings, arbitration or litigation, including procedures that may lead to a Court Judgement or other adjudicating a claim against you?

YES [ ]  NO [ ]

**13.9** Do you have any adjudicating claims (including Court Judgements) in Cyprus and abroad, made under a court order which are still outstanding in full or partly?

YES [ ]  NO [ ]

**13.10** Have you ever failed to satisfy any adjudicating claims (including Court Judgements) in Cyprus and abroad, within one year from the issue of the decision?

YES [ ]  NO [ ]

**13.11** Are you or have you ever been the subject, in Cyprus and abroad, of any bankruptcy proceedings or proceedings for the sequestration of your estate?

YES [ ]  NO [ ]

**13.12**   Have you ever entered into a settlement arrangement or an individual voluntary arrangement or other arrangement with you creditors, in Cyprus or abroad?

YES [ ]  NO [ ]

**13.13** Have you ever, in Cyprus and abroad, been effused, restricted in, or had suspended, the right to carry on any trade, business or profession for which specific licence, authorisation, registration, membership or other permission is required?

YES [ ]  NO [ ]

**13.14** Have you ever, in Cyprus or abroad, been disqualified by a court from acting as a director of a company or from acting in a management capacity, or conducting the affairs of any company, partnership or other entity?

YES [ ]  NO [ ]

**13.15**   Have you or any company, partnership or other entity for which you are or were, in Cyprus and abroad, a controller, member of the board of directors, senior manager, partner or secretary, during your association with that entity and for a period of three years after you ceased to be associated with it-

**13.15.1.** been refused, revoked, withdrawn, restricted or terminated any licence, authorisation, registration, membership or other permission granted by any regulatory authority or government body?

YES [ ]  NO [ ]

**13.15.2.** been criticised, censured, disciplined, suspended, expelled, fined, or been the subject of any other disciplinary, or intervention action by any regulatory body?

YES [ ]  NO [ ]

**13.15.3.** resigned while under investigation by, or been required to resign by a regulatory authority?

YES [ ]  NO [ ]

**13.15.4.** made an application to any regulatory authority for a licence, authorisation, registration, notification, membership or other permission and decided not to proceed with it?

YES [ ]  NO [ ]

**13.15.5.** had a finding against you, or a related entity in any civil action in relation to any activities regulated by a regulatory authority?

YES [ ]  NO [ ]

**13.16** Has any company, partnership or other entity which you are or were, in Cyprus or abroad, a controller, member of the board of directors, senior manager, partner or secretary, at any time during your association or within three years after you ceased to be associated with-

**13.16.1.** been put into liquidation, wound up, ceased operations, had a receiver or administrator appointed or entered into any ​​voluntary arrangement with its creditors?

YES [ ]  NO [ ]

**13.16.2.** been adjudged by a court as liable for fraud, misfeasance, illegal trading or other misconduct?

YES [ ]  NO [ ]

**13.16.3.** been investigated or been involved in an investigation, by an inspector appointed under Companies Act or any other legislation?;

YES [ ]  NO [ ]

**13.16.4.** become the subject or was involved in an investigation for alleged misconduct or abuse in connection with a commercial activity?;

YES [ ]  NO [ ]

**13.16.5.** been convicted for carrying out regulated activities without having in prior obtained the required authorisation, or being subject to an investigation for possibly carrying out non authorised regulated activities 

YES [ ]  NO [ ]

**13.16.6.** been convicted of a criminal offense, censured, disciplined, or publicly criticised, by any inquiry, by or any governmental or statutory authority or any other regulatory authority ?

YES [ ]  NO [ ]

**13.17** Have you commenced legal proceedings against any legal person, or a regulatory / supervisory authority, which are pending and which may end up in Court?

YES [ ]  NO [ ]

**13.18** Has your name or the name of your connected persons ever been included in a register of doubtful debtors or in any other recognised credit register with adverse data?

YES [ ]  NO [ ]

**13.19** Has your name, or the name of any of your connected persons ever been included in the Central Information Registry for issuers of bounced cheques, which is maintained by the CBC

YES [ ]  NO [ ]

**13.20** Is there any other information relevant to this application, that one would expect you to disclose?

YES [ ]  NO [ ]

1. **The following questions should be answered only by persons who hold or intend to acquire a qualifying holding in the share capital of the bureau de change business.**

**14.1** Direct qualifying holding:

|  |  |  |  |
| --- | --- | --- | --- |
| Number and value of shares  | % on the total amount of issued and paid up share capital  | Number of voting rights  | % on total voting rights  |
|    |   |   |   |

**14.2** Indirect qualifying holding:

|  |  |  |  |
| --- | --- | --- | --- |
| Number and value of shares in the share capital of the legal person who holds directly a qualifying holding in the share capital of the bureau de change business  | % of shares in the share capital of the legal person who holds an indirect holding in the share capital of the bureau de change business  | Number of voting rights in the legal person who holds directly a qualifying holding in the share capital of the bureau de change business  | % on the total voting rights in the legal person who holds directly a qualifying holding in the share capital of the bureau de change business  |
|    |   |   |   |

|  |  |  |  |
| --- | --- | --- | --- |
| Number and value of shares held by the above person in the share capital of the bureau de change business  | % on the total amount of the issued shares of the bureau de change business  | Number of voting rights the above person holds in the bureau de change business  | % on total voting rights of the bureau de change that the above person holds  |
|    |   |   |   |

**14.3**  Provide information and supporting documents in connection with the cost of the proposed investment and the source of funds with which will be financed.

|  |  |
| --- | --- |
| Cost  | Details in relation to the funding  |
|  |  |

**14.4** Is there any other participation by other persons in the bureau de change business, in any other form such as in its financing?

[ ]  YES [ ]  NO

If the answer is yes please provide full details:

**14.5**       Have you entered into any sort of agreement with any other person (natural or legal), which will affect the manner which you will exercise the voting rights, or your relationship with the bureau de change business?

[ ]  YES [ ]  NO

If the answer is yes please provide full details:

**14.6** Will you participate in the management of the bureau de change business?

[ ]  YES [ ]  NO

If the answer is negative please provide full details:

1. **Any other information you wish to submit to the CBC**

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name and surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**THE BUREAUX DE CHANGE BUSINESSES DIRECTIVE OF 2014**(R.A.A.560 / 2014)

|  |
| --- |
| **GENERAL DECLARATION**  |
|  |
| I, the undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (full name) declare that:  |
|   |
| * 1. I have read the Directive and I intend to comply with its provisions on a continuing basis.
 |
| * 1. The information supplied in this Questionnaire is complete and correct to the best of my knowledge and belief and I agree to provide the Central Bank of Cyprus ("Central Bank"), with any supplementary information and / or clarifications it may require, in connection with the completion of this Questionnaire.
 |
| * 1. I disclosed all information which could reasonably be considered relevant for the purpose of completing this questionnaire, and I undertake to promptly notify the Central Bank of any changes in the information which I have provided and provide in writing the details of such changes and any other relevant information which of which I may become aware at any time after the date of signing this Declaration.
 |
| * 1. I understand it is an offence to knowingly or recklessly give the Central Bank information that is false, misleading or deceptive.
 |
| * 1. I hereby, irrevocably authorise the Central Bank as well as its officers or employees to obtain and / or exchange information, as deemed necessary by them, with any third party such as competent authorities of the Republic, foreign banks or financial / investment or insurance supervisory / regulatory authorities, the current or ex-employers, etc., for the purpose of verifying the information supplied in the questionnaire.
 |
| * 1. I have no objection and I hereby authorise the Central Bank, if it considers it appropriate, to call me for a personal interview.
 |
|   |
| With the present declaration and with complete conscience, I, hereby, authorise and freely give my explicit consent to the Central Bank, to treat my personal data, according to the Processing of Personal Data (Protection of Individuals) Law of 2001, as subsequently being amended.  |
| Personal data include information relating to myself already given or which I will be giving in future to the Central Bank, when applying for the position of a member of the board of directors, of a senior manager of the bureau de change business or to acquire a qualifying holding in the share capital of the bureau de change business.  |
| Processing includes the collection, recording, organisation, preservation, storage, modification, export, use, transmission, dissemination or otherwise making available, the correlation or combination, interconnection, blocking, deletion, or destruction of such data.  |
| **The purpose of the processing**  |
| I understand that the Central Bank will maintain records and will process the above data for the purpose of applying the provisions of the Bureaux de Change Businesses Directive of 2004 (R.A.A.560 / 2014).  |

|  |
| --- |
| **Confidentiality and data recipients**  |
| I understand that all my personal data, subject, where applicable, to the provisions of the Law on banking secrecy will enjoy confidential treatment by the Central Bank and its duly authorised and suitably trained for handling such data employees. Any information which concerns me will not be divulged to any third parties, except in the cases listed below -  |
| • upon my request or my consent,  |
| • when I have been declared bankrupt,  |
| • when it is required by Law or Court order.  |
| • when it is divulged in the context of a judicial process between us.  |
| • when it is divulged for reasons of public interest or for the protection of the interests of the Central Bank.  |
| • when it is divulged for reasons of maintaining and operation of the Registry of bounced Cheques ;  |
|   |
| I also, hereby, give my explicit consent to the interconnection and cross-correlation of files which hold my personal data which are maintained by the Central Bank as well for divulging the data to the competent regulatory authorities of other Member States or third countries for which a permit has been obtained to divulge data and / or interconnection permit as provided by the relevant legislation from the Data Protection Commissioner.  |
| Right of access and correction  |
| I understand that according to the provisions of the Processing of Personal Data (Protection of Individuals) Law of 2001, as may be amended or replaced, I have the right of access, the right of requesting the corrections of the data as well as the right of objection, all of which should be expressed in writing and by paying an appropriate fee. I understand that whenever I am required and / or it is deemed appropriate by the Central Bank, I will offer my assistance for the processing and / or compliance with the above and that I understand that responsible for the processing of my personal data is the Central Bank.  |
| This declaration applies to both current as well as o any future data and information related to me. In this document, the singular includes the plural and the male gander includes the female.  |
|   |
| Signature                             \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |
|   |
| Name and surname               \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |
|   |
| Date                             \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |

**SPECIFIC DECLARATION**

***(TO BE COMPLETED ONLY BY A PERSON WHO WILL BECOME A MEMBER OF THE BOARD OF DIRECTORS OF THE BUREAU DE CHANGE BUSINESS)***

I, the undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (full name)

 declare that:

(A) I will hold the position of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(B) The Bureau de Change Business has fully explained to me -

* + my duties, responsibilities and obligations as a director of the bureau de change business, in accordance with the Law and under the Companies Law and, as a result I am fully aware of these duties, responsibilities and obligations,
	+ my expected contribution, and
	+ the time I am expected to devote for this purpose.

(C) I hereby, confirm that I am in a position and I have the available time to discharge my duties, responsibilities and obligations.

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name and surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_