

Application for an Insolvency Licence from an individual who is not a member of ACCA



This form should be completed only by an individual who is not a member of ACCA. A member of ACCA or an individual who is applying for an ACCA insolvency licence in conjunction with an application for direct admission to ACCA membership should apply under the main ACCA scheme using the appropriate application form which can be downloaded from ACCA's website at www.accaglobal.com/members/professionalstandards

Please read carefully section 5 of the *Practice Information* handbook which can be found on ACCA's website (www.accaglobal.com/members/professionalstandards) or requested from professional standards (tel: +44 (0)141 534 4175), before completing this form. This form should be completed if you wish to apply for an insolvency licence under the Insolvency Act 1986 (Great Britain) or Insolvency (Northern Ireland) Order 1989. Please use BLOCK CAPITALS and black ink throughout and retain a photocopy of the completed form for future reference.

Return the form, with the appropriate fee, to:
Professional Standards, ACCA, 2 Central Quay, 89 Hydepark Street, Glasgow G3 8BW, United Kingdom.

Please note that insolvency licences are issued on a calendar year basis and are valid until 31 December each year only.

PERSONAL INFORMATION

Full name Title

ACCA reference number (for staff use)

Mailing address

Town County

Country Postcode

PRACTISING DETAILS

A Date you intend to commence practising

B I intend to practise (tick as appropriate)

as a sole practitioner as a partner/director as both a sole practitioner and a partner/director

as an appointment-taking/non appointment-taking* employee of a firm of insolvency practitioners

* Delete as applicable

C Firm's name[†]

(Please underline the first surname to indicate where your firm should appear in registers/directories compiled or published by ACCA.)

[†] If this is an incorporated firm, and ownership and control details have not previously been provided to ACCA, please complete and return an *Incorporation Notification* form which can also be found on ACCA's website at www.accaglobal.com or requested from professional standards (see above for contact details).

D Partners/directors (If you are not intending to practise as a sole practitioner, please enter the names of all partners/directors with their designatory letters.)

E i Head office address

Town	County
Country	Postcode
Tel	Fax
E-mail	Website

ii Address of your office (if different from E(i))

Town	County
Country	Postcode
Tel	Fax
E-mail	

F Address and contact details of your firm's other branches (use a separate sheet if necessary)

i

Town	County
Country	Postcode
Tel	Fax
E-mail	

ii

Town	County
Country	Postcode
Tel	Fax
E-mail	

G **OTHER FIRMS IN WHICH YOU PRACTISE** – In addition I am a partner/director, sole practitioner or appointment-taking/non appointment-taking/employee* in the following firm(s).

(All practices must be listed and incorporation details provided, if applicable. Please use a separate sheet if necessary.)

* Delete as applicable

Firm's name

(Please underline the first surname to indicate where your firm should appear in registers/directories compiled or published by ACCA.)

H Partners/directors (If you are not a sole practitioner please enter the names of all partners/directors with their designatory letters.)

I i Head office address

Town County

Country Postcode

Tel Fax

E-mail Website

ii Address of your office (if different from I(i))

Town County

Country Postcode

Tel Fax

E-mail

Please provide address and contact details of your firm's other branches on a separate sheet, if applicable.

PREVIOUS AUTHORISATIONS

Have you previously been granted/applied for an insolvency licence from another Recognised Professional Body or Authority?*

Yes No

* You must tick 'Yes' if you have made any form of application, including any application which was rejected or withdrawn, or which is still awaiting consideration.

If YES, please state

Name(s) of the Recognised Professional Body or Authority

Date of application

Was the application successful?

Yes No

If YES, please state expiry date

If NO, please state the reasons on a separate sheet and attach it to this form.

Have you (or your firm or any of its partners/directors/responsible individuals) ever been subject to any regulatory action in respect of audit, investment business and/or insolvency by a regulatory body? **

Yes No

** You must tick 'Yes' if you (or your firm or any of its partners/directors/responsible individuals) have any pending regulatory matter(s) under investigation by a regulatory body.

If YES, please provide details on a separate sheet and attach it to this form.

Are you aware of any other regulatory matter(s) which may impact on your application?

Yes No

If YES, please provide details on a separate sheet and attach it to this form.

CONDITIONS FOR THE ISSUE OF AN INSOLVENCY LICENCE

In signing this section of the form I confirm that:

A Fit and proper person

none of the matters or events referred to in the Chartered Certified Accountants' Global Practising Regulation 2003 (GPR)* 8 applies to me or to any matters referred to in the corresponding Annex(es);

B Professional indemnity insurance (not applicable to an employee applying for an insolvency licence as a non appointment-taker)

I have professional indemnity insurance as required by GPR 9 and, following my current policy's expiry, will renew it on terms complying with GPR 9. Details of the name of the insurer and the policy number are provided in the appropriate part of the form;

C Insolvency practitioner's bond

I will not hold, or seek, insolvency appointments without a valid insolvency practitioner's bond and will, so long as I hold such a bond, submit to my bond insurer and ACCA monthly schedules of appointments taken or terminated ("bordereaux"), including nil returns where applicable, in accordance with regulation 14(3) of the UK Annex to the GPRs;

D Maintenance of competence

I will comply with the continuing professional development obligations of GPR 10;

E Continuity of practice (not applicable to an employee applying for an insolvency licence as a non appointment-taker)

I have made arrangements complying with GPR 11 for the continuity of my practice in the event of my death or incapacity. Details of the continuity arrangements are provided in the appropriate part of the form;

F Notification

I agree to comply with GPR 12 and to notify in writing to ACCA all matters specified in that regulation and will provide such notification at least 28 days in advance of the relevant event. I undertake to notify ACCA immediately in the event of any information previously supplied to it in support of my application ceasing to be true, accurate or complete, or in the event of any change in circumstances, or any event which may call into doubt the validity of my application, or the continuation of any licence granted;

G Conduct of public practice

I will comply with GPR 13, ACCA's Code of Ethics and Conduct and all technical standards/guidelines applicable to my work;

H Disclosure of information

I will comply with regulation 19(2) of the UK Annex to the GPRs;

I Monitoring, quality assurance and compliance

I confirm that I am aware of the requirement of GPR 14 and will supply all such information as is necessary to enable ACCA to complete its monitoring and quality assurance programme efficiently.

(Where reference is made to the GPRs, applicants should note that they must also comply with the UK Annex to the GPRs.)

Signature

* The GPRs are contained in the *ACCA Rulebook* which can be found on ACCA's website at www.accaglobal.com/members/professionalstandards. If you would prefer a printed book please contact professional standards, tel: +44 (0)141 534 4175. Please note that a CD ROM copy of the *ACCA Rulebook* will be sent to you, if your application is approved, unless you specify otherwise on page 12.

PROFESSIONAL INDEMNITY INSURANCE, CONTINUITY OF PRACTICE AND BONDING DETAILS

Professional indemnity insurance (not applicable to an **employee** applying for an insolvency licence as a non appointment-taker)

I detail below the name of my insurer and policy number/I enclose a quotation document as evidence that I have applied for a policy and undertake to provide details of my policy number to ACCA once it has been confirmed.*

If you practise in more than one firm, please provide additional PII details on a separate sheet.

Insurance company

Policy number

* Delete as applicable

Continuity of practice (not applicable to an **employee** applying for an insolvency licence as a non appointment-taker)

I have made arrangements for the continuity of my practice in the event of my death or incapacity

in the partnership agreement or memorandum and articles of association of my firm

OR

with the following insolvency practitioner or firm of practising accountants with at least one licensed insolvency practitioner

Name of firm

Professional body

Address

Town

County

Country

Postcode

If you practise in more than one firm or country, your continuity arrangements must make provision for this. Please provide additional continuity of practice details on a separate sheet.

Insolvency practitioner's bond ('enabling bond') (not applicable to an **employee** applying for an insolvency licence as a non-appointment-taker)

I detail below the name of my insurer and bond number/I enclose a quotation document as evidence that I have applied for a bond.*

Insurance company

Bond number

* Delete as applicable

Tick below as appropriate

I enclose the complete and original bond document. I understand that this will be retained by ACCA.

I enclose a quotation document as evidence that I have applied for a bond and undertake to provide details of my bond to ACCA once it has been confirmed.**

Photocopied documentation confirming that a current bond is in place is enclosed. I undertake to obtain from my insurer a new full, sealed, bond in favour of ACCA if my licence application is successful and to forward this to ACCA for safe keeping.**

** **Please note that your licence will not be issued until ACCA has received the complete and original bond document.**

SUMMARY OF EMPLOYMENT AND EXPERIENCE RECORD

This section should only be completed if this is your first application for an insolvency licence.

Summary of employment

An applicant for an insolvency licence must have obtained three years' acceptable experience in the office of a practising accountant, insolvency practitioner or an Official Receiver, which includes relevant insolvency experience of at least 600 hours in the three years immediately preceding the application (of which at least 150 hours must be obtained in each of the three calendar years within such period) as an assistant to an appointment holder.

Please outline below your complete employment history, commencing with your current or most recent employer. (Please use additional sheets if necessary.)

1 Name and address of employer

Nature of employer's business

Job title Dates (from) (to)

Areas of responsibility

2 Name and address of employer

Nature of employer's business

Job title Dates (from) (to)

Areas of responsibility

3 Name and address of employer

Nature of employer's business

Job title Dates (from) (to)

Areas of responsibility

4 Name and address of employer

Nature of employer's business

Job title Dates (from) (to)

Areas of responsibility

5 Name and address of employer

Nature of employer's business

Job title Dates (from) (to)

Areas of responsibility

Please continue on a separate sheet, if necessary

You will automatically receive your copy of the *ACCA Rulebook 2009* in CD-ROM format.

If you would prefer to receive a printed book, please tick here

If you already have a copy of the *ACCA Rulebook 2009*, please tick here
(If you tick this box you will not receive an additional copy)

CONFIRMATION

If you have been subject to matters within the terms of bye-law 8 and ACCA's professional conduct department is aware of this, you may sign and submit this form. If you are concerned that you may be subject to matters under bye-law 8 of which the professional conduct department is not already aware, please notify ACCA in writing to professionalconduct@accaglobal.com or 29 Lincoln's Inn Fields, London WC2A 3EE. Following this notification you may sign and submit this form.

I confirm that the information in this application form is true, accurate and complete to the best of my knowledge and belief. I understand that a false declaration on this form may lead to disciplinary action being taken against me and/or may invalidate any decision related to this application. I confirm that I have read, and undertake to comply with, the conditions for the issue of an insolvency licence. I further confirm that I have not been subject to any criminal, disciplinary, regulatory or any other matters within the terms of bye-law 8 (liability to disciplinary action) that may call into doubt the validity of my application, which I have not already brought to the attention of ACCA's professional conduct department. I am aware of, and will abide by, my continuing obligation to draw any such matters to ACCA's attention.

I also confirm that I undertake and agree to be bound by:

- i the Chartered Certified Accountants' Global Practising Regulations 2003, Authorisation Regulations 1998 and Disciplinary Regulations 2001 (as amended from time to time) as if I was a member of ACCA;
- ii the Charter, all bye-laws and regulations of ACCA (and regulations made pursuant to the bye-laws) as if I was a member of ACCA insofar as the same are appropriate and applicable) other than those relating to members' rights to attend and vote at meetings of ACCA and obligations to pay subscriptions;
- iii the regulations concerning liability of ACCA in damages for its acts and omissions; and
- iv the disciplinary procedures of ACCA and penalties which may be imposed under such provisions insofar as such penalties could be applicable to a person who is not a member of ACCA.

Signature

Date

**Please return this form, with the appropriate fee, to:
Professional Standards, ACCA, 2 Central Quay, 89 Hydepark Street, Glasgow G3 8BW, United Kingdom.**

- 8 a** A member, relevant firm or registered student shall, subject to bye-law 11, be liable to disciplinary action if:
- i** he or it, whether in the course of carrying out his or its professional duties or otherwise, has been guilty of misconduct;
 - ii** in connection with his or its professional duties, he or it has performed his or its work, or conducted himself or itself, or conducted his or its practice, erroneously, inadequately, inefficiently or incompetently;
 - iii** he or it has committed any breach of these bye-laws or of any regulations made under them in respect of which he or it is bound;
 - iv** in the case of a relevant firm, any person has in the course of the business of that firm committed any breach of these bye-laws or of any regulations made under them in respect of which that person is bound;
 - v** he is a specified person in relation to a relevant firm against which a disciplinary order has been made and which has become effective or which has been disciplined by another professional body or pursuant to some other disciplinary process;
 - vi** he or it has been disciplined by another professional body or pursuant to some other disciplinary process;
 - vii** he or it has made an assignment for the benefit of creditors, or has made an arrangement for the payment of a composition to creditors, or has had an interim order made by the court in respect of him, or is a specified person in relation to a relevant firm which has made such an assignment or composition or been wound up as an unregistered company, or entered into a voluntary arrangement, administration or liquidation, in each case where applicable under the Insolvency Act 1986, or other similar or analogous event has occurred in relation to him or it under applicable legislation; or
 - viii** he or it has failed to satisfy a judgment debt without reasonable excuse for a period of two months (and the fact that he or it did not have sufficient funds to discharge the debt shall not be a reasonable excuse for this purpose) whether or not the debt remains outstanding at the time of the bringing of the disciplinary proceedings hereunder.
- b** Each of the paragraphs in bye-law 8(a) shall be without prejudice to the generality of any of the other paragraphs therein.
- c** For the purposes of bye-law 8(a), misconduct includes (but is not confined to) any act or omission which brings, or is likely to bring, discredit to the individual or relevant firm or to the Association or to the accountancy profession.
- d** For the purposes of bye-law 8(a), in considering the conduct alleged (which may consist of one or more acts or omissions), regard may be had to the following:
- i** whether an act or omission, which of itself may not amount to misconduct, has taken place on more than one occasion, such that together the acts or omissions may amount to misconduct;
 - ii** whether the acts or omissions have amounted to or involved dishonesty on the part of the individual or relevant firm in question;
 - iii** the nature, extent or degree of a breach of any code of practice, ethical or technical, adopted by Council, and to any regulation affecting members, relevant firms or registered students laid down or approved by Council.
- e** The following shall be conclusive proof of misconduct:
- i** the fact that a member, relevant firm or registered student has pleaded guilty to, or been found guilty of, any offence discreditable to him or, as the case may be, it, or derogatory to the Association or the accountancy profession, before a court of competent jurisdiction in the United Kingdom or before a court of competent jurisdiction in any other country where such court's judgments are in the opinion of Council (or relevant committee of Council) relevant;
 - ii** the fact that a member, relevant firm or registered student has been found to have acted fraudulently or dishonestly in any civil proceedings before any court of competent jurisdiction in the United Kingdom or before a court of competent jurisdiction in any other country where such court's judgments are enforceable in the United Kingdom.