

Application for Exempt Regulated Activities registration (UK)

This form should be completed if you wish your firm to undertake exempt regulated activities through ACCA under the Financial Services and Markets Act 2000.

Please read carefully section 5 of the *Practice Information handbook*, which can be found on ACCA's website (www.accaglobal.com/practising), before completing this form. Please use BLOCK CAPITALS and black ink throughout and retain a copy of the completed form for future reference. Please allow up to 30 working days for your application to be assessed.

Return the form to authorisation@accaglobal.com.

(Form 'PIB(UK)' (registration of non-ACCA partners/directors/employees) is at page 13. One PIB form must be completed by each non-ACCA partner/director/controller and by each non-partner/director responsible for exempt regulated activities work.)

Please note that all confirmations of registration are issued on a calendar year basis and are valid until 31 December each year only.

Data protection

We may use the personal data provided on this form for the purposes of;

- Firm administration and application to register for exempt regulated activities
- regulation of the firm, and to contact nominated individuals
- responding to enquiries and investigating complaints
- complying with regulatory obligations

We may share information with our suppliers and our auditors, and relevant enforcement authorities where authorised by law. Please note that for individuals and firms based outside of the UK, your information will be held in ACCA's main information systems which are located in the UK and EU and may be accessed by ACCA's local office in your country of residence. ACCA processes information within the UK and EU, but may also transfer data outside of the UK and EU as part of its operations and service delivery.

For more information on how your personal information and rights are respected, please see our [privacy notice](#) (<http://www.accaglobal.com/privacy>), or contact privacy@accaglobal.com

REGISTRATION DETAILS

A Contact partner/director

Full name

ACCA membership number (if known/applicable)

B Trading name of firm

Please ensure that this name agrees with the name on your letterhead. (Incorporated firms (limited companies and limited liability partnerships) – confirmations of exempt regulated activities registration will be issued in the name of the incorporated firm, not its trading name(s))

Name of firm

Firm's ACCA reference number (if known/applicable)

C Registrations required

Please indicate which of the following services your firm requires registration to undertake on an incidental basis (firms undertaking these services as a mainstream activity must be authorised by the Financial Conduct Authority (FCA)). Further information is available on our website at www.accaglobal.com/practising

Regulated mortgages Long-term care insurance (LTCI) Other insurance distribution
Non-insurance investment business Credit-related regulated activities

(Information will be provided to FCA in order for it to maintain a register of firms eligible to undertake LTCI and/or other insurance distribution services. The name of the firm's nominated contact partner/director who will be responsible for such activities will also appear on the register. Responsibility rests with the sole practitioner or partner/directors of the firm to ensure that their firm is included on the Financial Services Register before undertaking LTCI and/or other insurance distribution services.)

Firms undertaking insurance distribution work

Please answer the following three questions if your firm requires registration to undertake insurance distribution.

- 1 In order to undertake insurance distribution a firm is required to hold professional indemnity insurance (PII) cover of the equivalent of £1,500,000 in the aggregate and £1,000,000 on each and every claim.

Please confirm that you already have in place the appropriate level of PII cover Yes No

- 2 Does anyone within either the management structure of your firm or the staff directly involved in insurance distribution* have a criminal conviction for any serious offences relating to financial activities or crimes against property? Yes[†] No

- 3 Is anyone within either the management structure of your firm or the staff directly involved in insurance distribution* an undischarged bankrupt? Yes[†] No

[†] Please provide details on a separate sheet.

* 'Staff' means sub-contractors and consultants as well as employees.

D Previous authorisation/registration

My firm has previously been granted/applied for exempt regulated activities registration or credit-related regulated activities registration from another Designated Professional Body (DPB) or full investment business authorisation or credit-related regulated activities registration from the FCA* Yes No

* You must tick 'Yes' if your firm (or any of its partners/directors) has made any form of application, including any application which was rejected or withdrawn, or which is still awaiting consideration.

If YES, please indicate which body ACCA ICAEW ICAS ICAI FCA

Was the application successful? Yes No

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

E Regulatory matters

Has your firm (or any of its partners/directors/responsible individuals) ever been subject to any regulatory action in respect of audit, investment business, credit-related regulated activities or insolvency by a regulatory body?*** Yes No

*** You must tick 'Yes' if your firm (or any of its partners/directors/responsible individuals) has 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.

F Disciplinary matters

Have you (or any of your firm's partners/directors/responsible individuals) ever been subject to any disciplinary action by a regulatory body?*** Yes No

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

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

G Composition of firm

Please tick one box only

My firm is controlled by practising members of DPBs and contains ACCA partners/directors

My firm is controlled by practising members of DPBs and contains **no** ACCA partners/directors (the above contact partner/director must apply for direct admission to ACCA membership as ACCA can only register firms for exempt regulated activities if at least one of the partners/directors in the firm is an ACCA member. The relevant forms are available via ACCA's website at www.accaglobal.com or by contacting ACCA Connect on +44 (0)141 582 2000.)

CONDITIONS FOR EXEMPT REGULATED ACTIVITIES REGISTRATION

In signing this section of the form I confirm that I have read and understood the conditions for exempt regulated activities registration, and that:

Eligibility

my firm is eligible for exempt regulated activities registration in accordance with the Chartered Certified Accountants' Designated Professional Body Regulations 2001 (DPBRs) 3(1), 3(2) and 3(3), as applicable, as it is:

a sole proprietorship and I hold an ACCA practising certificate valid for the UK;

or

a partnership or incorporated firm with at least one partner or director who is a member of ACCA and who holds an ACCA practising certificate valid for the UK; and

all other partners or directors are entitled to practise accountancy and are members of another DPB or, in the opinion of Admissions and Licensing Committee, hold an adequate qualification; and

the partners or directors who are members of ACCA or of another DPB manage or control the firm; and

each partner or director who is a member of ACCA holds a practising certificate valid in the UK.

Undertakings

each partner/director/controller who is not a member of ACCA will give the undertakings to Admissions and Licensing Committee in either (a) or (b) below in accordance with DPBR 3(2)(b) and DPBR 3(3)(b), as applicable:

a member of another Designated Professional Body

"I confirm that I am a member of another DPB and undertake to agree to be bound by:

- i the Chartered Certified Accountants' Global Practising Regulations (GPRs) 2003, Authorisation Regulations 2014 and Designated Professional Body Regulations 2001 (as amended from time to time) as if I was a member of ACCA;
- ii all bye-laws, the Code of Ethics and Conduct and regulations of ACCA (and regulations made pursuant to the bye-laws) concerning or relating to the undertaking of exempt regulated activities as if I was a member of ACCA;
- 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."

b other individuals eligible to practise accountancy and who, in the opinion of Admissions and Licensing Committee, holds an adequate qualification

"I confirm that I am eligible to practise accountancy and undertake to agree to be bound by:

- i the Chartered Certified Accountants' Global Practising Regulations (GPRs) 2003, Authorisation Regulations 2014 and Designated Professional Body Regulations 2001 (as amended from time to time) as if I was a member of ACCA;
- ii the Charter, the Code of Ethics and Conduct, all bye-laws and regulations of ACCA (and regulations made pursuant to the bye-laws) concerning or relating to the undertaking of exempt regulated activities as if I was a member of ACCA;
- 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."

(Each partner/director or non-partner/director responsible for undertaking exempt regulated activities who is not a member of ACCA must provide additional information in a form specified by, and to the satisfaction of, Admissions and Licensing Committee. One copy of the appropriate form, PIB (UK), is attached to this form.)

Main business

the main business of my firm is the provision of public practice accountancy services other than regulated activities in accordance with DPBR 3(6)(a) and 3(6)(b);

Trading name of firm

the name of the firm specified on this form is the name under which exempt regulated activities are undertaken and that any change to the name of the firm will be notified 28 days in advance of the implementation of any change from the stated date of the change as required under GPR 12(1)(a)(i) and GPR 12(1)(b);

(If undertaking long-term care insurance and/or other insurance distribution services, this name will be provided to the Financial Conduct Authority (FCA) in order for it to maintain a register of firms eligible to undertake these services.)

Overseas branches and offices

my firm with a branch (or branches) or office (or offices) outside of the United Kingdom shall be eligible to undertake exempt regulated activities in the UK from its UK branch (or branches) or office (or offices) (subject to the requirements of other relevant regulations);

Other authorisations

my firm does not hold investment business authorisation or credit-related regulated activities registration by FCA under the Financial Services and Markets Act 2000;

Approval and withdrawal of registration, misconduct

my firm accepts that its application for registration will be dealt with in accordance with the provisions laid down in the Authorisation Regulations 2014 (ARs) and ARs 3, 4, 5 and 6 in particular, and that its registration may be subject to conditions, suspensions or withdrawal as determined by ACCA in accordance with the ARs and DPBRs. It further accepts that breaches of the DPBRs and undertakings given thereunder by partners/directors, or other persons connected with the firm may be treated as misconduct for the purpose of disciplinary proceedings against the firm and/or any of its partners/directors;

Prohibited activities

my firm will not carry out any prohibited activities as detailed in DPBR 4(2);

Arrangements with third parties

my firm will not enter into arrangements with third parties that contravene DPBR 5(3);

Notification, monitoring and enforcement

my firm acknowledges its duty to notify ACCA in writing of all matters specified under GPR 12 and that such notification must, in certain circumstances, be given 28 days in advance. My firm undertakes to notify ACCA immediately in the event of any information previously supplied to it in support of a registration ceasing to be true, accurate or complete, or in the event of any change in circumstances, or the continuation of any registration granted. My firm will provide such information as necessary for ACCA to carry out its duties as a Designated Professional Body under the Financial Services and Markets Act 2000 ("the Act") and will co-operate with ACCA in its monitoring and enforcement of its regulations as required by GPR 14;

Liability

my firm acknowledges that in the course of registering it to undertake exempt regulated activities, neither ACCA nor any of its officers or servants or agents nor any members of any committee of Council shall be liable in damages or otherwise for anything done or omitted to be done in the discharge or purported discharge of any function under the Act set out below unless the act or omission is shown to have been in bad faith. The functions referred to above are the functions of ACCA so far as relating to or matters arising out of:

- a the bye-laws, regulations and arrangements of ACCA so far as they relate to or are applied in respect of the undertaking of exempt regulated activities under the Act or any matters concerning the Act and/or to which the requirements of the Act requires ACCA to comply;
- b any guidance issued by ACCA in respect of any matter dealt with by such rules as are mentioned in (a) above;
- c the obligations, powers and duties to which ACCA is subject by virtue of the Act;
- d any orders or directions given by the Financial Conduct Authority;

Professional indemnity insurance

my firm accepts its obligation to hold professional indemnity insurance cover of £1,500,000 in the aggregate and £1,000,000 on an each and every claim basis in order to undertake insurance distribution work. (Providing information to an intermediary or insurance company after an introduction has been made a regulated activity but will be exempt from the increased professional indemnity insurance requirement.)

Credit-related regulated activities

my firm shall comply with the provisions of the Consumer Credit Act 1974 and the provisions of secondary legislation made under that Act remaining in force, and shall ensure that its officers and employees (including sub-contractors and consultants) comply with all such legislation. When carrying on a credit-related regulated activity or an activity connected to that regulated activity, my firm will comply with the conduct provisions of the Consumer Credit sourcebook relevant to that activity and the FCA's Principles for Businesses referred to in 1.1.4G of that sourcebook as if they were authorised under the Act with a permission under Part 4A of the Act to carry on the relevant regulated activity.

Conduct

my firm shall comply with ACCA's Code of Ethics and Conduct in the conduct of exempt regulated activities.

Disclosure of information

my firm shall supply ACCA with all necessary information to enable ACCA to comply with its obligations to the FCA and other bodies in its capacity as a DPB.

Anti-money laundering

my firm will comply with the requirements of relevant anti-money laundering legislation and regulation, including specifically that:

- my practice has a nominated officer to take responsibility for compliance
- there are procedures in place to gather and retain evidence of the identification of all clients
- principals and staff in my practice receive appropriate training
- ongoing compliance monitoring is carried out
- suspicions of money laundering are reported as required by law.

(Where reference is made to the GPRs, applicants registering to undertake exempt regulated activities should note that they must also comply with the UK Annex to the GPRs. The regulations are contained in the [ACCA Rulebook](#) which can be found on ACCA's website at www.accaglobal.com/rulebook)

Contact partner's/director's signature

PROFESSIONAL INDEMNITY INSURANCE AND CONTINUITY OF PRACTICE

Professional indemnity insurance

I detail below the name of my firm's 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.*

Insurance company

Policy number

* Delete as applicable

Continuity of practice

My firm has made arrangements for continuity of practice

in the partnership agreement or memorandum and articles of association

OR

with the following firm which has exempt regulated activities registration or full investment business authorisation

Name of firm

Professional body

Address

Town

County

Country

Postcode

OFFICE DETAILS

The principal office address of this firm is

Town

County

Postcode

Tel

Email

Fax

Website

Incorporated firms only: is this the firm's registered address?

Yes

No

If no, please ensure that the firm's registered address is clearly indicated below or attached on a separate sheet.

The branch offices of this firm are (please continue on a separate sheet if necessary)

A

Town

County

Postcode

Tel

Fax

Email

B

Town

County

Postcode

Tel

Fax

Email

C

Town

County

Postcode

Tel

Fax

Email

COMPOSITION OF FIRM

Each partner/director (including contact partner/director) must sign below. In signing this section, each partner/director expressly gives the undertakings contained in pages 2 – 4 and 11 of this form.

Continue on a separate sheet if necessary.

A ACCA partners/directors

Office (ie principal or A, B, etc. as above)	Name	ACCA membership number	Signature
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B Non-ACCA partners/directors*

Office	Name	Qualification (if any)	Signature
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C Non-partners/directors, ie employees or consultants, undertaking ERA on behalf of the firm*

Office	Name	Qualification (if any)	Signature
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(* Each person at 'B' and 'C' must complete a form PIB (UK). In the case of those at 'B', this is irrespective of whether or not they undertake ERA on behalf of the firm. The PIB (UK) form is attached at page 13).

SHAREHOLDER DETAILS

This section is to be completed by incorporated firms only ie limited companies and, where applicable, limited liability partnerships.

A Share capital (not applicable to limited liability partnerships)

Authorised share capital[†] shares of £ each. Shares issued

[†] Not applicable to companies formed on or after 1 October 2009.

If there is more than one share category, please provide full details on a separate sheet.

B Company registration number

Country in which registered

Date of latest Annual Return to Registrar of Companies

C Shareholders (limited liability partnerships should use this section to provide the voting rights of partners)

Directors

i ACCA directors who are shareholders (please continue on a separate sheet if necessary)

Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%

ii Non-ACCA directors who are members of other DPBs who are shareholders (please continue on a separate sheet if necessary)

Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%

iii Directors who are not members of ACCA or other DPBs who are shareholders (please continue on a separate sheet if necessary)

Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%
Name	Percentage of voting rights exercisable at general meetings	%

Controllers (Do not include persons already included above. Please continue on a separate sheet if necessary.)

iv Non-directors who are ACCA members and controllers of 10% or more of voting rights

Membership no. Name

Address

Postcode Signature

Enter the percentage of voting rights exercisable at general meetings %

Membership no. Name

Address

Postcode Signature

Enter the percentage of voting rights exercisable at general meetings %

v **Non-directors who are not members of ACCA but who are members of other DPBs who are controllers of 10% or more of voting rights****

Name

Address

Postcode Signature

Enter the percentage of voting rights exercisable at general meetings %

Name

Address

Postcode Signature

Enter the percentage of voting rights exercisable at general meetings %

vi **Non-directors who are not members of ACCA or other DPBs who are controllers of 10% or more of voting rights****

Name

Address

Postcode Signature

Enter the percentage of voting rights exercisable at general meetings %

Name

Address

Postcode Signature

Enter the percentage of voting rights exercisable at general meetings %

(**Each non-ACCA controller must complete a form PIB (UK) irrespective of whether or not they undertake ERA on behalf of the firm.)

vii **Percentage of total voting rights held by those named at C(i), (ii), (iv) and (v) %**

If this total is less than 50%, ensure that you indicate below (by annotations in the margin) which of the remaining shareholders are members of ACCA or another DPB.

viii **Other shareholders** (please continue on separate sheet if necessary)

Name

Address

Postcode

Signature

Enter the percentage of voting rights exercisable at general meetings %

Name

Address

Postcode

Signature

Enter the percentage of voting rights exercisable at general meetings %

Name

Address

Postcode

Signature

Enter the percentage of voting rights exercisable at general meetings %

Name

Address

Postcode

Signature

Enter the percentage of voting rights exercisable at general meetings %

Name

Address

Postcode

Signature

Enter the percentage of voting rights exercisable at general meetings %

Name

Address

Postcode

Signature

Enter the percentage of voting rights exercisable at general meetings %

CLOSE LINKS

Please provide details of the identities of any other persons who have close links* with the firm, together with information to enable ACCA to determine that those close links do not prevent the effective exercise of ACCA's supervisory functions.

* 'Close links' has the meaning given by article 13 point 17 of Directive 2009/138/EC, and comprises a situation in which two or more persons are linked by control or participation, or a situation in which two or more persons are permanently linked to one and the same person by a control relationship.

1 Does your firm have close links?* Yes No

If Yes, please provide the required information below about the close links and a structure chart which shows the nature of the relationship between the firm and each close link.

Natural persons

Name	Date of birth	Address
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Continue on a separate sheet if necessary

Structure chart provided on a separate sheet

Legal persons

Name	Address	Is the entity regulated?
		Yes No

Structure chart provided on a separate sheet

2 Are you aware of any information to suggest that any close link is likely to prevent ACCA's effective supervision of the firm? Yes No

If Yes, please provide details below

Continue on a separate sheet if necessary

CONFIRMATION

If you (or any of your firm's partners, directors or responsible individuals) have been subject to matters within the terms of Byelaw 8 and ACCA's Assessment and Investigations Departments are aware of this, you may sign and submit this form. If you are concerned that you (or any of your firm's partners, directors or responsible individuals) may be subject to matters under Byelaw 8 of which ACCA's Assessment and Investigations Departments are not already aware, please notify ACCA in writing to complaintassessment@accaglobal.com.

Following this notification you may sign and submit this form.

On behalf of my firm, I confirm that the information in this application form is true, accurate and complete to the best of my knowledge and belief after making all reasonable enquiries. I understand that a false declaration on this form may lead to disciplinary action being taken against me and/or my firm and may invalidate any decision relevant to this application. I confirm that I have read, and undertake to comply with the conditions for the issue of a firm's exempt regulated activities registration. I further confirm that neither I nor the firm nor any of its partners/directors/responsible individuals have been subject to any criminal, disciplinary, regulatory or any other matters within the terms of byelaw 8 (liability to disciplinary action) or GPR 8 (fit and proper persons) that may call into question my firm's eligibility for registration, which I have not already brought to the attention of ACCA's Assessment and Investigations Departments in writing. I am aware of, and will abide by the notification requirements set out in GPR 12 and my continuing obligation to promptly notify ACCA of any matters which may make me or my firm liable to disciplinary action. I understand that I am required to disclose any unspent convictions and/or cautions that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). I am aware of, and will abide by, my continuing obligation to draw any such matters to ACCA's attention.

Contact partner's/director's signature

Date

ENCLOSURES

Attached forms

Completed PIB (UK) for each partner/director/controller who is not a member of ACCA and each employee/consultant undertaking ERA on behalf of the firm.

CHECKLIST

Before you send your application to ACCA please check you have:

- Signed the conditions for exempt regulated activities registration on page 4
- Provided professional indemnity insurance details on page 5
- Provided continuity of practice details on page 5
- Completed the 'Close links' section on page 10
- Signed the confirmation on page 11.
- Completed a PIB (UK) form for each partner, director, employee or consultant who is not a member of ACCA.

Please return this form to authorisation@accaglobal.com

BYELAW 8 – LIABILITY TO DISCIPLINARY ACTION

- 8 a** A member, relevant firm or registered student shall, subject to byelaw 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 byelaws 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 byelaws 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 or regulatory body;
 - vi he or it has been disciplined by another professional or regulatory body;
 - 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;
 - viii he or it has failed to satisfy a judgment debt without reasonable excuse for a period of two months (the burden resting on him or it to prove such a reasonable excuse on the balance of probabilities) whether or not the debt remains outstanding at the time of the bringing of the disciplinary proceedings hereunder;
 - ix before a court of competent jurisdiction in the United Kingdom or elsewhere, he or it has pleaded guilty to, been found guilty of, or has accepted a caution in relation to, any offence discreditable to ACCA or to the accountancy profession; or
 - x before a court of competent jurisdiction in the United Kingdom or elsewhere, in any civil proceedings in which he or it has been a party or witness, he or it has been found to have acted fraudulently or dishonestly.
- b** Each of the paragraphs in byelaw 8(a) shall be without prejudice to the generality of any of the other paragraphs therein.
- c** For the purposes of byelaw 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 ACCA or to the accountancy profession.
- d** For the purposes of byelaw 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 the Council, and to any regulation affecting members, relevant firms or registered students laid down or approved by Council.
- e** For the purposes of byelaw 8(a)(ix), a copy of the certificate or memorandum of conviction or caution, and of any final judgment, ruling or determination given in the criminal proceedings, shall be conclusive proof of the conviction or caution, and of any facts and matters found, as the case may be.
- f** For the purposes of byelaw 8(a)(x):
- i where the person in question was a party to the proceedings, a copy of a certified judgment of the civil proceedings shall be conclusive proof of the facts and matters found;
 - ii where the person in question was a witness in the proceedings, a copy of a certified judgment of the civil proceedings shall be prima facie evidence of the facts and matters found.
- g** Subject to byelaw 8(f) above, any other finding of fact in any civil proceedings before a court of competent jurisdiction in the United Kingdom or elsewhere shall be admissible as prima facie evidence in any disciplinary proceedings.

Application for registration of a non-ACCA partner/director/controller or a non-partner/director responsible for Exempt Regulated Activities work in a firm seeking Exempt Regulated Activities registration

One form must be completed by each non-ACCA partner/director/controller and by each non-partner/director ie employee/consultant responsible for exempt regulated activities work, in a firm which is seeking exempt regulated activities registration from ACCA. Further copies can be found on ACCA's website (www.accaglobal.com/practising), but photocopies are acceptable.

Please use BLOCK CAPITALS and black ink throughout. Please retain a copy of the completed form for future reference.

Please return the form to authorisation@accaglobal.com.

PERSONAL INFORMATION

Full name Title Date of birth

Business address

Town County Postcode

Tel Email

Fax Website

Please provide an email address where we can contact you about your application

Is there an ACCA partner/director at your business address?

Yes

No

If 'no' complete page 14 of this form and ensure it is signed by all the ACCA partners/directors.

EDUCATION

Please state

Professional examinations passed or membership of professional bodies, with dates

Degrees held, with dates

EMPLOYMENT HISTORY

Please list below your employment history (including, and commencing with, your current post). If you held more than one position with the same employer, please list these separately.

Firm's/Employer's name

Address

Business

Job title

Responsibilities

Dates: From

To

Firm's/Employer's name

Address

Business

Job title

Responsibilities

Dates: From

To

Firm's/Employer's name

Address

Business

Job title

Responsibilities

Dates: From

To

(continue on separate sheet if necessary)

DISCIPLINARY MATTERS

Please answer all of the following questions and, where 'yes' supply full details on a separate sheet.

		Tick as applicable	
a	i	Has a petition for bankruptcy or for sequestration of your estate been presented against you at any time in the previous ten years?	Yes No
	ii	Are you aware that any such petition is pending?	Yes No
b		Have you at any time in the previous ten years had a receiver appointed, failed to satisfy a debt adjudged due or a debt in respect of which a decree has been passed against you, or come to a compromise or similar arrangement with your creditors?	Yes No
c		Have you at any time in the last ten years been subject to any disciplinary measures imposed on you by a regulatory and/or professional body of which you are, or were at the time, a member or by any other regulatory and/or professional body in Ireland/UK?	Yes No
d		Have you been publicly criticised or disciplined in Ireland/UK or overseas in the last ten years by any organisation or body recognised or designated under the Irish Investment Intermediaries Act 1995 or the Financial Services and Markets Act 2000 or by any other professional body?	Yes No
e	i	Have any legal proceedings been successfully brought against you in relation to your investment business over the previous three years?	Yes No
		In the same period have you agreed, as a result of any such legal proceedings, any out of court settlements?	Yes No
	ii	Are you involved in any such proceedings at the time of this application?	Yes No
f		Have you ever been convicted of an offence involving fraud or other dishonesty or an offence under legislation (whether or not of Ireland) relating to other companies (including insider dealing), building societies, industrial and provident societies, credit unions, friendly societies, insurance, banking or other financial services, insolvency, consumer credit or consumer protection?	Yes No

UNDERTAKING BY THE PARTNERS/DIRECTORS

We hereby undertake to appoint _____ being an ACCA partner/director in the firm and in full-time practice in the UK holding a practising certificate issued by ACCA as the partner/director responsible for ensuring adherence to DPBR 8 (Compliance Procedures) in respect of non-ACCA partners/directors

Signed by each of the ACCA partners/directors in the firm

Full name

Signature

Date

CONFIRMATION

If you have been subject to matters within the terms of byelaw 8 and ACCA's Assessment and Investigations Departments are aware of this, you may sign and submit this form. If you are concerned that you may be subject to matters under byelaw 8 of which ACCA's Assessment and Investigations Departments are not already aware, please notify ACCA in writing to complaintassessment@accaglobal.com

Following this notification you may sign and submit this form.

I _____ (name of person detailed on page 13)

declare that that I have made all reasonable enquiries and can confirm that the whole of the information contained in this form is true, accurate and complete to the best of my knowledge and belief. I acknowledge that any statement contained herein which is known by me to be false may invalidate any decision by the Council of ACCA or any of its Committees as to the eligibility of my firm for registration by ACCA to undertake exempt regulated activities. I further confirm that I have not been subject to any criminal, disciplinary, regulatory or any other matters within the terms of byelaw 8 (liability to disciplinary action) that may call into question my firm's eligibility for registration and/or the validity of my application, which I have not already brought to the attention of ACCA's Assessment and Investigations Departments in writing. I am aware of, and will abide by the notification requirements set out in GPR 12 and my continuing obligation to promptly notify ACCA of any matters which may make me or my firm liable to disciplinary action. I understand that I am required to disclose any unspent convictions and/or cautions that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). 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 am not ineligible to practise accountancy and undertake and agree to be bound by:

- i the Chartered Certified Accountants' Global Practising Regulations 2003, Authorisation Regulations 2014 and Designated Professional Body Regulations 2001 (as amended from time to time) as if I was a member of ACCA;
- ii the Charter, Code of Ethics and Conduct, all byelaws and regulations of ACCA (and regulations made pursuant to the byelaws) 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

BYELAW 8 – LIABILITY TO DISCIPLINARY ACTION

- 8 a** A member, relevant firm or registered student shall, subject to byelaw 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 byelaws 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 byelaws 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 or regulatory body;
 - vi he or it has been disciplined by another professional or regulatory body;
 - 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;
 - viii he or it has failed to satisfy a judgment debt without reasonable excuse for a period of two months (the burden resting on him or it to prove such a reasonable excuse on the balance of probabilities) whether or not the debt remains outstanding at the time of the bringing of the disciplinary proceedings hereunder;
 - ix before a court of competent jurisdiction in the United Kingdom or elsewhere, he or it has pleaded guilty to, been found guilty of, or has accepted a caution in relation to, any offence discreditable to ACCA or to the accountancy profession; or
 - x before a court of competent jurisdiction in the United Kingdom or elsewhere, in any civil proceedings in which he or it has been a party or witness, he or it has been found to have acted fraudulently or dishonestly.
- b** Each of the paragraphs in byelaw 8(a) shall be without prejudice to the generality of any of the other paragraphs therein.
- c** For the purposes of byelaw 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 ACCA or to the accountancy profession.
- d** For the purposes of byelaw 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 the Council, and to any regulation affecting members, relevant firms or registered students laid down or approved by Council.
- e** For the purposes of byelaw 8(a)(ix), a copy of the certificate or memorandum of conviction or caution, and of any final judgment, ruling or determination given in the criminal proceedings, shall be conclusive proof of the conviction or caution, and of any facts and matters found, as the case may be.
- f** For the purposes of byelaw 8(a)(x):
- i where the person in question was a party to the proceedings, a copy of a certified judgment of the civil proceedings shall be conclusive proof of the facts and matters found;
 - ii where the person in question was a witness in the proceedings, a copy of a certified judgment of the civil proceedings shall be prima facie evidence of the facts and matters found.
- g** Subject to byelaw 8(f) above, any other finding of fact in any civil proceedings before a court of competent jurisdiction in the United Kingdom or elsewhere shall be admissible as prima facie evidence in any disciplinary proceedings.