

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

One form must be completed by each principal or controller (ie a 'controller' is a shareholder who controls 15% or more of the voting rights) in the firm who is not a member of ACCA or another Designated Professional Body (DPB). Further copies can be found on ACCA's website [here](#) but photocopies are acceptable. Please retain a copy of the completed form for future reference.

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. 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](#), or contact privacy@accaglobal.com

PERSONAL INFORMATION

Full name	Title	Date of birth
Business address		
Town	County	Postcode
Tel	Email	
Website		
Is there an ACCA principal at your business address?		Yes No
If 'no' complete page 3 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

DISCIPLINARY MATTERS

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

Select
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 ACCA PARTNERS/DIRECTORS

We hereby undertake to appoint

being an ACCA principal in the firm

and in full-time practice in the UK holding a practising certificate issued by ACCA as the principal responsible for ensuring adherence to DPBR 8 (Compliance Procedures), in respect of non-ACCA principals.

Signed by each of the ACCA principals in the firm

Full name

Signature

Date

CONFIRMATION

If you have been subject to matters within the terms of **bye-law 8** and ACCA's Assessment and Investigations Team are 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 ACCA's Assessment and Investigations Team 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 1)

declare that the whole of the information contained in this form is true, accurate and complete to the best of my knowledge and belief after making all reasonable enquiries. 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 authorisation by ACCA to undertake exempt regulated activities. I further confirm that neither I nor the firm nor any of its principals/responsible individuals have 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 question my, or 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 Team in writing. I am aware of, and will abide by the notification requirements set out in the Chartered Certified Accountants' Global Practising Regulations 2003 (GPRs) 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 and any spent convictions and/or cautions that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 and 2020). 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 and Authorisation Regulations 2014 (as amended from time to time) as if I was a member of ACCA;
- ii the Charter, Code of Ethics and Conduct, 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

BYE-LAW 8 – LIABILITY TO DISCIPLINARY ACTION

- 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 herself, 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 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 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 ACCA 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 the Council, and to any regulation affecting members, relevant firms or registered students laid down or approved by Council.
- e** For the purposes of bye-law 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 bye-law 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 bye-law 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.