

PERSONAL QUESTIONNAIRE FOR

**PROPOSED SHAREHOLDERS, DIRECTORS AND SENIOR MANAGEMENT
OF COMPANIES LICENSED, OR APPLYING TO BE LICENSED
UNDER THE CREDIT REPORTING ACT**

SECTION I

1. (a) Name of company (i.e. credit bureau applicant/licensed credit bureau) in connection with which this questionnaire is being completed:

- (b) Relationship/Proposed Relationship with the company (if management position indicate job title):

SECTION II

BIOGRAPHICAL INFORMATION

(Note: Please provide a recent passport-sized, colour photograph certified by a Justice of the Peace/Attorney-at-Law/Notary Public along with this completed form [i.e. photograph with dimensions 45mm x 35mm taken within the last 6 months] This requirement does not apply where a photograph has been provided to Bank of Jamaica within 5 years of the current date of submission).

2. Complete Legal Name (No Initials): _____

3. Other Names Used (Trade Names, Aliases): _____

4. Complete Address (No P.O. Box Number): _____

(Home): _____

(Business): _____

Declaration Date: _____

CREDIT BUREAUS

(Address(es) While Living Overseas): _____

5. Occupation: _____

6. Tax Payer Registration No.: _____

7. Place of Birth: _____

8. Date of Birth: _____

9. Nationality: _____

10. If Naturalized Citizen of Jamaica, Indicate Date of Naturalization and Certificate No.:

11. If not Jamaican, complete the following:

Visa Type and No: _____

Passport Type(s) and No(s):. _____

Alien Identification No.: _____

If you are exempt from holding a Visa, explain why:

12. State the country/ies where you have worked or resided for six or more months after attaining the age of sixteen, including your country of nationality beginning with your current residence. The requisite Police Clearance Report (s) would be required to be provided directly to the Bank of Jamaica from the relevant law enforcement authority/ies in all countries identified in this regard (please see Notes to Personal Questionnaire):

Name: _____

Declaration Date: _____

13. Parents Names: _____

a) Other Names Used (Trade Names, Aliases): _____

b) Tax Payer Registration No(s): _____

c) Complete Address(es) (No P.O. Box Number):

(Home(s)): _____

(Business(es)): _____

(Address(es) While Living Overseas): _____

d) Nationality(ies): _____

e) If Naturalized Citizen(s) of Jamaica, indicate Date of Naturalization and Certificate No(s): _____

f) If Parent(s) is(are) not Jamaican(s), complete the following:

Visa Type(s) and No(s): _____

Passport Type(s) and No(s): _____

SECTION III

EMPLOYMENT/ACADEMIC PROFILE

14. Give details of your employment history up to the date of this questionnaire, including for each place of employment: details of the type of business; your title and the duties attaching to your position; the dates of employment; the name and address of your employer/s; reasons for leaving; the name, position and telephone number of two references. **(Please submit the above information in a resume format which is to be attached.)**

15. Give details of your education and your professional qualifications and affiliations, if any, including relevant dates. (May also be indicated in Resume requested at #14 above)

SECTION IV

PROFESSIONAL CONDUCT

16. Have you at any time been charged with or convicted of any offence or otherwise found liable by a Civil, Criminal or Military Court (excluding minor road traffic offences) whether in Jamaica or elsewhere? Yes No

If yes, please give details of charge, and if convicted, the date of conviction and full particulars of the offence (including any offences taken into consideration) and the penalty imposed:

17. Have you ever been required to give evidence in any trial or proceedings involving fraud, dishonesty or similar matters, whether in Jamaica or elsewhere other than as an expert witness? Yes No

If yes, give particulars:

18. Has a suit ever been brought against you in your personal capacity or against any body corporate, partnership, society or any other business undertaking to which you are connected as a shareholder, partner, director or manager? Yes No

If yes, give particulars. If pending, please give full details of the circumstances, and if not pending, state how the matter was resolved:

19. (i) Have you ever been refused entry to any profession or vocation whether in Jamaica or elsewhere? Yes No

If yes, give particulars:

(ii) Do you hold or have you ever held or applied for a licence or equivalent authorization to conduct any business activity in Jamaica or elsewhere? Yes No

If yes, give particulars. If any such application was refused or withdrawn after it was made or if any authorization was revoked, or surrendered, give particulars:

(iii) Does any body corporate with which you are, or have been associated as a director or executive officer hold, or has it ever held or applied for a licence or equivalent authorization to conduct any business activity in Jamaica or elsewhere? Yes No

If yes, give particulars. If any such application was refused or withdrawn after it was made, or if any authorization was revoked, or surrendered, give particulars:

20. Have you ever been the subject of investigation/disciplinary procedures, censured, disciplined or publicly criticised by any professional body to which you belong or have belonged whether in Jamaica or elsewhere? Yes No

If yes, give particulars:

21. Have you ever been dismissed or requested to resign from any office or employment whether in Jamaica or elsewhere? Yes No

If yes, give particulars:

22. Have you ever been censured, disciplined or publicly criticised by, or made the subject of a Court Order whether in Jamaica or elsewhere at the instigation of:

- a) Any financial regulatory authority concerned with the regulation of a relevant activity (as described in the Glossary at the end of this form)? Yes No
- b) Any officially appointed enquiry? Yes No
- c) Any other established body concerned with regulation/ oversight of a business activity? Yes No

If yes to any of the above (a-c), give particulars:

23. In connection with the formation or management of any partnership, business undertaking or corporation, have you been adjudged by a Court civilly or criminally liable for any fraud, misfeasance or other misconduct towards that corporation, or any member or customer thereof whether in Jamaica or elsewhere? Yes No

If yes, give particulars:

24. Have you ever been disqualified by a Court or by virtue of any statutory enactment from being a director or from acting in the management or conduct of the affairs of any corporation or business undertaking whether in Jamaica or elsewhere? Yes No

If yes, give particulars:

Name: _____

Declaration Date: _____

25. Has a bankruptcy petition ever been served on you, or any organization in which you were a shareholder or held the position of director or manager in any jurisdiction? Yes No

If yes, give particulars. If pending, give details of the circumstances and, if not pending, state how the matter was resolved:

26. Have you ever, in any jurisdiction:

- a) been adjudged bankrupt by a Court? Yes No
- b) had a receiving or administrative order made against you? Yes No
- c) had your estate sequestrated? Yes No
- d) entered into any arrangement, or other composition with your creditors? Yes No

If yes to any of the above (a-d), give particulars:

SECTION V

FINANCIAL PROFILE

27. Names and addresses of bankers (personal and business) over the past five (5) years:

28. Has any financial institution or credit information provider (as defined in the Glossary at the end of this form) with which you or any business undertaking owned, controlled or managed by you does business, ever threatened or commenced legal action/court proceedings or declined doing any new business with you or your undertaking as a result of outstanding debts owed by you or

the undertaking, or due to your not honoring other facilities afforded you (e.g. guarantee, etc.) by these institutions? Yes No

If yes, give details of the dispute and the manner in which the issue was resolved:

29. Have you, your company or your employer (past or present) previously dealt on a regular basis with any person carrying on a relevant activity (as described in the glossary at the end of this form) who has, to your knowledge at any time, indicated that s/he is unwilling to effect further transactions with you, your company, business undertaking or your employer, by reason of any act or omission by you? Yes No

If yes, give particulars:

30. (i) Do you (in your personal capacity or through any entity controlled by you) and/or an immediate relative have outstanding any loans or other forms of indebtedness in excess of J\$500,000.00? Yes No

If yes, state:

- a) Form: _____
- b) Amount: _____
- c) Source: _____
- d) Maturity Date: _____
- e) Repayment status (**i.e. current/up-to-date or level of arrears**):
(Note that information/details requested here relates to each facility outstanding)

(ii) Do you have any immediate relative who holds/will hold a position as director/manager/significant shareholder in the institution with which this questionnaire is being completed or (to the best of your knowledge), with any entity affiliated to the

institution with which this questionnaire is being completed, or in any other entity engaged in a 'relevant activity? Yes No

If yes, give particulars:

31. Has any person, firm, company, body or association guaranteed the indebtedness?

Yes No

If yes, give particulars (see previous question):

32. Are you (in your personal capacity or through any entity controlled by you) and/or an immediate relative at present guaranteeing the debts and obligations of any third parties in excess of J\$500,000.00? Yes No

If yes, give particulars:

33. (a) Has any loan or credit facility (or part thereof) extended to you by any financial institution or credit information provider (as defined in the Glossary at the end of this form) whether in Jamaica or elsewhere been restructured, renegotiated, provided against or been the subject of a write-off or debt forgiveness for reasons of non-payment by you? Yes No

If yes, please provide full details of the debt/s, the circumstances surrounding the action and the current status.

(b) Has any financial institution or credit information provider (as defined in the Glossary at the end of this form) whether in Jamaica or elsewhere which has extended credit facilities to you, had to refer, assign or sell your loan/indebtedness to any private or public sector collection agency or any other institution for reasons of non-payment by you? Yes No

If yes, please provide full details of loan/s; date of transfer/assignment/sale; reason for actions taken and current status.

SECTION VI

BUSINESS AFFILIATIONS

34. List all companies, partnerships, societies, trust corporations, or other business undertakings in which you are presently involved as the management, or as a director, partner, trustee, owner, employee, or with which you are otherwise involved.

<u>Date of Commencement</u>	<u>Name & Address</u>	<u>Type of Business</u>	<u>Nature of involvement/ Position Held & Duties</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECTION VII

AFFILIATIONS WITH OTHER BODIES CORPORATE

35. (i) Have you ever been or are you currently a director of any limited liability companies, or societies, or other business enterprises engaged in relevant activities, as described in the glossary at the end of this form? Yes No

If yes, state:

a) Name and Address of Companies/Societies/Corporations:

b) Nature of Business:

c) Date of Commencement of Directorship: _____

d) Date of Cessation of Directorship: _____

e) Reason/s for cessation of Directorship: _____

f) Whether or not employed on a service contract (e.g. Managing Directorship) in any case:

(ii) Do any of the Companies/Societies/Corporations indicated in (i) above, maintain a business relationship with the company in respect of which this questionnaire is being submitted?

Yes No

If yes, give particulars:

(iii) Do you or do any of the Companies/Societies/Corporations indicated in (i) above, prospectively plan to undertake business with the company in respect of which this questionnaire is being submitted? Yes No

If yes, give particulars:

(iv) In carrying out your duties will you be acting on the directions or instructions of any other person? Yes No

If yes, give particulars:

Name: _____

Declaration Date: _____

36. (i) Have you ever been or are you currently a Director of any limited liability companies, societies or other business enterprises other than those stated in the previous questions? Yes No

If yes, state:

a) Name and Address of Companies/Societies/Corporations/Business Enterprise:

b) Nature of Business:

c) Date of Commencement of Directorship: _____

d) Date of Cessation of Directorship: _____

e) Reason/s for cessation of Directorship: _____

(ii) Do any of the Companies/Societies/Corporations indicated in (i) above, maintain a business relationship with the company in respect of which this questionnaire is being submitted?
 Yes No

If yes give particulars

(iii) Do you or does any of the Companies/Societies/Corporations indicated in (i) above, prospectively plan to undertake business with this institution? Yes No

If yes, give particulars:

(iv) In carrying out your duties will you be acting on the directions or instructions of any other person? Yes No

If yes, give particulars:

37. Have you ever been or are you currently a beneficial owner or shareholder (holding at least 5% of issued share capital) in any limited liability companies or other corporations engaged in relevant activities described in the glossary at the end of this form? Yes No

If yes, state:

a) Name and Address of Companies/Societies/Corporations:

b) Nature of Business:

c) Number of shares held and class:

d) Date of termination of shareholding: _____

e) Method of termination of shareholding:

38. Are you a beneficial owner of any controlling interest in any body corporate, partnership, society or other business undertaking? Yes No

If yes, give particulars, including nature and address of business/partnership etc.:

39. Whether in Jamaica or elsewhere, have you ever been a shareholder, director of, or directly concerned in the management of a credit information provider as described in the Glossary at the end of this form or any other business undertaking:

- a) Which has been served with a petition to wind up? Yes No
- b) Which has been wound up by a Court? Yes No
- c) The licence of which has been revoked? Yes No
- d) Which has been placed in receivership? Yes No
- e) Which has entered into any arrangement or other composition with its creditors? Yes No
- f) Which has had an administrative order made against it? Yes No
- g) Which has been sued? Yes No
- h) Which has been charged by law enforcement authorities regarding the commission of a criminal offence? Yes No
- i) Which has been convicted of any criminal offence? Yes No
- j) Which has been the subject of censure action by any body that exercises supervisory or regulatory jurisdiction over it? Yes No
- k) Whose business has been adjudged to have been conducted imprudently or fraudulently? Yes No
- l) Which has failed to meet the solvency requirements prescribed by law or by a licensing or supervisory authority? Yes No
- m) To which financial assistance has been given by a government agency to effect a restructuring? Yes No
- n) Which has been placed under Temporary Management/Judicial Management; which has been the subject of administrative censure or penalty; or formal statutory censure action or which has been the

Name: _____

Declaration Date: _____

subject of a Vesting Order or any other intervention process by the relevant regulatory authority?

If yes to any of the above (a-n), give full particulars:

40. Whether in Jamaica or elsewhere, have you ever been a shareholder, director, or been directly concerned in the management or conduct of affairs of any body corporate, society, partnership or any other business undertaking which has become insolvent and /or gone into liquidation, whilst you were associated with, or within two years of your association with the entity?

Yes No

If yes, give details of the circumstances, including:

a) Name of Company: _____

b) Name of the Liquidator: _____

c) Address of the Liquidator: _____

41. Whether in Jamaica or elsewhere, have you ever been concerned with the management or conduct of affairs of any body corporate, partnership, society or any other business undertaking which, by reason of any matter relating to a time when you were so concerned, has been censured, disciplined or publicly criticised, intervened or subjected to administrative action by:

- a) Any regulatory authority? Yes No
- b) Any officially appointed enquiry? Yes No
- c) Any other body concerned with regulation of a relevant activity? Yes No
- d) Any Court? Yes No

If yes to any of the above (a-d), give particulars:

Name: _____

Declaration Date: _____

SECTION VIII

RELATIONSHIP TO THE CREDIT BUREAU/PROPOSED CREDIT BUREAU

42. (i) Will you be actively engaged in the business of the company to which this application relates and devote the major portion of your time thereto? Yes No

(ii) If yes, please describe the particular duties and responsibilities that you will hold:

(iii) If you are completing this form in the capacity of director please indicate whether you will have any executive responsibility for the management of the institution's business:

43. Indicate, by checking the applicable space and filling in the information required for subparagraphs (i), (ii) and (iii), the categories that apply to you:

(i) A shareholder or proposed shareholder which together with the holding of a connected person, has beneficial ownership of 10 percent or more of any class of shares of the (credit bureau/credit bureau applicant): Yes No

If yes, give details of:

Class of Shares: _____

Percentage of Shares: _____

(Note that where application is being made for an acquisition of shares, specific details as to funding for the acquisition must also be supplied.)

(ii) a director or proposed director of the credit bureau/credit bureau applicant: Yes No

(iii) an officer or proposed officer of the credit bureau/credit bureau applicant (please indicate your position): Yes No

CREDIT BUREAUS

44. The date on which you became a:

i. shareholder:

ii. director:

iii. officer:

45. Are any shares of the credit bureau/credit bureau applicant registered in your name or the name of an immediate relative (as defined in the glossary at the end of this form)? Yes No

If yes, provide each name in which the shares are registered, the relationship to you of any immediate relative and the class and number of shares held by each person:

46. Do you have a beneficial interest in any shares of the credit bureau/credit bureau applicant that are not registered in your name or in the name of an immediate relative? Yes No

If yes, please give particulars:

47. Do you or an immediate relative hold any shares in the credit bureau/credit bureau applicant as trustee or nominee? Yes No

If yes, please give particulars:

48. Are, or is it proposed that, any of the shares of the credit bureau/credit bureau applicant mentioned in the answers to paragraphs 43, 45 - 46 equitably or legally charged or pledged to any person (individual, corporation, partnership or business undertaking)? Yes No

If yes, please give particulars:

49. Indicate, by class of shares, the percentage of votes exercisable at any general meeting of the credit bureau/credit bureau applicant or any subsidiary thereof, that you and/or an immediate relative are entitled to exercise or control:

Name: _____

Declaration Date: _____

50. Do you, at all times while acting in your capacity as a director or executive officer/manager of the company, undertake to:

- (a) Act in good faith towards the company? Yes No
- (b) Avoid conflict of interest situations between your other interests and the interests of the company? Yes No
- (c) Place the interests of the company and its clients above all other interests?
Yes No

51. Have you acquainted yourself with and do you understand, the extent of the rights and powers, as well as your responsibilities and duties, as a director/manager/executive officer of the credit bureau/credit bureau applicant, as contained in the applicable law, regulations, and guidelines?
 Yes No

Declaration

I _____(PRINT NAME) declare that the answers to the above questions are true and that I am fully aware that proceeding to act, knowing that I am not fit and proper or submitting false or misleading information or withholding information which if submitted would most likely render me unfit, will constitute a breach of the proposed Credit Reporting Act and may result in my being disbarred from acting in the position indicated in this statement in relation to the proposed credit bureau with which this questionnaire is being completed. I further UNDERTAKE, that as long as I continue to be a director, manager/executive officer of the proposed credit bureau with which this questionnaire is being completed, I will notify Bank of Jamaica of any material changes to or affecting the completeness and/or accuracy of the information herein supplied by me as soon as possible, but in no event later than fourteen (14) days from the day that the changes come to my attention.

Dated the _____ day of _____, _____
 (day) (month) (year)

Signed by the said _____)
 _____)
 _____)
 _____)
 _____)
 _____)

Signature

And by the said _____)
 _____)
 _____)
 _____)
 _____)

Signature

in the presence of: _____)
 _____)
 _____)
 _____)

Justice of the Peace/ Attorney-at-Law / Notary Public (To affix Stamp or Seal of Office)

**N.B. Please answer ALL questions. Where not applicable, please indicate N/A.
 If all questions are not answered, the Personal Questionnaire will be returned.**

Notes:

Documentation Requirements for Fit and Proper Assessments

Fit and proper assessments are conducted by the Bank of Jamaica on proposed significant shareholders, directors, and managers of institutions proposed to be licensed under the Credit Reporting Act. These persons are assessed on application for a licence, and if granted, will be assessed on a continuing basis at annual intervals. Additionally, for a licensed credit bureau any new appointees or significant shareholders will be assessed initially upon receipt of formal advice of an intended acquisition or proposed appointment as the case may be, and reviewed at least on an annual basis thereafter.

To facilitate the conduct of the fit and proper process, the following documents are required:

- (a) A fully completed and duly certified Personal Questionnaire and all related appendices;
- (b) Clearance reports from:
 - (i) The Jamaica Constabulary Force (JCF)
 - (ii) The Financial Investigations Division (FID)
 - (iii) Interpol/other overseas law enforcement agencies (where the candidate has either lived or worked overseas)

With regard to the documents required at (b) above, these are required at the conduct of the first assessment and at five year intervals thereafter. It is the responsibility of the institution/or candidate to make the necessary requests for police reports and fulfill all the procedural requirements to ensure direct submission of the report/s to the Bank of Jamaica. For first time entrants who have lived in the United States or Canada, reports should be submitted from the following authorities:

- (i) Federal Bureau of Investigations (FBI) – United States Department of Justice
(refer: http://www.fbi.gov/about-us/cjis/background-checks/background_checks)
- (ii) Royal Canadian Mounted Police
(refer: <http://www.rcmp-grc.gc.ca/cr-cj/fing-empr2-eng.htm>)

Reference should be made to the Bank of Jamaica 'Guidelines to Fit and Proper Assessments' accessible at <http://www.boj.org.jm/pdf/Guidelines%20to%20Fit%20and%20Proper%20Assessments.pdf> for further information.

Glossary

1. "**Corporation**" means:
Any body corporate, incorporated in Jamaica or elsewhere.

CREDIT BUREAUS

2. **“Credit Information Provider”** means: The persons so described at, or designated pursuant to, section 8(2) of the Credit Reporting Act.
3. **"Relevant Activity"** means:
 - a) Banking, finance, insurance, money-lending, money/funds management, pension funds management, cambio operations, bureau de change, foreign exchange remittance business, debt-factoring, hire purchase financing, leasing or other financial activities.
 - b) Dealing in Securities.
 - c) Providing investment or financial advice and management services.
4. **"Immediate Relative"** as respects any person, means:
The spouse, children (including step-children) and their spouses, parents, and brothers or sisters of that person.