

HONESTY, INTEGRITY & GOOD STANDING DECLARATION BY REPRESENTATIVE

Info of the parties	FSP License number:	00000
FSP Name		
Representative Full Names & Surname		
Representative ID Number		

I, the undersigned, as a duly appointed **REPRESENTATIVE** of the Authorised Financial Services Provider (FSP) hereby declare and confirm:

1. that a copy of the **General Code of Conduct** for authorized Financial Services Providers and Representatives as well as the **Determination of Fit and Proper Requirements** for Financial Services Providers 2017, as amended from time to time, has been provided to me for the purpose of ensuring that I am fully aware of my statutory obligations in respect of my **professional conduct** and **competence** as an authorized person;
2. that I have studied the subordinate legislation referred to in Par. 1 above and I undertake and commit to **render financial services honestly, fairly, with due skill, care and diligence, in the interests of clients and the integrity of the financial services industry**;
3. that I further undertake and commit myself to acting **honorably, professionally, and with due regard to the convenience of all clients** (existing & potential) of the FSP in all delegation, communication and dealings with clients;
4. that I possess the appropriate general and technical knowledge so as to enable me to comply with all relevant **disclosure obligations to clients**;
5. that I am trained and competent to assess whether it is appropriate to offer a client a particular financial product or service taking into account the needs, circumstances, risk tolerance and **the capacity of the client to understand the features and complexity** of the product or service;
6. that I hereby undertake and commit to abide by **the provisions of the General Code of Conduct** in respect of the rendering of advice and/or intermediary services and at all times ensuring that sufficient evidence is recorded and safe guarded to serve as proof thereof;
7. that I undertake to immediately bring to the attention of the Key Individual and/or Compliance Officer any **existing or potential conflicts of interest** arising from any

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circumstances whatsoever, which could be perceived to influence the objective performance of my obligations to any client;

8. that I undertake to ensure that all non-financial gifts received from any supplier or related/connected party of a supplier, is comprehensively recorded in the **Gifts Register** on Kotive.
9. that I have the necessary **operational ability** to carry out my duties and obligations in a professional and competent manner;
10. that I understand my duty to comply with the **internal compliance processes and procedures** with regards to advising clients and rendering intermediary services as laid down in the internal **Client Advisory Policies** of the FSP;
11. that should I for any reason or at any **time be unable to carry out my duties** as required by law as well as the internal policies of the FSP, I undertake and commit to notify the FSP, Key Individual and/or Compliance Officer thereof immediately;
12. that I am competent to render financial services taking into account the requirements stipulated in the **Determination of Fit and Proper Requirements for Financial Services Providers 2017**, Chapter 2, relating to **honesty, integrity and good standing**;
13. that I understand and commit to at all times maintain my competence with the minimum requirements as set out in the Determination of Fit and Proper Requirements for Financial Services Providers 2017, pertaining to: Chapter 3, Part 2: **Minimum Experience**; Part 3: **Minimum Qualifications**; Part 4: **Regulatory Exams**; Part 5: **Class of Business and Product Specific Training**; Chapter 4: **Continuous Professional Development**, as are applicable and relevant to the function for which I have been authorized by the FSP;
14. that I understand and agree that statutorily, I carry similar responsibility to that of the FSP that I am appointed by for ensuring that I am fully aware, clearly understand and fully comply with the requirements as listed in Par. 13 above and that failure to comply could result in **disciplinary action taken against me by the FSP and/or regulatory action taken directly against me by the regulator**;
15. that I undertake to ensure that I continuously have adequate, appropriate and relevant **skills, knowledge and expertise** in respect of the **financial products, financial services and functions** for which I have been authorized by the FSP;
16. that I undertake to ensure that I carefully maintain a record (portfolio of evidence) of all **training sessions** and/or **continuous professional development sessions** attended, together

with the required proof of attendance; for such records to be uploaded on the Kotive system and to be provided to the FSP;

17. that within 24 hours of any changes occurring in my personal circumstances affecting **my integrity, my competence to render financial services and or my financial soundness status, I will inform the FSP or the Compliance Officer in writing of such changes;**
18. that I understand that I am authorized only to render advice and/or intermediary services in the **category of license and subcategories for which I have been authorized** by the FSP and I undertake to render financial services only in the specific license category(ies) and subcategories for which I have been authorized;
19. that I undertake and commit to complete **Monthly Surveys/Questionnaire(s)** on the Kotive system applicable to me prior to expiry thereof, thereby confirming my fit and proper status on a monthly basis. I understand that failure to **sign up, to receive and to complete** these surveys shall constitute non-compliance for which disciplinary action may be taken by the FSP;
20. that I am fully aware that completion of the surveys mentioned in Par. 19 above shall be executed **as confirmation of the proper discharge of my responsibilities in the performance of my functions** to the FSP, in accordance with the FSP's policies, internal systems, control and monitoring mechanisms to ensure compliance with the latest competency requirements provided in Section 13(1) of the Determination (BN 194 of 2017);
21. that I further acknowledge and understand that this declaration and the answering of the following questions **is binding on my conscience** and it is my duty to do so with utmost truthfulness;

A representative must disclose to its FSP, promptly and on own initiative, fully and accurately, all information which may be relevant in determining whether that person complies or continues to comply with the requirements relating to honesty, integrity and good standing.

	HONESTY, INTEGRITY & GOOD STANDING QUESTIONS	<i>At any time in the past:</i>	Y	N
1	Have you been found guilty (which conviction has not been expunged) in any criminal proceedings or liable in any civil proceedings by a court under any law in any jurisdiction of an offence under a law relating to the regulation or supervision of a financial institution as defined in the Financial Institutions (Protection of Funds) Act No. 28 of 2001 or a corresponding offence under the law of a foreign country?			
2	Have you been found guilty (which conviction has not been expunged) in any criminal proceedings or liable in any civil proceedings by a court under any law in any jurisdiction of theft, fraud, forgery, uttering a forged document, perjury or an offence involving dishonesty, breach of a fiduciary duty, dishonourable or unprofessional conduct?			
3	Have you been found guilty (which conviction has not been expunged) in any criminal proceedings or liable in any civil proceedings by a court under any law in any jurisdiction of an offence under the Prevention of Corruption Act No. 6 of 1958, the Corruption Act No. 94 of			

	1992 or Parts 1 to 4, or section 17, 20 or 21 of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or a corresponding offence under the law of a foreign country?		
4	Have you been convicted (and that conviction has not been expunged) of any other offence committed after the Constitution of the Republic of South Africa, 1996, took effect, where the penalty imposed for the offence was or may be imprisonment without the option of a fine, or a significant fine?		
5	Have you accepted civil liability for, or have you been the subject of a civil judgement in respect of theft, fraud, forgery, uttering a forged document, perjury or any conduct involving dishonesty, breach of fiduciary duty, misrepresentation, or negligent, dishonourable and unprofessional conduct?		
6	Have you been the subject of frequent or material preventative, remedial or enforcement actions by the Registrar or a regulatory authority?		
7	Have you been removed from an office of trust for theft, fraud, forgery, uttering a forged document, misrepresentation, dishonesty, breach of fiduciary duty or business conduct?		
8	Have you at any time breached a fiduciary duty?		
9	Have you been suspended, dismissed or disqualified from acting as a director, managing executive, public officer, auditor or statutory actuary (or his or her alternate) under any law or has any action to achieve one of the aforementioned outcomes been instituted against you?		
10	Have you been refused a registration, approval, authorisation or licence to carry out a trade, business or profession, or have you had such registration, approval, authorisation or licence suspended, revoked, withdrawn or terminated by a regulatory authority?		
11	Have you been denied registration or membership of any professional body or has such registration or membership been revoked, withdrawn or terminated by a professional body because of matters relating to honesty, integrity or business conduct?		
12	Have you been disciplined, reprimanded, disqualified or removed in relation to matters relating to honesty, integrity, incompetence or business conduct by a professional body or regulatory authority or any has any action to achieve one of the aforementioned outcomes been instituted against you?		
13	Have you knowingly been untruthful or provided false or misleading information to or been uncooperative in any dealings with the Registrar or regulatory authority?		
14	Have you demonstrated a lack of readiness and willingness to comply with legal, regulatory or professional requirements and standards?		
15	Have you been found to be not fit and proper by the Registrar or a regulatory authority in any previous assessments of fitness and propriety?		
16	If so, have the reasons therefor been remedied?		
17	Have you been involved or are you currently involved as a director, trustee, member, partner, controlling shareholder or managing executive or are you concerned in the management of a business that has been the subject of any matter referred to above, including being placed in liquidation or business rescue while you were connected with that organisation or within one year of such connection?		
18	Have you disclosed all information required to be disclosed in terms of the Financial Advisory and Intermediary Services Act No. 37 of 2002, relating to your personal honesty, integrity and good standing?		

	PERSONAL FINANCIAL SOUNDNESS QUESTIONS	Y	N
1	Are you a rehabilitated insolvent?		
2	Have you been declared insolvent or provisionally insolvent? (Un-rehabilitated)		
3	Are you a subject to any pending proceedings which may lead to such an outcome?		
4	Have you applied for debt review or been placed under debt management?		

Should any of the above questions be answered YES, please provide full details and information to the FSP in writing, in a separate document together with all relevant supporting documentation.

I declare that I have completed the above questions accurately and truthfully.

Thus done and signed at _____ on _____

SIGNATURE OF REPRESENTATIVE

NAME

SIGNATURE OF WITNESS

NAME