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| TRUST COMPANIES ACT (Cap. 336)  TRUST COMPANIES REGULATIONS 2005 | FORM  4 |
| **APPOINTMENT OF RESIDENT MANAGER OR DIRECTOR**  **UNDER SECTION 13 OF THE TRUST COMPANIES ACT AND REGULATION 9 OF THE TRUST COMPANIES REGULATIONS** | |
| Explanatory Notes | |
| 1. Please read the explanatory notes and questions carefully before completing this Form. 2. All terms used in this Form shall, except where expressly defined in this Form or where the context otherwise requires, have the same meaning as defined in the Trust Companies Act (the “Act”) or the Trust Companies Regulations (the “Regulations”). 3. All questions must be answered. If a question is not applicable, please check the “N.A.” box. 4. Please check the relevant boxes where appropriate. 5. If there are any changes in the information furnished in the application prior to the approval of the application, the Monetary Authority of Singapore (the “Authority”) should be notified immediately. 6. This Form shall be signed by a director (other than the proposed appointee) or company secretary of the applicant, and accompanied by the Appendix to this Form, duly completed and signed by the person whose appointment is sought (“appointee/director”). 7. If more space is needed to provide responses to the questions in this Form, the applicant should submit an attachment with the additional responses, and label clearly the relevant question each additional response is for. Please note that all attachments should be provided in a machine-readable format. 8. Where the Corporation is applying for a trust business licence, this Form, together with Form 1 and all supporting documents, should be submitted to [webmaster@mas.gov.sg](mailto:webmaster@mas.gov.sg):    1. in machine-readable format (e.g. MS Word), and    2. in a single password-protected zip file. The file extension must be “.zip”, using 7zip or winzip.   An officer in the Authority will liaise with the contact person indicated in the email for the password.   1. Where the Corporation is a holder of a trust business licence, this Form, together with all supporting documents, should be submitted via email to its officer-in-charge in the Authority:    1. in machine-readable format (e.g. MS word), and    2. in a single password-protected zip file. The file extension must be “.zip”, using 7zip or winzip.   The password to the zip file should be separately provided to the officer-in-charge. | |

SECTION 1: APPLICATION IS HEREBY MADE BY

|  |  |
| --- | --- |
| Name of Corporation | Click or tap here to enter text. |
| Company Registration Number (UEN) | Click or tap here to enter text. |

FOR

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| Click or tap here to enter text. |

(Full name of appointee/director as reflected in the NRIC or passport, including any alias and other names. Underline the family name.)

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| Click or tap here to enter text. |

(Names in any foreign language (if any))

TO BE APPOINTED AS A(N)

EXECUTIVE DIRECTOR

NON-EXECUTIVE DIRECTOR

RESIDENT MANAGER

SECTION 2: INFORMATION ON APPOINTEE/DIRECTOR

1. Is the appointee/director replacing an existing Resident Manager/Director in the Corporation?

Yes. Provide details below.

|  |  |  |
| --- | --- | --- |
| **Name/Appointment of person being replaced** | **Date of cessation** | **Reason for cessation** |
| Click or tap here to enter text. | Click or tap to enter a date. | Click or tap here to enter text. |

No

SECTION 3: APPOINTMENT OF RESIDENT MANAGER AND/OR EXECUTIVE DIRECTOR

***[For appointment of Resident Manager and/or Executive Director]***

1. The Resident Manager and/or Executive Director is expected to be employed by the Corporation on a full-time basis and based in Singapore. Provide the following details:

The Resident Manager/Executive Director is employed on a full-time basis and is based in Singapore.

The Resident Manager/Executive Director is not employed on a full-time basis. The Resident Manager/Executive Director is also employed in related entities of the Corporation.

1. Indicate which of the following best describes the amount of time the proposed Resident Manager and/or Executive Director will spend on duties relating to the Corporation.

Less than 50%

More than 50% but not full-time

1. Provide information on the other entities and roles that the Resident Manager/Executive Director will be spending time on.

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| Click or tap here to enter text. |

1. Explain why the Resident Manager/Executive Director is not employed full-time by the Corporation, and how the individual is able to commit enough time to exercise sufficient supervision and oversight of the Corporation’s operations.

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| Click or tap here to enter text. |

The Executive Director is not based in Singapore i.e. does not reside in Singapore.

1. Explain why the Executive Director is not based in Singapore and how the individual is able to ensure the smooth operations of the Corporation while being based overseas.

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| Click or tap here to enter text. |

SECTION 4: PERSONAL PARTICULARS

Set out below the personal particulars of the appointee/director.

**Country of Citizenship:**

Please select the country of citizenship from the drop-down list. For individuals with dual citizenships, please provide only the primary citizenship and its corresponding Passport Number in this section. Details on the other country of citizenship can be provided as an attachment at the point of submission.

|  |  |  |
| --- | --- | --- |
|  | Residential Address | Block/House no Click or tap here to enter text. Street name Click or tap here to enter text. Unit # Click or tap here to enter text. Building name Click or tap here to enter text. Country Click or tap here to enter text. Postal code Click or tap here to enter text. |
|  | Telephone No. | Mobile Click or tap here to enter text.  Office Click or tap here to enter text. |
|  | E-mail Address | Click or tap here to enter text. |
|  | Date of Birth (DD/MM/YYYY) | Click or tap to enter a date. |
|  | Gender | Male  Female |
|  | Place of Birth | Click or tap here to enter text. |
|  | Nationality Type | Choose an item. |
|  | Country of Citizenship  (for non-Singapore citizen) | Click or tap here to enter text. |
|  | For Singapore Citizens or Permanent Residents, provide NRIC No. | Click or tap here to enter text. |
|  | Passport No.  (for non-Singapore citizen or non-permanent residents) | Click or tap here to enter text. |
|  | Foreign Identification Number (FIN No.) (if applicable) | Click or tap here to enter text. |

SECTION 5: EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS AND EXPERIENCE

1. Set out details of the highest academic and professional qualifications attained by the appointee/director in the respective tables below. Each qualification should be entered only once, either in the academic qualification table or the professional qualification table. Please list the records in reverse chronological order, starting from the most recent record.

**Period of studies**  
If there is no specific date for the period of study, please use the first day of the month as the proxy. [Example: If the period of studies was from August 2001 to June 2003, please indicate the date as 01/08/2001 to 01/06/2003, in DD/MM/YYYY format.]

|  |  |  |  |
| --- | --- | --- | --- |
| **Name and location of school/college/university** | **Period**  **(DD/MM/YYYY)** | | **Certificate/diploma/degree awarded** |
| **From** | **To** |
| Click or tap here to enter text. | Click or tap to enter a date. | Click or tap to enter a date. | Click or tap here to enter text. |

|  |  |  |
| --- | --- | --- |
| **Professional qualifications** | **Institution** | **Year conferred** |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

1. Set out details of the appointee/ director's employment history during the past 10 years (including periods of part-time employment, unemployment or self-employment). Complete the table below in reverse chronological order, starting from the most recent record.

**Employment History**

There should be no gaps in the employment period. If the individual is on sabbatical or long leave, please include in the table.

Where the individual is currently employed with a company other than the Corporation, please state his intended last day of employment with the current employer, if applicable. Otherwise, please indicate N.A. in the “To” field.

Where the individual has no prior working experience, please check the N.A. checkbox.

Where the individual has had multiple designations and duties in the course of the individual’s employment with a company, please set these out separately.

If the individual is/was licensed, registered or approved by a foreign regulator, please also provide the full name of the employer in the foreign language (if any).

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Full name of employer/ Country of operation of business (if self-employed, state so)** | **Regulator that individual is/was licensed, registered or approved by, if applicable** | **Nature of business of employer** | **Designation and Department** | **Brief description of duties** | **Period (MM/YYYY)** | | **Experience**  **(number of years)** | |
| **From** | **To** | **Relevant experience** | **In managerial capacity** |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap to enter a date. | Click or tap to enter a date. | Click or tap here to enter text. | Click or tap here to enter text. |
| **Total number of years of experience** | | | | | | | Click or tap here to enter text. | Click or tap here to enter text. |

**Number of years of experience**

The relevance of an appointee/director’s past experience should be assessed in the context of the role that the appointee/director will perform in the Corporation. The appointee/director should have managerial experience or experience in a supervisory capacity as part of his/her relevant experience.

1. If the appointee/director does not have direct experience in the industry that the Corporation operates in, explain how the experience of the appointee/Director in 5.2 is relevant to and supports the role that the individual will perform in the Corporation.

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| Click or tap here to enter text. |

SECTION 6: BUSINESS INTERESTS AND SHAREHOLDINGS

1. Set out details of any directorship/ sole proprietorship/ partnership/ other business interests or substantial shareholdings of the appointee/ director in any entity, other than appointments in the Corporation. You may however exclude business interests and shareholdings in the Corporation, and in any entity that is invested into by investment vehicles managed by the Corporation as part of its fund management or real estate investment trust management activity. Please list the records in reverse chronological order, starting from the most recent record.

**Substantial shareholdings**

An individual who is a “substantial shareholder” of an entity as defined in section 2 of the Act would be deemed to have substantial shareholdings in that entity.

N.A.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Name of entity** | **Related Corporation** | **Place of incorporation/ establishment** | **Nature of business** | **Business interests**  **(i.e. Role/ Capacity)** | **Start date of business interests**  **(DD/MM/YYYY)** | **Percentage shareholding/ ownership in entity** | **Effective date of shareholding**  **(DD/MM/YYYY)** | **Regulator that individual is/was licensed, registered or approved by, if applicable** |
| Click or tap here to enter text. | Choose an item. | Click or tap here to enter text. | Click or tap here to enter text. | Choose an item. | Click or tap to enter a date. | Click or tap here to enter text. | Click or tap to enter a date. | Click or tap here to enter text. |

SECTION 7: CONFLICTS OF INTERESTS

1. The appointee/director is an associate of the Resident Manager, or another employee, director or shareholder of the Corporation.

Yes. Provide the following details on the associate(s).

|  |  |  |
| --- | --- | --- |
| **Name of connected person** | **Relation to appointee/director** | **Designation and responsibilities within the corporation** |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

No

”Associate” is defined in section 16(4)(c) of the Act.

1. ***[For appointee/director with associate(s)]***

The Corporation has:

Assessed that there will be no potential conflicts of interest arising from the appointee/director’s relationship to the associate(s). Nonetheless, the Corporation will have in place measures to address potential conflicts of interest should they arise in the future.

Assessed that there will be potential conflicts of interest arising from the appointee/Director’s relationship to the associate(s), but will put in place measures to address them.

Describe the measures in place to address the potential conflicts of interest.

Describe the measures in place to address the potential conflicts of interest.

|  |
| --- |
| Click or tap here to enter text. |

1. ***[For appointee/director with directorship/ sole proprietorship/ partnership/ other business interests or substantial shareholdings in other entities]***

The Corporation has:

Assessed that there will be no potential conflicts of interest arising from the appointee/director’s shareholdings and business interests. Nonetheless, the Corporation will have in place measures to address potential conflicts of interest should they arise in the future.

Assessed that there will be potential conflicts of interest arising from the appointee/Director’s shareholdings and business interests, but will put in place measures to address them.

Describe the measures in place to address the potential conflicts of interest.

Describe the measures in place to address the potential conflicts of interest.

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| Click or tap here to enter text. |

On the basis of due and diligent enquiry made on the background of the appointee/director named in this form and other information available, we believe him/her to be of good character and reputation and to have the competence and experience to perform the functions and duties of a director/resident manager.

We are aware that section 62(1), (3) and (4) of the Trust Companies Act (Cap. 336) provides as follows:

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| “ANY PERSON WHO FURNISHES THE AUTHORITY WITH ANY INFORMATION UNDER THIS ACT SHALL USE DUE CARE TO ENSURE THAT THE INFORMATION IS NOT FALSE OR MISLEADING IN ANY MATERIAL PARTICULAR.  ANY PERSON WHO SIGNS ANY DOCUMENT LODGED WITH THE AUTHORITY SHALL USE DUE CARE TO ENSURE THAT THE DOCUMENT IS NOT FALSE OR MISLEADING IN ANY MATERIAL PARTICULAR.  ANY PERSON WHO CONTRAVENES SUBSECTION (1) OR (3) SHALL BE GUILTY OF AN OFFENCE AND SHALL BE LIABLE ON CONVICTION TO A FINE NOT EXCEEDING $25,000 OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING 2 YEARS OR TO BOTH”. |

|  |  |  |
| --- | --- | --- |
| Signature\* | : |  |
| Name | : | Click or tap here to enter text. |
| Designation | : | Click or tap here to enter text. |
| Date | : | Click or tap to enter a date. |
|  |  | (DD/MM/YYYY) |

\* Electronic signature may be provided in lieu of physical signature.

* + 1. FIT AND PROPER CRITERIA

If the answer to any of the following questions is in the affirmative, provide supporting documents where appropriate, except for items 1(a) to (d). **For items 1(e) to (u), and 2(a) and (b), complete Annex A.** If there is any doubt with respect to any part of this section, please provide all relevant information to demonstrate that the appointee/director is considered to be a fit and proper person to hold the office.

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| Honesty, Integrity and Reputation | | |
|  | | |
| * 1. Within the past 10 years, has the appointee/director - | | |
|  | Yes | No |
| 1. been licensed, registered or approved under any law in any jurisdiction which requires licensing, registration or approval in relation to any regulated activity? |  |  |
|  |  |  |
| 1. been licensed, registered, or otherwise authorised by law to carry on any trade, business (including sole proprietorships and partnerships) or profession (including, accountancy, engineering, law and architecture) in any jurisdiction? |  |  |
|  |  |  |
| 1. been a shareholder of any corporation which holds membership of any class or description of any operator of an organised market or clearing facility in any jurisdiction? |  |  |
|  |  |  |
| 1. carried on business under any name other than the name stated in this application in any jurisdiction? |  |  |
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| 1. been refused the right or restricted in his/her right to carry on any trade, business or profession for which a specific licence, registration or other authorisation is required by law in any jurisdiction? |  |  |
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| 1. been issued a prohibition order under any Act administered by the Authority or been prohibited from operating in any jurisdiction by any financial services regulatory authority? |  |  |
|  |  |  |
| 1. been censured, disciplined, suspended or refused membership or registration by the Authority, any other regulatory authority, an operator of an organised market or clearing facility, any professional body or government agency, whether in Singapore or elsewhere? |  |  |
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| 1. been the subject of any complaint made reasonably and in good faith, relating to activities that are regulated by the Authority or under any law in any jurisdiction? |  |  |
|  |  |  |
| 1. been the subject of any proceedings of a disciplinary or criminal nature or been notified of any potential proceedings or of any investigation which might lead to those proceedings, under any law in any jurisdiction? |  |  |
|  |  |  |
| 1. been convicted of any offence, served any term of imprisonment or is being subject to any pending proceedings which may lead to a conviction of any offence, under any law in any jurisdiction? |  |  |
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| 1. had any civil penalty enforcement action taken against him/her by the Authority or any other regulatory authority under any law in any jurisdiction? |  |  |
|  |  |  |
| 1. contravened or abetted another person in breach of any laws or regulations, business rules or codes of conduct, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been the subject of any investigations or disciplinary proceedings or been issued a warning or reprimand by the Authority, any other regulatory authority, an operator of an organised market or clearing facility, any professional body or government agency, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been refused a fidelity or surety bond, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been or is a director, partner, substantial shareholder or concerned in the management of a business that has been censured, disciplined, prosecuted or convicted of a criminal offence, or been the subject of any disciplinary or criminal investigation or proceeding, whether in Singapore or elsewhere, in relation to any matter that took place while he/she was a director, partner, substantial shareholder or concerned in the management of the business? |  |  |
|  |  |  |
| 1. been or is a director, partner, substantial shareholder or concerned in the management of a business that has been censured, disciplined, suspended or refused membership or registration by the Authority, any other regulatory authority, an operator of an organised market or clearing facility, any professional body or government agency, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been a director, partner, substantial shareholder or concerned in the management of a business that has gone into insolvency, liquidation or administration during the period when, or within a period of one year after, he was a director, partner, substantial shareholder or concerned in the management of the business, whether in Singapore or elsewhere? |  |  |
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| 1. been dismissed or asked to resign from office, employment, a position of trust, or a fiduciary appointment or similar position, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been or is subject to disciplinary proceedings by his/her current or former employer(*s*), whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been disqualified from acting as a director or disqualified from acting in any managerial capacity, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been an officer found liable for an offence committed by a body corporate as a result of the offence having proved to have been committed with the consent or connivance of, or neglect attributable to, the officer, whether in Singapore or elsewhere? |  |  |
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| * 1. Has the appointee/director - | | |
|  | Yes | No |
| 1. had any judgment (in particular, that associated with a finding of fraud, misrepresentation or dishonesty) entered against it or him/her in any civil proceedings or is a party to any pending proceedings which may lead to such a judgment, under any law in any jurisdiction? |  |  |
|  |  |  |
| 1. accepted civil liability for fraud, misrepresentation or dishonesty under any law in any jurisdiction? |  |  |
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| Financial Soundness |  |  |
| 1. Within the past 10 years, has the appointee/director - | | |
|  | Yes | No |
| 1. been or is unable to fulfill any of his/her financial obligations, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. entered into a compromise or scheme of arrangement (including a debt repayment scheme) with its or his/her creditors, or made an assignment for the benefit of its or his/her creditors, being a compromise, scheme of arrangement or assignment that is still in operation, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been or is subject to a judgment debt which is unsatisfied, either in whole or in part, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been or is the subject of a bankruptcy petition, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been adjudicated a bankrupt and the bankruptcy is undischarged, whether in Singapore or elsewhere? |  |  |
|  |  |  |
| 1. been or is subject to any other process outside Singapore that is similar to those referred to in (d) – (e)? |  |  |

1. OTHER INFORMATION

Set out any additional information that is relevant or material to this application.

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| Click or tap here to enter text. |

1. DECLARATION

***Attach a signed and scanned or pdf copy of Section III and IV of the Appendix to Form 4 when submitting this Form electronically. Electronic signatures may be provided in lieu of physical signatures.***

I am aware that section 62(1), (3) and (4) of the Act provides as follows:

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| “ANY PERSON WHO FURNISHES THE AUTHORITY WITH ANY INFORMATION UNDER THIS ACT SHALL USE DUE CARE TO ENSURE THAT THE INFORMATION IS NOT FALSE OR MISLEADING IN ANY MATERIAL PARTICULAR.  ANY PERSON WHO SIGNS ANY DOCUMENT LODGED WITH THE AUTHORITY SHALL USE DUE CARE TO ENSURE THAT THE DOCUMENT IS NOT FALSE OR MISLEADING IN ANY MATERIAL PARTICULAR.  ANY PERSON WHO CONTRAVENES SUBSECTION (1) OR (3) SHALL BE GUILTY OF AN OFFENCE AND SHALL BE LIABLE ON CONVICTION TO A FINE NOT EXCEEDING $25,000 OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING 2 YEARS OR TO BOTH.” |

I am aware that under Reg 9(2)(g) of the Trust Companies Regulations, the Authority may refuse the application for appointment of resident manager/director if the appointee/director fails to satisfy the Authority that he is a fit and proper person to be approved.

I have read the Guidelines on Fit and Proper Criteria (the “Guidelines”) issued by the Authority and in submitting this form, I am satisfied that I am a fit and proper person based on the criteria stated in the Guidelines.

I declare that all information given in this application and Appendix and in the attached annexes (if any) is true and correct.

|  |  |  |
| --- | --- | --- |
| Signature | : |  |
|  |  | (Signed by appointee/director) |
| Date | : | Click or tap to enter a date. |
|  |  | (DD/MM/YYYY) |

1. CERTIFICATE

This certificate should be signed by a director (other than the proposed appointee) or the secretary of the corporation by whom the appointee/director is employed or for or by arrangement with whom the appointee/director is acting.

To the Authority -

On the basis of due and diligent enquiry made on the background of the appointee/director named in this form and other information available, we are satisfied that he/she is a fit and proper person, based on the criteria stated in the Guidelines, to perform the functions and duties of a director/resident manager.

|  |  |  |
| --- | --- | --- |
| Signature | : |  |
| Name | : | Click or tap here to enter text. |
| Designation | : | Click or tap here to enter text. |
| Date | : | Click or tap to enter a date. |
|  |  | (DD/MM/YYYY) |

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| ANNEX A: AFFIRMATIVE RESPONSES TO THE FIT AND PROPER CRITERIA SECTION |

Complete the table below where there is an affirmative response to items 1(e) to (u), and 2(a) and (b) of the fit and proper criteria in Appendix I. Use one row for each affirmative response.

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Fit & proper criteria1** | **Name of regulator/ authority** | **Nature of incident for affirmative response**  **(“Incident”)2** | **Date of Incident (DD/MM/YYYY)** | **Details of Incident** | **Status of Incident [Pending/ Finalised]** | **Penalty amount/ No. of years of imprisonment** | **Remedial measures taken to address the Incident, if any** | **Progress of remedial measures [Completed/ Ongoing]** | **Reasons that person meets the Authority’s fit and proper criteria set out in the Guidelines on Fit and Proper Criteria [Guideline No. FSG-G01) despite the Incident** |
| Click here to enter text. | Click here to enter text. | Choose an item.  Others: Describe:  Click here to enter text. | Click or tap to enter a date. | Click here to enter text. | Choose an item. | Click here to enter text. | Click here to enter text. | Choose an item. | Click here to enter text. |

1 Indicate the item number of the fit and proper criteria per Appendix I where there is affirmative response, e.g. 1.(g).  
2 Indicate one of the following, or where the categories below are not applicable, briefly describe the nature of the incident:

* Refused membership/registration/right to carry on trade
* Prohibition order
* Suspended
* Imprisonment
* Subject of/notified of disciplinary proceeding/investigation
* Subject of/notified of criminal proceeding/investigation
* Subject of/notified of civil proceeding/investigation
* Subject of complaint
* Fine
* Warning
* Reprimand