

**SUPPORTING INFORMATION CHECKLIST**  
LICENSING OF ADMINISTRATORS OF FINANCIAL BENCHMARKS  
UNDER PART 6 OF THE FINANCIAL MARKETS CONDUCT ACT 2013 (**FMC Act**)

Applicant company details:

1. Company name (as registered):
2. Company Financial Service Provider (FSP) number: FSP

Director/senior manager details:

Please complete and submit a **BMA.3** form with this form for each and every current and proposed director and senior manager, as required by section 396 of the FMC Act.

3. Please identify the name and position of each current and proposed director/senior manager who is submitting a BMA.3 form for the Applicant entity, by completing the following table:

First Name	Last Name	Role within Applicant's business
------------	-----------	----------------------------------

I confirm that all the required directors and senior managers have completed separate BMA.3 forms and their names are listed in the table above.

Application document checklist:

4. As part of an application for licensing, the Applicant entity is required to provide a number of documents in support of their application. Please confirm that you have supplied the required documents with this form by ticking the appropriate boxes below.

Business details

Good character (BMA.3 forms)

Experience, skills and qualifications

Policies and procedures

Compliance controls and monitoring

Contributor conduct rules

Financial resources

Other resources

Governance

Independence

Professional indemnity

Other matters

Please ensure you indicate, on each document that you send, which area of the licensing application they relate to. For example, documents relating to the experience, skills and qualifications of your management team should be labelled 5.1, 5.2, etc.

Entity declarations

5. Has the entity ever been the subject of civil or criminal proceedings, regulatory action, or disciplinary action (including the issuance of warnings) in New Zealand or overseas?

If yes, provide full details of each matter, including the relevant regulatory body and outcome:

6. Has the Applicant ever been, or is it currently, the subject of any investigation or proceeding started (or decided) by any regulatory body?

If yes, please provide full details of any investigation, including the regulatory body:

## Certification by Applicant

### 1. Compliance

The Applicant certifies to the Financial Markets Authority (**FMA**) that:

- a. the Applicant satisfies the requirements in section 396(a) – (e) of the FMC Act for a market services licence.
- b. the Applicant satisfies the requirements in section 400(1)(a) of the FMC Act in relation to any related body corporates listed in this certificate.
- c. each related body corporate listed in this certificate (if any) satisfies the requirements of section 400(1)(b) – (e) of the FMC Act, and regulation 188 of the Financial Markets Conduct Regulations 2014 (the **Regulations**).
- d. the Applicant satisfies the requirements set out in regulation 187A of the Regulations, for an administrator of a financial benchmark.
- e. the Applicant has identified all persons who are “relevant parties” as defined in regulation 189(3)(a)(i) – (v) inclusive of the Regulations, has disclosed all relevant parties to the FMA, and has submitted with this application the relevant party declarations required by the FMA for all those relevant parties.

### 2. Authorisation

The Applicant hereby certifies to the FMA the following:

- I understand the entity’s obligations under the Financial Markets Conduct Act 2013 and Financial Markets Conduct Regulations 2014.
- I am a director or senior manager of the Applicant (as defined by the FMC Act) and have completed a BMA.3 individual declaration form.
- I am authorised by the Applicant to complete this checklist and accompanying licence application on the Applicant’s behalf and the Applicant has approved this licence application
- I have conducted all necessary enquiries, and declare the information provided in this form to be true and correct to the best of my knowledge.

*To be signed by two directors of the Applicant’s governing body, or if the Applicant has a sole director, by that director.*

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Name

Name

Position

Position

Date

Date

## BMA.2

Under section 512 of the FMC Act every person commits an offence who, with respect to a document required by or for the purposes of the FMC Act, makes, or authorises the making of, a statement in the document that is false or misleading in a material particular knowing it to be false or misleading, and is liable on conviction to imprisonment for a term not exceeding five years, a fine not exceeding \$200,000, or both.

Section 412 of the FMC Act requires a licensee to report to the FMA if a licensee believes that the information provided while applying for a licence under Part 6 of the Act is false or misleading in a material particular.

The FMA may exercise powers under section 414 of the FMC Act, including the power to suspend or cancel a licence, if the information provided by a licensee while applying for a licence is false or misleading in a material particular.