

Fit and Proper Declaration for Supervision under Money Laundering Regulations 2007

Introduction

The Money Laundering Regulations 2007 apply to individuals and practice firms that provide accountancy services; trust and company services; or related services such as tax advice, audit or insolvency.

All members who are supervised by IFA or are applying to be supervised by the IFA for supervision under the Money Laundering Regulations, will have to complete a fit and proper declaration as well as the application form for supervision as part of the process.

Who must complete the fit and proper declaration?

IFA members and FTA members who have a practicing certificate or tax certificate with the IFA must register with the IFA for anti-money laundering supervision.

When you register your practice under the Money Laundering Regulations, the IFA or FTA members in practice or anyone who controls the practice must complete the fit and proper declaration form as part of the application process for money laundering supervision by the IFA. The Money Laundering Regulations state you must complete a fit and proper declaration if you are:

- the person applying to register the practice and you're running the practice either on your own or in partnership
- a person who can, or will be able to, direct the practice - this includes directors and shadow directors, whether they're based in the UK or overseas
- a 'beneficial owner' of the practice - you're a beneficial owner of a practice if you own or control more than 25 per cent of it
- a 'nominated officer' for the practice - the nominated officer for a practice is the money laundering reporting officer

In practice, this means that you'll have to complete a fit and proper test form if you're:

- the sole proprietor of the practice
- a partner in the practice
- a director of the practice or a nominated officer, for example, the Money Laundering Reporting Officer (MLRO)

Some trustees have to apply for a test, as do shareholders who own or control more than 25 per cent of the shares or voting rights in the company.

Completing the fit and proper declaration

The fit and proper declaration should be printed, completed, signed and dated. Please complete the application form in black ink and capital letters. The completed fit and proper declaration and supporting documentation should be returned to:

Membership Department, Institute of Financial Accountants, The Podium, 1 Eversholt Street, Euston, London, NW1 2DN

If the information you provide is subsequently found to be false or misleading:

- you may be subject to disciplinary action, including exclusion if you are an IFA or FTA member in practice
- IFA may withdraw supervision of money laundering for your practice

Supporting Paperwork

IMPORTANT: Documentation supporting your identity should be provided with this fit and proper declaration. The IFA requires a minimum of one document from each of the following groups:

Group One: an identity document: this can be a copy of one or more of the following; passport, drivers licence, birth certificate, European identity card, visas

Group Two: a current address document issued within the last three months: this can be a copy of one or more of the following; bank/credit/store card statements (account information can be deleted where applicable), utility/mobile bills, tenancy agreements or any letter or document issued to the candidate's by HMRC or the candidate's local council or government

Copies of these documents will be sufficient.

Contact

If you have any queries relating to the completion of this form, contact the membership department at membership@ifa.org.uk

Section A – Personal Details	
First Name:	
Surname:	
Maiden/former name:	
Date of name change:	
IFA Membership Number:	
Membership of other professional bodies:	
Additional Practicing certificate supervising body:	
Additional Money Laundering supervision body:	
Home address:	
Town/City	
County	
Postcode	
Have you been at this address for less than five years? If yes, please give previous home address.	
Home phone number:	
Mobile phone number:	
Home Email address:	

Section B – Firm Details	
Name of Firm:	
Trading Name (if applicable):	
Firm Address:	
Town/City	
County	
Postcode	
Work Phone number:	
Work Email address:	
What is your position in the practice? (sole practitioner, director, partner, nominated officer, individual with beneficial interests):	
Are you the Money Laundering Reporting Officer (MLRO)? If you are sole practitioner, you will be deemed to be the MRLO.	

Section B – Identification	
Passport details:	
Country of birth	
Place of birth	
Date of birth	
Nationality	
Passport number:	
Place of issue:	
Passport expiry date (DD MM YYYY)	
National Insurance Number:	
Driving Licence Number:	
National ID number:	
If you are not an EU citizen, are you entitled to live and work in the UK? Please provide supporting evidence.	

Section C – Criminal Offences		
Have you been convicted of, or are you currently charged with, any of the following criminal offences in the UK or of an equivalent offence in another country?		
	YES	NO
An offence under the Terrorism Act 2000 or 2006;		
An offence under Part 7 of the Proceeds of Crime Act 2002;		
An offence listed in Schedule 2, 4 or 5 to the Proceeds of Crime Act 2002;		
An offence under paragraph 7(2) or (3) of Schedule 3 to the Anti-Terrorism, Crime and Security Act 2001;		
An offence under the Fraud Act 2006 or, in Scotland, the common law offence of fraud;		
An offence under section 72(1), (3) or (8) of the Value Added Tax Act 1994;		
The common law offence of cheating the public revenue;		
Are you or have you been bankrupt, or has sequestration of your estate been awarded and (in either case) not discharged;		
Are you subject to a disqualification order under the Company Directors Disqualification Act 1986;		
Are you, or have you been subject to a confiscation order under the Proceeds of Crime Act 2002;		
Have you previously held a position of ownership or control in another practice subject to Money Laundering regulations;		
If you have answered 'yes to any of the above, please provide details below:		

Section D – Civil liabilities

In the last five years, have you been subject of any civil action relating to professional or practice activities which resulted in a finding against you by a court, or a settlement being agreed? If you have answered 'yes' to any of the above, please provide details below:

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Section E: Good Reputation and Character

In the last 10 years, have you been:

	YES	NO
refused or been restricted in the right to carry on any trade, practice or profession for which a specific licence, registration or other authority is required?	<input type="checkbox"/>	<input type="checkbox"/>
Investigated for professional misconduct or malpractice where a formal complaint was proved?	<input type="checkbox"/>	<input type="checkbox"/>
reprimanded, warned about future conduct, disciplined or publicly criticised by any professional or regulatory body?	<input type="checkbox"/>	<input type="checkbox"/>
refused entry to any professional body or trade association, or decided not to continue with an application?	<input type="checkbox"/>	<input type="checkbox"/>
made the subject of a court order at the instigation of any professional or regulatory body?	<input type="checkbox"/>	<input type="checkbox"/>
investigated on allegations of misconduct or malpractice in connection with professional or practice activities which resulted in a formal complaint being proved but no disciplinary order being made?	<input type="checkbox"/>	<input type="checkbox"/>

If you have answered 'yes' to any of the above, please provide details below:

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Section G: Declaration			
I declare that:			
to the best of my knowledge and belief all of the information I have given in this application is correct;			
I understand that I must inform IFA of any material changes to the information I have provided within 30 days of the change;			
I am aware of my responsibilities under the Money Laundering Regulations 2007;			
I agree that IFA may make such enquiries as it thinks fit in connection with my application;			
I have read and understand that making a false statement on this form may lead to disciplinary action by the IFA.			
Signed		Dated (DD MM YYYY)	

Section H - IFA Data Protection

IFA takes your privacy seriously. All personal information provided to IFA on this form or through any other method of communication is collected and held in accordance with the Data Protection Act 1998. Non-sensitive information may be passed to third party and partner organisations for the promotion of goods and services relevant to financial accountancy. Information may be passed to regulatory authorities including HMRC if required. All rights, duties and responsibilities under the Act are acknowledged. Copies of the IFA Data Protection Policy and the Privacy and Cookie policies are available to view on the IFA website www.ifa.org.uk/dataprotection

If you do not wish to be contacted by third parties or partner organisation in relation to goods or services relevant to financial accountancy*, please tick.

If you give your permission for your personal details to be divulged at the request of a bank manager or prospective employer, please tick.

**You should be aware that a range of the IFA membership benefits are provided in association with partner organisations. You may not be able to access the full range of benefits if our partners cannot contact you.*