

# *Application* **Booklet**

## ADVISER LICENSING SOLUTIONS



Application Form.....	3
Checklist.....	4
To be attached to this application.....	4
For your information.....	5
Questionnaire.....	6
Business Activities Model.....	11
Consent Form.....	12
Direction Form.....	13
Qualifications & Advice Provision.....	17
Self Declaration Form.....	19
Reference Checking Form.....	20
Global Data Storage.....	22
Appendix A.....	23
RM Capital Contact Information.....	28

<b>Licensee</b>	Name:	RM Capital Pty Ltd	AFSL:	221938
-----------------	-------	--------------------	-------	--------

<b>Adviser Details</b>	Name of Adviser:	
------------------------	------------------	--

<b>Representative Type</b>	Authorised Rep No#:		Date Issued:		ABN No#:	
	Corporate Rep No#		Date Issued:		ABN No#:	
	If CAR, Name of Co#					

<b>Address</b>	Residential Address:	
	Work Address:	
	Postal Address:	

<b>Contact Details</b>	Work Phone:		Home Phone:	
	Mobile:		Date of Birth:	
	Email:		Suburb of Birth:	
	Website		ID Number:	

<b>Accreditation:</b>	Please tick	<input type="checkbox"/> RG 146	<input type="checkbox"/> SMSF	<input type="checkbox"/> Derivatives 1	<input type="checkbox"/> Derivatives 2
	Other	Please see qualifications & advice provision form for more requirements			

<b>Bank Details:</b>	Name:	
	Bank Name:	
	BSB:	
	Account No#:	

<b>Additional Resources Required</b>	
--------------------------------------	--

<b>Additional Representatives</b>	<i>If you are wishing to be a Corporate Representative of RM Capital and intend to employ representatives under your corporate banner, please fill out an additional form with the authorised representatives details.</i>
-----------------------------------	--

<b>Declaration</b>	I, <input type="text"/>	hereby warrant that the information given above and contained in my CV is true and correct and is not misleading in any way.
	Signature :	<input type="text"/> (Applicant) <span style="margin-left: 100px;">Date: <input type="text"/></span>

## Application Checklist

	Application Booklet – Entire booklet completed in full	<input type="checkbox"/>
	Credit History Check – Credit Check at <a href="http://www.vedaadvantage.com.au">www.vedaadvantage.com.au</a>	<input type="checkbox"/>
	Police Clearance – Federal Police Check at <a href="http://www.afp.gov.au">www.afp.gov.au</a>	<input type="checkbox"/>
	Comprehensive & Current Resume	<input type="checkbox"/>
	AML/CTF Identification Form - Certified Copy of Identification ( <i>or original cited by RM Capital</i> )	<input type="checkbox"/>
AUTHORISED REPRESENTATIVE REQUIREMENTS	Qualifications - Evidence of what applicant is qualified to advise on (copy of all qualification certificates, transcripts + scope of advice letter from previous employer)	<input type="checkbox"/>
	Evidence of on-going professional development training – CPD for the past 2 years or more	<input type="checkbox"/>
	Activity Summary ie. copies of last six (6) months Commission Statements	<input type="checkbox"/>
	Current Financial Statement –statement showing current financial position and solvency	<input type="checkbox"/>
	Copy of last compliance representative audit report	<input type="checkbox"/>
	Product list for any transfers required – eg MBL CMA	<input type="checkbox"/>
	<b>Bank Guarantee</b> – It is compulsory that all representatives provide a guarantee. Further discussions to be held with the directors of RM Capital	<input type="checkbox"/>

ADDITIONAL REQUIREMENTS FOR CORPORATE REPRESENTATIVE	Business Plan – Brief description including details of your proposed business, where you wish to operate, approximate revenue projections, number of authorised representatives, principals/ directors, office details, communications & information technology details	<input type="checkbox"/>
	Company extract – showing all directors	<input type="checkbox"/>
	Business Stationery – <i>copy of design logo, business cards, letterhead, with comps slip, envelopes etc</i>	<input type="checkbox"/>
	Global Data Storage – New CAR's are required to have their emails hosted through an RM Capital Microsoft Exchange server. <i>Please complete the details on page 16.</i>	<input type="checkbox"/>

## Application Process

- |   |  |                          |
|---|--|--------------------------|
| 1 | Fill out this Application Booklet  | <input type="checkbox"/> |
| 2 | Obtain all the additional information required in the Application checklist (p4)   | <input type="checkbox"/> |
| 3 | Once completed post both the application booklet and additional information required to RM Capital (details p21)                                   | <input type="checkbox"/> |
| 4 | Once the paperwork has been received all relevant checks will be actioned by RM Capital  | <input type="checkbox"/> |
| 5 | Once the paperwork has been processed and approval has been granted RMC will be in contact   | <input type="checkbox"/> |
| 6 | Sign Authorised Representative / Corporate Authorised Representative contract with RMC   | <input type="checkbox"/> |
| 7 | Re-badge your Account Application Form, Financial Services Guide, Statement of Advice templates etc  | <input type="checkbox"/> |
| 8 | RMC is now ready to issue your Authorised Representative / Corporate Authorised Representative License and you're now set to operate your business | <input type="checkbox"/> |

## Areas to Organise

- |   |   |                          |
|---|---|--------------------------|
| 1 | Existing Contracts – Check your existing contract with your current licensee for restraint of trade or other clauses that may affect you when you leave | <input type="checkbox"/> |
| 2 | My Office – Organise your office / home office or other place of business   | <input type="checkbox"/> |
| 3 | Communications – Reserve telephone and fax number with service provider   | <input type="checkbox"/> |
| 4 | Information Technology – Computer, fax, internet connection, website and email  | <input type="checkbox"/> |
| 5 | Business Name Search – name search, register new company (if operating as a Corporate Authorised Rep)   | <input type="checkbox"/> |
| 6 | Artwork & Stationery – design logo, business cards, letterheads etc   | <input type="checkbox"/> |
| 7 | Your clients  | <input type="checkbox"/> |
| 8 | Best to contact RMC to confirm complete list and information required prior to leaving your current employment  | <input type="checkbox"/> |

## Questionnaire

1 How long have you been in the Broking / Financial Planning / Finance Industry?


2 Please provide a brief description of the type of business you have been engaged in *eg, broking, financial planning etc.*


3 Do you currently hold an Authorised/Corporate Authorised Representative License? *If no, skip to question 6.*


4 If yes, what is your Authorised Representative License Number (*you can find this on the ASIC website*)


5 How long have you held a Proper Authority / Authorised Representative License?


6 Are you currently compliant with ASIC Regulatory Guideline 146? If yes, what date was this obtained?


## Questionnaire

1 How long have you been in the Broking / Financial Planning / Finance Industry?

---

---

---

2 Please provide a brief description of the type of business you have been engaged in *eg, broking, financial planning etc.*

---

---

---

3 Do you currently hold an Authorised/Corporate Authorised Representative License? *If no, skip to question 7.*

4 If yes, what is your Authorised Representative License Number (*you can find this on the ASIC website*)

5 Please list your two most recent Australian Financial Services Licensee's

---

---

6 How long have you held a Proper Authority / Authorised Representative License?

7 Are you currently compliant with ASIC Regulatory Guideline 146? If yes, what date was this obtained?

## Questionnaire

8 Are you a member of any professional organisations such as the Australian Financial Planning Association, Finsia etc? If yes, please state.


9 Have you had any ASIC and / or ASX investigations, disciplinary proceedings or charges during your period in the Broking/ Financial Planning /Finance industry? *If yes, provide a description.*


10 Have any of your activities in the Broking / Financial Planning / Finance industry directly or indirectly lead to any insurance claims? *If yes, provide a description.*


11 What level of gross revenue do you think you will write after your new business has been established *(allowing say 9-12 months to rebuild your business to current levels)?*


12 What is the current average number of contract notes you write per month? And the current average contract note size?


13 After 12months — What is the average number of contract notes you anticipate to write per month? And the future average contract note size?




## Questionnaire

14 How many clients do you currently have on your existing client base?

15 What is your total FUM for these clients?

16 What has your previous two years of brokerage / revenue been?

17 What systems are you currently using – settlement agent / database etc?

## Questionnaire

17 Provide a brief overview and breakdown of your existing client base.

Activities	Annual Revenue	%
Sharebroking		
- Retail		
- Sophisticated Investors		
- Institutions		
- Other		
Tax Effective Products		
Financial Planning		
Corporate Finance		
Consulting		
- Other (see Checklist)		
Funds under management fees, portfolio services, wraps etc		
<b>TOTAL</b>		

18 Does any contract / client represent > 50% of your annual revenue? If yes, what percentage?

--

## Questionnaire

- 19 Do you wish to operate as an Authorised Representative of RMC or are you looking to brand your own business and operate as a Corporate Authorised Representative?

- 20 If you are wishing to operate as a Corporate Authorised Representative, how many Authorised Representatives will you be looking to engage initially?

- 21 If a Corporate Authorised Representative, have you identified a place of business from which you intend to operate your new business from?

- 22 If an Authorised Representative, do you wish to work from RMC offices?

## Business Activities Model

Activities	%
Dealing in listed securities	
Dealing in unlisted securities	
Dealing in foreign securities	
Derivatives	
ETO's	
CFD's	
Margin Lending or Gearing	
Corporate Finance	
Advisory Consultancy	
Investment in Australian Unit Trusts	
i) Cash Management Trusts	
ii) Equity Trusts	
iii) Property Trusts – listed or unlisted	
Investment in Foreign Unit Trusts	
If yes, where?	
Investment in Government Bonds	
Investment in Insurance Bonds	
Investment in Other Bonds	
Dealing in Commodities (Futures or Physicals)	
Investment in "Tangibles" (ie, coins, fine art, gems etc)	
Institutional Fund Management	
Life Insurance	
General Insurance	
Finance Broking – Residential or Commercial	
Mortgage Broking / Origination	
Solicitor Mortgage Funds	

By signing this form, you give us (and/or agent(s) engaged by us) your informed consent to collect, use and provide personal information about you from third parties (including the referees you have nominated and current/previous Organisations) for the purpose of verifying your experience and qualifications and to assist us in assessing your application. We will consult with you about the timing of contact with your current Organisation (if applicable).

I,  (the Applicant):

1. Acknowledge that RM Capital Pty Ltd have provided me with a copy of:
  - the document titled “Information for Applicants: Reference Checking”
  - the document titled “Direction Form”;
  - the document titled “Reference Check Form” ; and
  - a police criminal history check form ([www.afp.gov.au](http://www.afp.gov.au));
2. Consent to you (or any agent) checking the response to any question in the Reference Check Form, including by obtaining information outside the scope of the Direction Form;
3. Direct you to provide relevant factual information if sought by a prospective Organisation, including information drawing on my records (including dates of appointment, positions held, roles and duties performed and results of compliance reviews), and consent to you doing so;
4. Consent to you (or any agent) applying to the Australian Federal Police and/or any relevant state police department for my criminal history;
5. Agree to assist the application for my criminal history, including providing a certified copy of a current identity document that bears my photograph (e.g. a driver’s licence);
6. Acknowledge and accept that any offer of appointment you may make is subject to you obtaining, and being satisfied with reference checks (including my criminal history);
7. Undertake to inform you, in a timely manner, of any significant change in my circumstances that results in any other information previously provided becoming out of date, incomplete or inaccurate;
8. Understand that incomplete, inaccurate or misleading information (or omission) may result in:
  - my application being excluded from consideration;
  - my offer of appointment being withdrawn; or disciplinary or other action, up to and including
  - termination of my appointment (if my application has already been accepted by the time you discover
  - the information is incomplete, inaccurate or misleading);
9. Understand that this consent and direction will continue in force until you are notified in writing that I have revoked it;
10. Declare that:
  - my responses to the questions listed in the Reference Check Form, and
  - all details I have provided to assist the application for my criminal history,
  - are, to the best of my knowledge and belief, correct, accurate and complete, not misleading in any way, and without omission that might influence the outcome; and
11. Declare that I have:
  - read and understood the contents of this Consent Form and the documents referred to in paragraph 1 above; and
  - attached completed and signed copies of:
    - the Reference Check Form; and
    - the police criminal history check form.

Print Name: *Applicant*

Signature : *Applicant*

Date:

By signing this form, you direct Organisations to share more specific information in response to questions listed below.

I,  (the Applicant):

1. Have applied to work as (Print position)  an Entrusted Person with **RM Capital Pty Ltd** (the Prospective Organisation);
2. Acknowledge I have received a copy of the document titled “*Information for Applicants: Reference Checking*”;
3. Direct every current/previous Organisation to share the Answer(s) with any prospective Organisation;
4. Give each Organisation and its Workers a release limited to all legal responsibility in relation to any loss, damage or claim arising from: (a) sharing or relying on the Answer(s); or (b) any omission from the Answer(s); unless arising from any malicious, fraudulent, deliberately false or deliberately misleading statement or omission;
5. Consent to every current/previous Organisation sharing any relevant factual information about my employment or engagement with any prospective Organisation; and
6. Release every current/previous Organisation from all confidentiality obligations to the extent that they impede its ability to share any relevant factual information about my employment or engagement with any prospective Organisation.

Print Name: *Applicant*

Signature : *Applicant*

Date:

## Information to be provided by the Applicant

Please consider the following questions carefully. We will rely on this information to assess your application for appointment; your responses must be true and accurate and must not be misleading. Where you answer "YES" to any of questions 3 to 15 please provide us with additional detailed relevant factual information on the circumstances, context or outcome of the issue. If you do not understand the question, or are unsure how to answer, please ask for an explanation.

- 1 Are you, or have you ever been, a company director or secretary?  
*If yes, please provide details including name of company(s), date(s) of appointment and resignation.*


- 2 Are you, or have you ever been a business proprietor?  
*If yes, please provide details including name of businesses, date(s) of appointment and resignation.*


**Please answer YES or NO as related to issues of your character, competence or conduct?**

3	Have you ever been disqualified from acting as a director or managing a company?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4	Have you ever acted as a director of a company that has been placed into liquidation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5	Have you ever been banned or disqualified from providing financial services or financial product advice?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6	Have you ever been dismissed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7	Have you ever been named as a defendant or respondent in any criminal proceedings? <i>(Please see criminal history information in the Information for Applicants sheet.)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8	Have you been named as a defendant or respondent in any civil or administrative proceedings?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
9	Have you been the subject of any bankruptcy proceedings or entered into any agreement for the benefit of creditors?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
10	Have you entered into any agreement for the benefit of creditors in respect of an organisation of which you are/were an officer?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
11	Have you personally been subject to any action as a result of an investigation, inquiry or audit that relates?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
12	Have you personally been the subject of an ethics conduct enquiry related to your membership of any association or professional body?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
13	Are you aware of any current inquiry or investigation that is ongoing and relates to issues of your character, competence or conduct?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
14	Are you aware of any client complaints involving you or notifications of any circumstances which may give rise, or has given rise, to a claim for compensation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
15	Have you been excluded (whether voluntary or not) from any gaming establishment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
16	Are you aware of any other relevant factual information that may impact on our decision to appoint you as an entrusted person?	<input type="checkbox"/> Yes	<input type="checkbox"/> No





**To ensure that you are qualified to provide advice in the relevant areas we require a copy of all education and training certificates and information on the areas where you previously supplied advice. Please complete below**

Details of current qualifications & training			
Qualification	Education Provider	Date Completed	Copy Attached
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Are all qualifications current? (provide any updates or renewals)			<input type="checkbox"/> Yes <input type="checkbox"/> No
Has 30 hours (40 hours if FPA) of CPD points been completed in last 12months (RG146)?			<input type="checkbox"/> Yes <input type="checkbox"/> No

Details of current qualifications & training	
Scope of Advice Authorisation Letter from previous employer attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**To ensure that you are qualified to provide advice in the relevant areas we require a copy of all education and training certificates and information on the areas where you previously supplied advice. Please complete below**

Are you currently allowed to provide advice in the following areas?	Applicant to complete	RMC to complete
Securities – Personal Advice	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Superannuation	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Self Managed Super Funds	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Retirement Saving Account Products & Retirement Planning	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Managed Investment Schemes including IDPS	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Life Products – Life Risk & Investment Life Insurance Products	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
General Insurance	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Government Debentures, Stocks and Bonds	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Derivatives - General Advice	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Derivatives – Personal Advice (1 & 2)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Deposit and Payment Products – Basic, non-basic Deposit & non-cash	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Financial Planning	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Geared Investments and Margin Lending	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Agri-business	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Warrants	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Estate Planning	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Tax Advice	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Corporate Finance Advice / Corporate Actions	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Generic Knowledge	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Skills	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other (please specify below)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

I certify this information to be true, correct, accurate and complete to the best of my knowledge at this date.

Print Name: *Applicant*

Signature : *Applicant*

Date:

I,  (Applicant) declare that during the previous twenty four-month period, I have not been subject to, received or engaged in:

- Any complaints by a regulatory body, professional body, an employer, an exchange or a client;
- Identified any breaches that I have not advised to the Licensee;
- Worked outside the scope of my authority;
- Any disciplinary actions, either by a regulatory body, professional body, an employer or an exchange;
- Any convictions;
- That there are no charges pending;
- Suspension or membership refusal by professional bodies;
- Fraud;
- Theft;
- Insolvency;
- Had an authority removed for reasons of character or honesty;
- Have not disclosed any conflicts of interest with the licensee and / or third party providers;
- Money laundering and terrorism financing;

And have:

- Maintained training records in accordance with the Licensee's requirements

Print Name: *Applicant*

Signature : *Applicant*

Date:

## Part A: Reference Checks of Two Referees

Information and documents you give us may be used in the reference checking process. Information in this form may be used to seek further reference checking information from your current/previous Organisations.

Applicant's full name:

Position applied for:

ASIC reference number (if any):

### Work History

Please give details of your work history during the last 10 years (at least), in a comprehensive resume.  
Please explain any gaps (ie, if you took more than one month off between appointments).

### Referee Check 1

**Referee Name**

Referee Title

Organisation

Phone

Email

Relationship

Your Role Then

Period of Work

Reason For Leaving

---

**Referee Check 2**

---

**Referee Name**

Referee Title

Organisation

Phone

Email

Relationship

Your Role Then

Period of Work

Reason For Leaving

---

**EXISTING DOMAIN**

*If you have an existing Domain, please provide the following information;*

Current Domain Name:

Email address:

IT contact person:

---

**DOMAIN TO BE SET UP**

*If you do not have an existing Domain name, we can set this up for you.*

Please arrange to set up my  
Domain with the following details;

Domain Name:

Personal Email address:

---

## About this information sheet

---

RM Capital has a policy/procedure for employment screening in accordance with the Australian Standard on Employment Screening (AS 4811—2006) (the Standard). This information sheet is about reference checking (one of the components of employment screening). It outlines the procedure we will follow for reference checking:

- before the appointment;
- during the appointment process;
- before promotion or change of duties or circumstances; and
- when references about you are sought from us by prospective employers, licensees or contractors (referred to as “Organisation(s)” in this information sheet: see the definition at the end of this information sheet for other entities included in this term).

This information sheet is provided to you because you are applying for a position as an “Entrusted Person” within our organisation and we will be conducting reference checks for the purpose of assessing and verifying your suitability as an Entrusted Person (see the definition at the end of this information sheet).

Your obligations in seeking appointment as an Entrusted Person you must provide complete and accurate information to us during the appointment process. You must notify us of any significant change in your circumstances that results in the information previously provided becoming out of date or inaccurate. Incomplete or inaccurate disclosure of information requested may result in your application being excluded or your appointment being withdrawn or terminated.

The reference checking process will likely include some or all of the following:

- completing an application for appointment;
- completing a consent form;
- completing a direction form;
- completing an application or providing details for a criminal history check;
- completing particulars in a reference checking form;
- verifying identity, work information, professional membership details, competencies, qualifications and training;
- checking public information records on the Australian Securities and Investments Commission (ASIC) website at [www.asic.gov.au](http://www.asic.gov.au), including the Australian financial services licence (AFSL) register, banned and disqualified persons register, pre-AFSL register, company database and media reports;
- conducting a bankruptcy search;
- conducting a commercial credit reference check;
- conducting an internet name search;
- conducting an immigration check (for foreign applicants); and
- speaking to and seeking reference checking information from named referees/previous supervisors and current/previous Organisations.



---

## Stages in the reference checking process

---

### **Before appointment**

- You submit an application for appointment (usually accompanied by appropriate referee material). Interview and selection procedures are followed.
- If you are considered suitable for the position, we will let you know that the reference checking process is starting.
- Reference checking is conducted by us.
- You may receive an offer of conditional appointment, subject to us obtaining satisfactory reference checks, including from current/previous Organisations and criminal history checks.
- Conditional appointment of employees or contractors
- Conditional appointment means that your appointment is subject to a three-month probationary period (for employees) or three-month conditional period (for contractors). During this time reference checking will continue.

Formal confirmation of your appointment is conditional on the successful completion of the reference checking process to our satisfaction (including reference checks with current/previous Organisations and criminal history checks). If you have failed to provide particulars, and/or reference checking reveals issue(s) of concern, we are likely to request an explanation or copies of relevant documents. In some cases, further reference checking may ensue.

### **For employees:**

- Incomplete, inaccurate or misleading information (or omission) by you may lead to rejection of the application, disciplinary action or dismissal.
- Unsatisfactory reference checking information about your ability to perform the role may lead to disciplinary action including dismissal

### **For contractors:**

- Incomplete, inaccurate or misleading information (or omission) by you may lead to rejection of the application or termination.
- Unsatisfactory reference checking information that impacts on the skills, experience or qualifications to perform the services required may lead to termination of the appointment.
- Before promotion or change of duties or circumstance

We may conduct reference checks before confirming a promotion or if your duties or circumstances change. Provision of reference checking information before or after resignation or termination.

Prospective Organisations may ask us to provide information for reference checks if you are being considered for appointment by them as an Entrusted Person. In providing such information, we will draw on relevant factual information from your records (including dates of work, positions held and compliance reviews).

### **Our obligations**

As a holder of an AFSL, our reference checking process takes into account our obligations under the Corporations Act 2001 (Cth) (Corporations Act) and regulations. These include our obligations to do all things necessary to ensure that the financial services covered by our AFSL are provided efficiently, honestly and fairly, and that we have systems in place to ensure our Entrusted Persons comply with our licence conditions and are adequately trained and competent to provide financial services. ASIC's Regulatory Guide 104

Licensing: Meeting the general obligations (RG 104) sets out ASIC's expectations of licensees' monitoring and supervision measures, including appropriate background checks before appointing new representatives. (These checks could include referee reports, police checks and searching the ASIC Register of Banned and Disqualified Persons).

Our reference checking process is also consistent with the principles detailed in the Standard as it covers procedures for ensuring the probity of an Entrusted Person.

---

## About this information sheet

---

### **Your privacy**

Our reference checking process is consistent with our obligations under the Privacy Act 1988 (Cth) (Privacy Act) for the handling of personal information. At various stages during the reference checking process, we will need to collect information about you for the purpose of assessing or verifying your suitability as an Entrusted Person. We will need to collect private information about you from third parties, including referees as well as current/previous Organisations for this purpose. Information collected also includes ASIC database searches, criminal history checks and bankruptcy searches.

We may engage an agent to conduct background checks to verify some or all of the information you have provided. This agent may use the information to apply to government agencies and other relevant sources to verify your information and to conduct public record searches. Any agent we engage will be required to handle personal information in a manner which is consistent with our obligations under the Privacy Act.

To facilitate the reference checking process, we need to obtain your informed consent in the attached Consent Form and your direction in the attached Direction Form for us (and/or our agent(s)) to collect, use, disclose and store personal information about you from third parties (including the referees you have nominated and current/previous Organisations) for the purpose of verifying your experience and qualifications and to assist us in assessing your application.

We will send a signed copy of your Consent Form and Direction Form to your current/previous Organisations (including those referees named by you in Part A of the Reference Check Form) as part of our reference checking process. We will consult with you about the timing of contact with your current Organisation (if applicable).

We will ask you questions as outlined in Part A of the attached Reference Check Form. We will ask questions of referees and/or current/previous Organisations as outlined in Part B of the attached Reference Check Form and the Direction Form. The information collected by us (and/or our agent(s)) will be used for the purpose of conducting our probity checks and it will be securely stored and only available to authorised persons.

We may disclose relevant factual information that we have collected to prospective Organisations who ask us for this information together with other information including dates of appointment, position(s) held, and compliance reviews. You may gain access to the information collected about you and/or correct this information (if necessary) while it is being stored. We will securely store this information and will destroy the information when it is no longer required for the purposes set out above.

### **Criminal history information**

Under various pieces of Commonwealth, state and territory legislation, a person has the right, in particular circumstances or for a particular purpose, to not disclose certain convictions/ findings of guilt after a period of time has elapsed from the date of conviction or release from imprisonment. Such convictions are widely referred to as “spent” or “rehabilitated” convictions.

The aim of the Scheme is to prevent discrimination on the basis of certain previous convictions. The Scheme applies to convictions where:

- it is 10 years since the date of the conviction (or 5 years for juvenile offenders);
- the individual was not sentenced to imprisonment or was not sentenced to imprisonment for more than 30 months;
- the individual has not re-offended during the 10-year (or 5-year for juvenile offenders) waiting period; and
- a statutory or regulatory exclusion does not apply.

The Scheme also covers convictions that have been set aside or pardoned under Part VIIC of the Crimes Act 1914. An individual whose conviction is protected does not have to disclose that conviction. There are some exclusions to the Scheme. For more information go to the Privacy Commissioner website at [www.privacy.gov.au](http://www.privacy.gov.au).

### Definitions you need to know

AFSL	An Australian financial services licence issued under the licensing regime in the Corporations Act.
Allegation(s)	All Allegations or Complaints about or arising from the Applicant's conduct or performance (including any act or omission): <ul style="list-style-type: none"> <li>recorded by the Organisation;</li> <li>reviewed by or on behalf of the Organisation;</li> <li>put to the Applicant in the course of that review (if the Applicant was employed or contracted by the Organisation when the review took place); and objectively found in writing, by the Organisation, to have some substance.</li> </ul>
Answer(s)	All information provided in response to the questions listed in the Direction Form, including all information shared to clarify any response.
Applicant	A person who has applied for the position of Entrusted Person with an Organisation.
Appointment	Appointment as an employee, contractor or authorised representative.
ASIC	The Australian Securities and Investments Commission.
Complaint(s)	All complaints received or identified from any source that relate to the Applicant's conduct, where that conduct may amount to a failure to meet the Licensee's obligations under the Corporations Act. For example, the conduct might demonstrate a failure to provide financial services efficiently, honestly and fairly, including, but not limited to, inadequate disclosure of costs and benefits and/or failure to have a reasonable basis for financial product advice. Complaint(s), which may be either verbal (and recorded by the Organisation) or written, also include notifications of any circumstances that may give rise, or have given rise, to a claim for compensation.
Consent Form	The document entitled "Consent Form" by which the Applicant gives consent to conduct reference checks for the purpose of assessing or verifying suitability as an Entrusted Person.
Direction Form	The document titled "Direction Form" by which the Applicant directs current/previous Organisations to share Answer(s).
Entrusted Person	In the context of financial services, an Entrusted Person will likely include an individual appointed who: <ul style="list-style-type: none"> <li>provides financial products or financial services (including financial advice) on behalf of an Organisation to retail and/or wholesale clients;</li> <li>handles or administers client investments and/or payments for financial services or products; and/or</li> <li>is otherwise entrusted with the care, management of, or advice involving another person's financial situation and/or assets.</li> </ul>
Factual Information	Information that is, or can be, verified.
Identity Document	An official document bearing the Applicant's current photograph and issued by an Australian state government body or agency (e.g. a driver's licence). This will be used in the Reference Checking process to verify the Applicant's identity
Informed Consent	Consent provided by the Applicant following the provision of information relating to the conduct and requirements of the Reference Checking process.
Licensee	The Each natural person, corporation, firm and/or other entity for whom or for whose benefit the Applicant has worked, is working, has applied to work or may work in any capacity, including as an employee, authorised representative, director, partner, agent, independent contractor, subcontractor, or through any company (including labour hire). Holder of an AFSL.
Organisation Probity	The level of integrity necessary to ensure the conscientious and honest conduct of one's working relationships and activities.
Referee(s)	A person who can provide objective, relevant and factual Reference Checking Information and has personally supervised the Applicant's work performance (preferably for a period of at least six months).
Reference Checking	The verification of references and the conduct of background checks to confirm work history and relevant conduct of the Applicant.
Reference Checking Information	All information received through the Reference Checking process (including from current/previous Organisations and criminal history checks).
Worker(s)	A person who performs any work, in any capacity, including as an employee, authorised representative, director, partner, agent, independent contractor, sub-contractor, or through any company (including labour hire).



Once you have completed the forms in this document and have attached all relevant items (as specified on the checklist on page 4 of this booklet please return all documentation to:

**Level 1, 1205 Hay Street WEST PERTH WA 6005 AUSTRALIA**

**PO BOX 154 WEST PERTH WA 6872**

Should you have any specific questions please do not hesitate to contact James Richardson on **0417 014 201** or [jbrich@rmcapital.com.au](mailto:jbrich@rmcapital.com.au)

Additional copies of this form are available on the website at [www.rmcapital.com.au](http://www.rmcapital.com.au) should you require them.

**INTERNAL USE ONLY**

Training	
Experience	
Background & Professional Integrity	
Previous PI Claims Made	
Details of Solvency Character Issues	
Comments & Special Instructions	
Background & Professional Integrity	

**Authorisation**

I confirm that this employee application has been completed by the Applicant and reviewed by myself to ensure all parts are complete and that required documentation is attached. I have made all reasonable enquiries to ensure that this Applicant satisfies the requirements to be appointed an employee of R M Capital Pty Ltd.

I confirm that the terms specified in the Schedule have been agreed to.

Print Name:

Signature :

Date:



Australian Financial Services Licensee No. 221938

Level 1, 1205 Hay Street WEST PERTH WA 6005 AUSTRALIA

PO BOX 154 WEST PERTH WA 6872

P: +61 (8) 6380 9200 | F: +61 (8) 6380 9299

E: [info@rmcapital.com.au](mailto:info@rmcapital.com.au)

W: [www.rmcapital.com.au](http://www.rmcapital.com.au)