

Notification of Prescribed Change Form in relation to Certification

1. GENERAL INFORMATION

You must notify the Commerce Commission (Commission) about any prescribed change in circumstances, for example, a change in directors or senior managers, relating to a certified person (meaning a corporate, entity, unincorporated body or an individual) within 10 working days from the date on which you or any one of your directors or senior managers, employees or agents comes to know about the change.

You need to provide this information so that the Commission can determine whether you continue to meet, or no longer meet, the “fit and proper person” requirements referred to in section 131G of the Credit Contracts and Consumer Finance Act 2003.

Whilst you don’t need to notify the Commission of a prescribed change using this form, you may find it is helpful in directing you to the matters and information that you need to notify the Commission of.

Please email the completed form to the Commission Certification Team at certification@comcom.govt.nz.

Please note: The Commission reserves the right to request further information from you in relation to the prescribed change(s).

2. DETAILS

Please complete all of these fields.

Full name of certified lender:

FSP Number:

NZBN (if applicable):

3. A director or senior manager is charged with, or convicted of, a crime punishable by imprisonment in New Zealand or overseas.

Name of individual, date and details of conviction

NOTE: Please supply a copy of the individual’s New Zealand Criminal Conviction History Check obtainable from the Ministry of Justice with this form. If the conviction relates to a crime punishable by imprisonment in Australia or outside of New Zealand, then please provide details of the individual’s criminal and infringement history, issued by the relevant law enforcement agency. Relevant to Australia, the individual may provide either a Nationally Coordinated Criminal History Check or an Australian Federal Police check.

4. A director or senior manager is adjudicated bankrupt or is likely to be adjudicated bankrupt (whether in New Zealand or overseas).

Name of individual, date of bankruptcy, amount of bankruptcy

5. A director or senior manager is a director or senior manager of a corporate entity that has been placed into liquidation, receivership, or voluntary administration in New Zealand or overseas.

Name of individual, name of the corporate entity, date and details of liquidation/receivership/voluntary administration, and monetary deficiencies

3. PRESCRIBED CHANGES

Tick the box that applies to you and provide the relevant information.

1. A new director or senior manager is appointed.

Name of individual(s) and date of appointment

NOTE: Please update the Financial Service Providers Register and/or Companies Register to reflect this change.

2. A director or senior manager has resigned, is removed, or has otherwise ceases to hold their position.

Name of individual(s) and date of resignation/removal

NOTE: Please update the Financial Service Providers Register and/or Companies Register to reflect this change.

6. A director or senior manager has been prohibited from acting as a director or promoter of a company or taking part directly or indirectly in the management of a company in New Zealand or overseas.

Name of individual, date and details of prohibition

7. A director or senior manager has been prohibited from providing credit or other financial services in New Zealand or overseas.

Name of individual, date and details of prohibition

8. A director or senior manager is a director or senior manager of another corporate entity, and a relevant proceeding or action* has been commenced or taken against either or both of that corporate entity or that person as a director or senior manager of that corporate entity.

Name of individual, date and details of relevant proceeding or action

9. A relevant proceeding or action* has been commenced or taken against the certified person and/or a director or senior manager.

Name of individual, date and details of relevant proceeding or action

*Relevant proceeding is defined in regulation 25(3) of the Credit Contracts and Consumer Finance Regulations 2004 as a civil or criminal proceeding or regulatory action (whether in New Zealand or overseas) other than commenced or taken by the Commerce Commission in relation to the contravention, or involvement in the contravention, of any:

(a) consumer credit and fair trading laws, financial markets legislation, overseas law that regulates the supply of any financial service, any dealing in financial products, or the management of an entity;

(b) a regulatory or disciplinary action for a breach of a professional or industry code of conduct or the rules of a financial product market (whether in New Zealand or overseas):

(c) a criminal proceeding for a crime involving dishonesty.

4. ANY OTHER INFORMATION

Please provide any other information that is or may be relevant to any prescribed change.

5. DETAILS OF CONTACT PERSON

Full name:

Mobile number:

Email:

Signature:

Email: