

Reporting Form RF 520

Fit and Proper: Responsible persons profile

Instruction Guide

Authorised deposit-taking institutions (**ADIs**), general insurers, non-operating holding companies (**NOHCs**), life insurers and friendly societies are obliged to provide certain information to APRA and to ensure that this information remains correct for all responsible persons. This form must be submitted to provide revised information to APRA within 28 days of any change to information previously notified to APRA or new responsible person appointment. Notification under paragraph 42 of *Prudential Standard APS 520 Fit and Proper (APS 520)*, paragraph 44 of *Prudential Standard GPS 520 Fit and Proper (GPS 520)*, and paragraph 41 of *Prudential Standard LPS 520 Fit and Proper (LPS 520)* that a person is no longer fit and proper must occur within 10 days.

In order to assist entities in complying with the requirement to ensure that information provided to APRA remains correct for all responsible persons, the form will be provided on an annual basis to all entities submitting annual returns via D2A. Entities can use the annual form to correct and update the information they have provided to APRA through the year.

In completing this form, entities should refer to APS 520 and *Prudential Practice Guide APG 520 Fit and Proper*, GPS 520 and *Prudential Practice Guide GPG 520 Fit and Proper* or LPS 520 and *Prudential Practice Guide LPG 520 Fit and Proper* as appropriate.

This Guide has been prepared to assist in the completion and lodgement of RF 520 Fit and Proper. For ease of use, the Guide has been split into two main sections:

- (a) General direction and notes – this guidance provides principles that should be applied to all items throughout RF 520 Fit and Proper; and
- (b) Specific instructions – this guidance should be applied to the specific items which relate to each reporting entity.

General directions and notes

Most address and responsible person information will be pre-populated in D2A by APRA based on the most recent notification previously provided to APRA. Pre-populated data should therefore be reviewed and, if necessary, amended to ensure the information is current and correct.

Lodgement and authentication codes

Once RF 520 Fit and Proper has been completed and submitted to APRA, an authentication code is generated in D2A from information entered into the form. The

authentication code and date submitted appear in the footer of each page of the return. Any change of information entered or resubmission of the return will result in a change to the authentication code.

A receipt indicating successful lodgement of the return will be provided via email. There may be a slight delay in a receipt being provided if the submission is made in the last week of October. This is because it is the busiest week of form submissions for D2A. Do not resubmit your return as the receipt will be generated.

Validation

Error: Mandatory rules – this indicates an error in an item, for example a specific role must be included in a table. These errors must be corrected before the return can be lodged.

Reporting entity

This form is to be completed by all ADIs, general insurers, NOHCs, life companies and friendly societies.

Reporting period

The form is to be completed when the information supplied to APRA under APS 520, GPS 520 or LPS 520 is no longer correct for all of the responsible persons of the ADI, general insurer, life company or friendly society. The form must be used to provide revised information within 28 days of any change or new appointment for a responsible person. Appointments and cessations of both Appointed Actuaries and Appointed Auditors under s46 of the *Insurance Act 1973* (**Insurance Act**) must be notified within 14 days. Appointments and cessations of Appointed Actuaries (s 95 of the *Life Insurance Act 1995* **Life Insurance Act**) and of Auditors (s87 of the *Life Insurance Act*) must also be notified within 14 days.

Whilst the due date on the return is 30 April, the form does not actually need to be submitted by this date. The due date is required in order for D2A to generate the return. When the form is refreshed the most recent due date may be selected.

Specific instructions

1. Address details for the reporting entity

Important!

The details in item 1 will be populated by APRA based on the information previously provided by the entity in the Notification of Responsible Persons under Prudential Standard 520 Fit and Proper form. Please review the pre-populated data and make corrections where the information is incorrect or out of date.

1.1 Registered Address of the reporting entity

Record the registered address of the reporting entity. (This address must be a street address).

1.2 Address for Correspondence of the reporting entity

Record the postal address of the reporting entity.

2. Responsible Person Details

Important!

The details in item 2 will be populated by APRA based on the information provided by the entity under APS 520 , GPS 520 or LPS 520. Please review the pre-populated data and make corrections where the information is incorrect or out of date.

2.1 Title and name

Record the names of the responsible persons.

2.2 Date of birth

Record the date of birth of the responsible persons.

2.3 Former name(s)

Record the former name(s), if any, of any newly reported responsible persons.

2.4 Phone number (optional)

Record the contact number (including STD code) of the responsible persons.

2.5 E-mail (optional)

Record the e-mail address of the responsible persons.

2.6 Position title

Record the employment position title of the responsible persons. If the position of a responsible person has changed within the entity, the old role should be ended with the appropriate end date, and the new position should be notified with the appropriate start date.

2.7 Main responsibilities

Record the main responsibilities of any newly reported responsible persons if it is not clear what they are from their position title.

2.8 Start/end date

Record the date a person commenced being a responsible person if you are notifying APRA of a new responsible person or a change in a person's position within the entity.

Record the date a person ceased being a responsible person if you are notifying APRA of someone who has ceased to be a responsible person.

2.9 Notification under paragraph 42 of APS 520 Fit and Proper or paragraph 44 of GPS 520 Fit and Proper that a person is no longer fit and proper

Where a cease date is recorded for a person who has ceased to be a responsible person, indicate 'yes' or 'no' if the reason the person ceased being a responsible person is because they are no longer fit and proper.

2.10 Director

Record 'Y' if the responsible person is a director of the company.

2.11 Senior Officer outside Australia

The ultimate responsibility for the safety and soundness of a foreign insurer and a foreign ADI resides with its Board. Foreign general insurers and foreign ADIs must nominate a senior officer (whether a director or senior executive) outside Australia with delegated authority from the Board who will be responsible for overseeing the Australian Branch Operation.

Record 'Y' if the person is the Senior Officer outside Australia, as required under paragraph 14 of GPS 510 for a foreign general insurer or paragraph 14 of APS 510 for a foreign ADI.

2.12 Assessed under Fit and Proper policy

Record whether new persons have been assessed under the entity's Fit and Proper policy. The tickbox should be marked 'T' in the instance where a person holding an interim appointment has not yet been assessed.

3. External Auditor Details

If the entity is a general insurer, record the external auditor approved under section 40 of the Insurance Act (**Appointed Auditor**). If the entity is a life company, record the auditor appointed under section 83 of the Life Insurance Act.

If the entity is an ADI, record the responsible auditor. The responsible auditor is defined in subparagraph 8(c) of APS 520 as an auditor who provides any report in relation to the regulated institution that is required to be prepared by an auditor under the *Banking Act 1959* (including Prudential Standards) or Reporting Standards under the *Financial Sector (Collection of Data) Act 2001*.

3.1 Title and name

Record the names of the external auditor.

3.2 Date of birth

Record the date of birth of the external auditor.

3.3 Phone number (optional)

Record the contact number (including STD code) of the external auditor.

3.4 E-mail (optional)

Record the e-mail address of the external auditor.

3.5 Position title

Record the employment position title of the external auditor.

3.6 Start/end date

Record the date a person commenced being an external auditor if you are notifying APRA of a new external auditor.

Record the date a person ceased being an external auditor if you are notifying APRA of someone who has ceased to be an external auditor.

3.7 Assessed under Fit and Proper policy

Record whether a new external auditor has been assessed under the entity's Fit and Proper policy. The tickbox should be marked 'I' in the instance where an external auditor holding an interim appointment has not yet been assessed.

3.8 Audit firm

Record the name of the external audit firm for the entity.

3.8.1 Audit firm ABN

Record the ABN of the external audit firm.

4. Appointed Actuary Details

If the entity is an insurer, record the actuary appointed under section 39 of the Insurance Act (for general insurers) or section 93 of the Life insurance Act (for life companies) (**Appointed Actuary**). If the insurer is a general insurer and has a reviewing actuary, record the reviewing actuary as well.

If the entity is an ADI or NOHC no value should be recorded.

4.1 Title and name

Record the names of the actuary.

4.2 Date of birth

Record the date of birth of the actuary.

4.3 Phone number (optional)

Record the contact number (including STD code) of the actuary.

4.4 E-mail (optional)

Record the e-mail address of the actuary.

4.5 Position title

Record the employment position title of the actuary.

4.6 Start/end date

Record the date a person commenced being an actuary if you are notifying APRA of a new actuary.

Record the date a person ceased being an actuary if you are notifying APRA of someone who has ceased to be an actuary.

4.7 Assessed under Fit and Proper policy

Record whether a new actuary has been assessed under the entity's Fit and Proper policy. The tickbox should be marked 'I' in the instance where an actuary holding an interim appointment has not yet been assessed.

4.8 Organisation Name

Record the name of the actuarial firm for the entity. If the Appointed Actuary is employed by the insurer, record the insurer's name.

4.9 Organisation ABN

Record the ABN of the actuarial firm. If the Appointed Actuary is employed by the insurer, record the insurer's ABN.

5. Billing Contact Information

This information is requested on a voluntary basis and will assist APRA in ensuring the annual financial levy invoice is addressed to the correct person and location.

5.1 Title and name

Record the names of the nominated person to receive the annual APRA financial levy invoice.

5.2 Position title

Record the employment position title of the contact person.

5.3 Phone number

Record the contact number (including STD code) of the contact person.

5.4 Fax number

Record the fax number (including STD code) of the contact person.

5.5 E-mail

Record the e-mail address of the contact person.

5.6 Invoice Preference

Indicate the preferred format in which the entity would like to receive the invoices. The options are via fax, email or mail.

5.7 Billing address of the reporting entity

Record the address to which invoices are to be addressed.

6. Crisis Management Contact

This information is requested on a voluntary basis and will assist APRA in contacting the entity in an emergency.

6.1 Title and name

Record the names of the nominated primary and secondary crisis contact persons.

6.2 Position title

Record the employment position titles of the primary and secondary crisis contact persons.

6.3 Mobile phone number

Record the mobile phone numbers of the primary and secondary crisis contact persons.

6.4 Phone number

Record the contact numbers (including STD code) of the primary and secondary crisis contact persons.

6.5 E-mail

Record the e-mail addresses of the primary and secondary crisis contact persons.

6.6 Recovery Site Phone Number

Record the phone number of the nominated recovery site for the entity.