

PART II

1. STATEMENT BY INDIVIDUALS WHO ARE HOLDING, OR ARE PROPOSING TO HOLD OFFICE OF A DIRECTOR, OR SHAREHOLDING IN AN AUTHORISED DEALER WITH LIMITED AUTHORITY:

Kindly ensure each Director and Shareholder completes the questionnaire below and submit all completed forms along with the completed ADLA application form. The information provided herein is private and confidential. As such, this information is not available for inspection by the public.

Where allocated answering space is not sufficient, make use of additional paper to ensure complete information is provided.

1.1 Name of the limited liability company in connection with which this questionnaire is being completed:

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1.2 Your surname:

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1.3 Your full forename(s):

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1.4 Former surname(s) and or forename(s) by which you may have been known:

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1.5 Date and place of birth (including town or city):

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1.6 Residential address:

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1.7 Any previous residential address(es) during the last 10 years:

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1.8 Please state in which capacity you are completing this questionnaire, that is, as a current or prospective director, a shareholder or combination of these.

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1.9 Please state your full title and describe the particular duties and responsibilities attached to the positions(s) that you hold or will hold.

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1.10 If you are completing this form in the capacity of director, indicate whether, in your position as director, you have or will have executive responsibility for the management of the company's business. In addition, please provide a copy of your curriculum vitae:

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1.11 Your nationality and how it was acquired (birth, naturalization or marriage). If applicable, a certified copy/suitable documentary evidence as proof that you were granted Namibian citizenship must also be attached.

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1.12 Names and address(es) of your bankers during the past 10 years.

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1.13 Your occupation and employment now and during the past 10 years, including the name of your employer in each case, the nature of the business, the position held and relevant employment dates:

(Please include current occupation as well)

POSITION HELD	EMPLOYER NAME	NATURE OF BUSINESS	PERIOD OF EMPLOYMENT

1.14 Of which corporate entities (other than the company) are you currently a director or a shareholder and since when:

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1.15 Of which other corporate entities were you a director or a shareholder over the past 10 years (those not mentioned above):

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1.16 Do you hold directly or indirectly issued capital of any body corporate (other than the company) that is now registered, or that has applied for authorization, to conduct the business of an Authorized Dealer in Foreign Exchange with Limited Authority (ADLA). If so give particulars:

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1.17 Of which corporate bodies (other than the company) and those listed in reply to question 3.16 above have you been a director or a shareholder at any time during the past 10 years. Give relevant dates:

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1.18 Do any of the corporate bodies listed in reply to questions 3.14, 3.15, 3.16 and 3.17, above maintain a business relationship with the company? If so, give particulars:

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1.19 Do you hold or have you ever held or applied for a license or equivalent authorization to conduct any business activity in Namibia or elsewhere? If so, give particulars. If any such application was refused or withdrawn after it was made, or if any authorization was revoked, give particulars:

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1.20 Does any institution with which you are, or have been, associated as a director or shareholder hold, or has it ever held or applied for a license or equivalent authorization to conduct any business activity? If so, give particulars. If any such application was refused, or was withdrawn after it was made or if an authorization was revoked, give particulars thereof:

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1.21 Have you, in Namibia or anywhere else, been censured, disciplined, warned as to future conduct, or made the subject of a court order at the instigation of any regulatory authority or any professional body to which you belong or

belonged or have you ever held a practicing certificate subject to conditions?

If so, give particulars:

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1.22 Have you, or any corporate body, partnership or unincorporated institution with which you are, or have been, associated as a director or shareholder, been the subject of an investigation, in Namibia or elsewhere, by or at the instigation of a government department or agency, professional association or other regulatory body? If so give particulars:

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1.23 Have you, in Namibia or elsewhere, been dismissed from any office or employment, or been subject to disciplinary proceedings by your employer or been barred from entry to any profession or occupation? If so, give particulars:

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1.24 Have you failed to satisfy any debt adjudged due and payable by you, as a judgement-debtor under an order of a court in Namibia or elsewhere, or made any compromise arrangement with your creditors within the past 10 years? If so, give particulars:

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1.25 Have you ever been declared insolvent (either provisionally or finally) by a court in Namibia or elsewhere, or has a bankruptcy petition ever been served on you? If so, please give particulars:

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1.26 Have you, in connection with the information or management of any corporate body, partnership or unincorporated institution, been adjudged by a court in Namibia or elsewhere civilly liable for any fraud, misfeasance or other misconduct by you towards such a body or company or towards any members thereof? If so, give particulars:

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1.27 Have any corporate body, partnership or unincorporated institution with which you were associated as a director or shareholder, in Namibia or elsewhere, been wound up, made subject to an administration order, otherwise made any compromise or arrangement with its creditors or ceased trading either while you were associated therewith or within one year after you ceased to be associated therewith, or has anything analogous to any of these events occurred under the laws of any other jurisdiction? If so, give particulars:

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1.28 Have you been concerned with the management or conduct of the affairs of any institution that, by reason of any matter relating to a time when you were so concerned, has been censured, warned as to future conduct, disciplined or made the subject of a court order at the instigation of any regulatory authority in Namibia or elsewhere? If so, give particulars:

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1.29 In carrying out your duties will you be acting on the directions or instructions of any other individual or institution? If so, give particulars:

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1.30 Do you or does any related party whom you are aware, undertake business with this company? If so, give particulars:

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1.31 How many shares in the company are registered in your name or that of a related party? If applicable, give name(s) in which such shares are registered and the class of shares.

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1.32 In how many shares in the company (not being registered in your name or that of a related party) are related parties beneficially interested?

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1.33 Are any of the shares in the company mentioned in reply to questions 3.28 & 3.29 above equitably or legally charged or pledged to any party? If so, give particulars.

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1.34 Are you currently, or do you, other than in a professional capacity, expect to be, engaged in any litigation in Namibia or elsewhere? If so give particulars:

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1.35 Do you, at all times, while acting in your capacity as a Director or shareholder of the company, undertake to:

- a. Act in good faith towards the company and the Bank of Namibia as statutory agent of the Government in the administration of the Currencies and Exchanges Act, 1933. (YES / NO)
- b. Avoid conflict between your other interests and the interests of the company and the Bank of Namibia as statutory agent of the Government in the administration of the Currencies and Exchanges Act, 1933.
(YES / NO)

- c. Place the interest of the company and the Bank of Namibia as statutory agent of the Government in the administration of the Currencies and Exchanges Act, 1933, above all other interests? (YES / NO)

1.36 Kindly also attach certified copies of:

- a. Certificate of Conduct, from the Namibian Police, not older than six (6) months as from the time of submitting application, certifying that there are no convictions recorded against you, excluding:
1. any offence committed when you were under the age of 18, unless the same was committed within the last 10 years,
 2. any road traffic offence, or
 3. any political offence

If applicable, give particulars of the court by which you were convicted, the penalty imposed and the date of conviction.

- b. Certificate of Good Standing for tax purposes, not older than six (6) months as from the time of submitting application, from the Ministry of Finance,
- c. Demonstration of ability to maintain sound personal finances: Provision of personal balance sheet and income statement.

2. DECLARATION

I, _____ hereby declare the following: this declaration is true and to the best of my knowledge and belief. I am aware that should it be submitted as evidence and I know that something appears therein that I know to be false or believe not to be true; I may be liable to prosecution. I am acting in my own personal capacity as a shareholder of the institution and not as a nominee, trustee or beneficiary for an undisclosed person or legal entity.

I undertake that, as long as I continue to be a director or shareholder of the company, I will notify the Bank of Namibia of any material changes to, or affecting

the completeness or accuracy of, the information supplied by me in items 3.1 to 3.36 as soon as possible, but in not later than 21 days from the day that the changes come to my attention.

I know and understand the content of this declaration. I ****have / do not have**** objections to taking the prescribed oath.

I consider the prescribed oath to be **** binding / not binding**** on my conscience.

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SIGNATURE OF DEPONENT

I certify that the above statement was taken by me and that the deponent has acknowledged that ****he / she**** knows and understands the content of this statement. This statement was ****sworn to / affirmed**** before me and the deponent's signature was placed thereon in my presence at on this day of (yyyy-mm)

COMMISSIONER OF OATHS

FULL NAMES:.....
EX OFFICIO:.....
AREA:.....
ADDRESS:.....

**** Delete whichever is not applicable.***

