

# Reporting Form ARF 550.0 (Draft)

## Banking Executive Accountability Regime – Registration Form - Instruction Guide

### Introduction

This form is to be used by an authorised deposit-taking institution (ADI) to apply to have a person registered as an accountable person for the purposes of Part IIAA of the *Banking Act 1959* (the Act).

The form is also to be used to meet certain notification obligations of an ADI as required under section 37F of the Act, being:

- a change to an **accountability statement**,
- a change to an **accountability map**; and
- a person ceasing to be an **accountable person**.

This form applies to each licensed ADI unless otherwise exempted under section 37A of the Act.

The information required by this form must be given to APRA, preferably using the 'Direct to APRA' application, or by a method (i.e. a web-based solution) notified by APRA, in writing, prior to submission. To simplify processing an ADI will need to provide all existing accountable person information each time the form is submitted.

*Note:* the Direct to APRA application software (also known as D2A) may be obtained from **APRA**.

The form is accompanied by instructions to assist ADIs in completing the required information.

### Declarations

When submitting this form for the purposes of applying to APRA to register a person as an **accountable person**, the ADI must also, in accordance with subsection 37HA(2)(c) of the Act, provide a signed declaration that the ADI is satisfied the person is suitable to be an **accountable person**. APRA's expectation is that this declaration would be signed by the Chair of the relevant Board Committee, or a person delegated to sign on the Board's behalf.

When submitting this form for the purposes of applying to APRA to register a person as an **accountable person**, the ADI must also, in accordance with subsection 37HA(2)(d) of the Act, provide the **accountability statement** for the person.<sup>1</sup> **Accountability statements** should include a signed acknowledgement by the **accountable person** that the individual has read, understood and accepted the areas of accountability included in their **accountability statement** and the obligations of an **accountable person** under section 37CA of the Act.

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<sup>1</sup> APRA has provided a suggested accountability statement template at: <https://www.apra.gov.au/banking-executive-accountability-regime>

## ARF\_550\_0: Banking Executive Accountability Regime - Registration Form

<b>Australian Business Number</b>	<b>Institution Name</b>
<b>Reporting Period</b>	<b>Scale Factor</b>
<b>Reporting Consolidation</b>	
Licensed ADI	

**1. Registration of accountable person under section 37HA of the Banking Act 1959 (the Act) and amendment of information or accountability statement for an accountable person<sup>2</sup>**

Activity date (1)	Activity flag (2)	Title (3)	Given name(s) (4)	Family name (5)	Date of birth (6)	Former name(s) (7)	Position title (8)	Employer name (9)	Business phone number (10)	Business email address (11)	General principle and/or particular responsibilities (12)	Ever disqualified under s.21 or s.37J, or subject of a direction under s.11CA or s.23? (13)	If column 13 equals yes - provide details (14)	Additional information (15)
	Registration										General principle	Yes		
	Existing										Oversight of the ADI as a member of the ADI Board	No		
	Amended details only										Management of the overall business activities of the ADI or ADI group			
	Amended accountability statement only										Management of the financial resources of the ADI			
	Amended details and accountability statement										Management of the overall risk controls and risk management of the ADI			
	Cessation										Management of the operations of the ADI			
	Withdrawn										Management of the information management of the ADI, including IT systems			
											Management of the internal audit function of the ADI			

<sup>2</sup> Item 1 should be completed to apply to APRA to register an accountable person under section 37HA of the Act and to fulfil certain notification obligations. An ADI must notify APRA within 14 days after any change to an accountability statement (section 37F of the Act) and within 14 days after an individual ceases to be an accountable person (subsection 37FC(a) of the Act).

Management of the compliance function of the ADI
Management of the human resources function of the ADI
Management of the anti-money laundering function of the ADI
Senior executive responsible for an Australian branch of a foreign ADI

**2. Amendment of accountability map and additional information**

2.1. Is this registration form accompanied by an accountability map?

<b>Accountability map provided?</b>
Yes
No

2.1.1. Description of changes to accountability map

2.1.2. Date of changes to accountability map


2.2. Is this registration form accompanied by any other documentation?

<b>Any other documentation provided?</b>
Yes
No

2.2.1. Description of any other documentation provided

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Name of signee (1)	Title (2)

**3. For the purposes of meeting the requirements of subsection 37HA(2)(c) of the Act, the ADI hereby declares that it is satisfied that the person is suitable to be an accountable person for the ADI**

**DECLARATION:**

*I declare I am authorised to provide this return and the information in this return is true and correct.*

## Specific instructions

This form must be submitted by an ADI to apply to register an **accountable person** under section 37HA of the *Banking Act 1959* (the Act), and may also be submitted when notifying APRA in accordance with certain notification obligations of an ADI as required under section 37F of the Act. This form is used by the ADI to submit information relating to the ADI and any subsidiaries of the ADI.<sup>3</sup>

The submission of the form may be accompanied by one or more **accountability statements** and/or an **accountability map**. **Accountability statements** should include a signed acknowledgement by the **accountable person** that the individual has read, understood and accepted the areas of accountability included in their **accountability statement** and the obligations of an **accountable person** under section 37CA of the Act.

APRA must process the application within 14 days of receiving it, unless the ADI withdraws the application during this period or APRA requests further information from the ADI in relation to the application. APRA must process the application within 14 days of receiving additional information requested.

### 1. Registration of accountable person under section 37HA of the Banking Act 1959 (the Act) and amendment of information or accountability statement for an accountable person.<sup>4</sup>

A person must be registered under subdivision B of Division 6 of Part IIAA of the Act prior to becoming an **accountable person**.<sup>5</sup>

The information contained in item 1 of this form is required in order for APRA to register, amend or cease a person as an **accountable person** for an ADI, and to amend an **accountability statement** of an **accountable person**.

In some instances, information reported in item 1 will result in amendments to the ADI's **accountability map**. This is indicated at item 2.

The registration information must be submitted at least 14 days prior to an individual commencing as an **accountable person** for the ADI.

An ADI must notify APRA of any change to an **accountability statement** or **accountability map** within 14 days after the change.

An ADI must notify APRA within 14 days after the event of a person ceasing to be an **accountable person** of the ADI or subsidiary of the ADI.

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<sup>3</sup> Subsidiary has the meaning given in section 9 of the *Corporations Act 2001*.

<sup>4</sup> Item 1 should be completed to apply to APRA to register an accountable person under section 37HA of the Act and to fulfil certain notification obligations. An ADI must notify APRA within 14 days after any change to an accountability statement (section 37F of the Act) and within 14 days after an individual ceases to be an accountable person (subsection 37FC(a) of the Act).

<sup>5</sup> If a person becomes an **accountable person** by filling a temporary vacancy or a vacancy that was not foreseen at the time it arose, the person must be registered once the person has been an **accountable person** for 28 days. In these cases, the registration information must be submitted at least 14 days prior to the date on which the **accountable person** must be registered.

<b>Column 1</b>	Report the activity date.
<b>Column 2</b>	Report the activity flag.
<b>Column 3</b>	Report the title of the <b><i>accountable person</i></b> .
<b>Column 4</b>	Report the given name(s) of the <b><i>accountable person</i></b> .
<b>Column 5</b>	Report the family name or surname of the <b><i>accountable person</i></b> .
<b>Column 6</b>	Report the date of birth of the <b><i>accountable person</i></b> .
<b>Column 7</b>	Report any former name(s) of the <b><i>accountable person</i></b> .
<b>Column 8</b>	Report the position title of the <b><i>accountable person</i></b> .
<b>Column 9</b>	Report the employer name. The employer may be the ADI or another entity.
<b>Column 10</b>	Report the business phone number of the <b><i>accountable person</i></b> .
<b>Column 11</b>	Report the business email address of the <b><i>accountable person</i></b> .
<b>Column 12</b>	<p>Report whether the individual is an accountable person under the general principle in subsection 37BA(1) of the Act or holds any of the particular responsibilities of the <b><i>accountable person</i></b> as listed in subsection 37BA(3) and 37BA(6) of the Act.</p> <p>Where the one <b><i>accountable person</i></b> has multiple particular responsibilities, enter a separate record, completing all columns, in the table for each different responsibility.</p> <p>Note that an individual may be an <b><i>accountable person</i></b> under the general principle and hold particular responsibilities.</p> <p>If the submission relates to amendments to an <b><i>accountability statement</i></b> and includes changes to whether the individual is an <b><i>accountable person</i></b> under the general principle, and/or the particular responsibilities held, report the amended information in column 12.</p>
<b>Column 13</b>	<p>Report information for the <b><i>accountable person</i></b> to be entered in the register of accountable persons in accordance with paragraphs 37H(4)(d), (e) or (f) of the Act.</p> <p>Report 'Yes' if:</p> <ul style="list-style-type: none"> <li>• the individual has ever been disqualified under section 21 or section 37J of the Act;</li> <li>• the individual has ever been the subject of a variation or revocation of disqualification under section 22 or section 37JA of the Act; or</li> </ul>

	<ul style="list-style-type: none"> <li>APRA has given any direction in relation to the individual under section 11CA of a kind mentioned in paragraph 11CA(2)(c) or (d) of the Act, or under section 23 of the Act.</li> </ul> <p>Otherwise, report 'No'.</p>
<b>Column 14</b>	If 'Yes' is reported at column 13, report details of the disqualification, variation or revocation of the disqualification, or details of the direction.
<b>Column 15</b>	Include any additional information that the ADI considers relevant to the registration of the <b>accountable person</b> .

<b>Item 1</b>	<p>Report the registration of the <b>accountable person</b> under section 37HA of the Act or notify APRA within 14 days after any change to an accountability statement (section 37F of the Act) and within 14 days after an individual ceases to be an accountable person (subsection 37FC(a) of the Act).</p> <p>The activity flags are:</p> <ul style="list-style-type: none"> <li><i>Registration</i> – To apply to register an <b>accountable person</b> not currently registered for the ADI. The ADI must also submit an <b>accountability statement</b>;</li> <li><i>Existing</i> – If all of the details of an <b>accountable person</b>, including the <b>accountability statement</b>, have not changed since the last submission. Note that to simplify processing an ADI will need to provide all existing accountable person information each time the form is submitted;</li> <li><i>Amended details only</i> – To amend any of the details of the <b>accountable person</b> in column 3 through column 11 only.</li> <li><i>Amended accountability statement only</i> – To amend the <b>accountability statement</b> of an <b>accountable person</b> only. The ADI must also submit an <b>accountability statement</b>;</li> <li><i>Amended details and accountability statement</i> – To amend details in any of column 3 through column 11 and the <b>accountability statement</b> for an <b>accountable person</b>. The ADI must also submit an <b>accountability statement</b>;</li> <li><i>Cessation</i> – To notify APRA that an individual ceases to be an <b>accountable person</b> for the ADI; and</li> <li><i>Withdrawn</i> - To withdraw a previously submitted application prior to registration.</li> </ul> <p>The particular responsibilities as listed under subsection 37BA(3) and 37BA(6) of the Act are:</p> <ul style="list-style-type: none"> <li><i>Oversight of the ADI as a member of the ADI Board</i> - Responsibility for oversight of the ADI as a member of the Board of the ADI;</li> <li><i>Management of the overall business activities of the ADI or ADI group</i> - Senior executive responsibility for carrying out the</li> </ul>
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	<p>management of all the business activities of the ADI and its subsidiaries;</p> <ul style="list-style-type: none"> <li>• <i>Management of the financial resources of the ADI</i> - Senior executive responsibility for management of the ADI's financial resources;</li> <li>• <i>Management of the overall risk controls and risk management of the ADI</i> - Senior executive responsibility for overall risk controls and/or overall risk management arrangements of the ADI;</li> <li>• <i>Management of the operations of the ADI</i> - Senior executive responsibility for management of the ADI's operations;</li> <li>• <i>Management of the information management of the ADI, including IT systems</i> - Senior executive responsibility for information management, including information technology systems, for the ADI;</li> <li>• <i>Management of the internal audit function of the ADI</i> - Senior executive responsibility for management of the ADI's internal audit function;</li> <li>• <i>Management of the compliance function of the ADI</i> - Senior executive responsibility for management of the ADI's compliance function;</li> <li>• <i>Management of the human resources function of the ADI</i> - Senior executive responsibility for management of the ADI's human resources function;</li> <li>• <i>Management of the anti-money laundering function of the ADI</i> - Senior executive responsibility for management of the ADI's anti-money laundering function; and</li> <li>• <i>Senior executive responsible for an Australian branch of a foreign ADI</i> - Senior executive responsibility for the conduct of all the activities of an Australian branch of the foreign ADI.</li> </ul> <p>All columns in item 1 must be completed with the exception of column 14 (if not applicable) and column 15, even when there is no change to the information required since the <b>accountable person</b> was registered.</p> <p>If any of the information required in item 1 has changed since the <b>accountable person</b> was registered, report the amended information at item 1.</p> <p>For the cessation of an <b>accountable person</b>, the information reported in column 3 to column 6 inclusive must match the most recently submitted information for the <b>accountable person</b>.</p>
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## 2. Amendment of accountability map and additional information

An ADI must notify APRA of any change to an **accountability map** within 14 days after the change. If the amendment to the **accountability map** is associated with amendments to **accountable persons'** information, also report the amended **accountable persons'** information under item 1.

<b>Item 2.1</b>	If an <b>accountability map</b> has been provided with the registration form, report 'Yes' at item 2.1, otherwise report 'No'.
<b>Item 2.1.1</b>	If 'Yes' is reported at item 2.1, provide a brief description of changes made to the <b>accountability map</b> .
<b>Item 2.1.2</b>	If 'Yes' is reported at item 2.1, report the effective date of changes made to the <b>accountability map</b> .
<b>Item 2.2</b>	If any other documentation has been provided with the registration form, report 'Yes' at item 2.2, otherwise report 'No'.
<b>Item 2.2.1</b>	If 'Yes' is reported at item 2.2, provide a brief description of any other documentation provided.

### 3. Declaration by the ADI that an individual is suitable to be accountable person for the ADI

<b>Column 1</b>	Report the name of the signee.
<b>Column 2</b>	Report the title of the signee.

<b>Item 3</b>	If item 1 includes an application to register a new <b>accountable person</b> , then complete the signed declaration that the ADI is satisfied the person (or persons if the application relates to multiple individuals) is suitable to be an <b>accountable person</b> in line with subsection 37HA(2)(c) of the Act. The completion of section 3 is taken as equivalent to providing a signed declaration.
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