

**FORM 2(b): CRITERIA FOR DETERMINING THE SUITABILITY OF SIGNIFICANT SHAREHOLDERS' INTENDING TO HOLD OR ACQUIRE A SIGNIFICANT STAKE IN AN INSTITUTION LICENSED UNDER THE MICROFINANCE ACT**

**NOTE:**

- (a) Read the declaration on Section 6 below before completing this form.
- (b) In case the space provided is inadequate, use additional paper.

**1. THE INSTITUTION**

- a) Name.....
- b) Type.....

**2. PERSONAL INFORMATION**

- a) Surname.....
- b) Other Names.....
- c) Previous Names (if any) by which you have been known: .....
- d) Year and place of birth.....
- e) Nationality and how acquired: .....
- f) Personal Identification Number.....
- g) Identification Card number and date of issue.....
- h) Passport Number and Date of issue (if any).....
- i) Postal Address.....

- j) Previous Postal Addresses (if any).....
- k) Physical Address.....
- l) Educational Qualifications.....
- m) Professional Qualifications (if any).....
- n) Name(s) of your bankers during the last 5 years.....  
.....

**3. EMPLOYMENT/ BUSINESS RECORD**

Period	Name of Employer/Business and Address	Position Held & Dates	Responsibilities	Reasons for Leaving (where applicable)

**4. DESCRIPTION OF YOUR PAST AND CURRENT ACTIVITIES IN KENYA AND ABROAD**

**4.1 SHAREHOLDING (DIRECTLY OWNED OR THROUGH NOMINEES)**

Company's Name	Date of Incorporation	Amount of Shareholding	% of Shareholding	Past Shareholding		Remarks
				A	B	

A: Refers to date of closure or surrender of shares

B: Refers to reasons for closure or surrender

## 4.2 DIRECTORSHIP

Company's Name	Date of appointment	Executive or Non-executive	Position Held in case executive	Past Directorships		Remarks
				C	D	

C: Refers to date retirement

D: Refers to reasons for retirement or resignation

## 4.3 PROFESSIONAL BODIES

Name of body	Membership No.	Position held (if any)	Past club memberships		Remarks
			E	F	

E: Refers to date of retirement

F: Refers to reasons for retirement or resignation

#### 4.4 SOCIAL CLUBS

Club Name	Membership No.	Position held	Past club memberships		Remarks
			G	H	

G: Refers to date of retirement

H: Refers to reasons for retirement or resignation

#### 4.5 BORROWINGS

Name of borrower*	Name of lending institution	Type of facility	Amount borrowed	Date of offer	Terms of offer	Security offered	Value of security	Current Out-standing balance	Remarks

#### 4.6 SOURCES OF FUNDS

- A. Please provide a sworn statement that the funds that you, as a shareholder, would like to invest or use in the acquisition of shares in the institution are not from proceeds of crime.
- B. Please provide details of the actual source(s) of funds that you, as a shareholder, would like to invest or use in the acquisition of shares in the institution.
  - a. ....
  - b. ....

c. ....

Borrower to indicate both individually and the private company where he holds more than 5% of the shareholding.

**5. QUESTIONNAIRE**

5.1 Have you or any entity with which you are associated as director, shareholder or manager, ever held or applied for a licence or equivalent authorization to carry on any business activity in any country?

.....  
If so, give particulars .....

.....  
If any such application was rejected or withdrawn after it was made or any authorization revoked, give particulars.....

5.2 Have you at any time been convicted of any criminal offence in any jurisdiction?

.....  
If so, give particulars of the court in which you were convicted, the offence, the penalty imposed and the date of conviction .....

5.3 Have you, or any entity with which you have been involved, been censured, disciplined, warned as to future conduct, or publicly criticized by any regulatory authority or any professional body in any country?.....

.....  
If so, give particular .....

5.4 Have you, or has any entity with which you are, or have been associated as a director, shareholder or manager, been the subject of an investigation, in any country, by a government department or agency, professional association or other regulatory body?.....

.....  
If so, give particulars.....

.....  
5.5 Have you, in any country, ever been dismissed from any office or employment, been subject to disciplinary proceedings by your employer or barred from entry of any profession or occupation?

If so, give particulars

.....  
.....

5.6 Have you failed to satisfy any debt adjudged due and payable by you on order of court, in any country, or have you made any compromise arrangement with your creditors within the last 10 years?.....

If so, give particulars

.....  
.....

5.7 Have you ever been declared bankrupt by a court in any country or has a bankruptcy petition ever been served on you? .....

If so, give particulars.....

.....

5.8 Have you ever been held liable by a court, in any country, for any fraud or other misconduct? .....

If so, give particulars.....

.....

5.9 Has any entity with which you were associated as a director, shareholder or manager in any country made any compromise or arrangement with its creditors, been wound up or otherwise ceased business either while you were associated with it or within one year after you ceased to be associated with it?

.....

If so, give particulars.....

.....

5.10 Are you presently, or do you, other than in a professional capacity, expect to be engaged in any litigation in any country? .....

If so, give particulars .....

5.11 Indicate the names, addresses, telephone numbers and positions of three individuals of good standing who would be able to provide a reference on your personal and financial integrity and honesty. The referees must not be related to you, and should have known you for at least five years.

i). .....

ii). .....

iii). .....

5.1 Is there any additional information which you consider relevant for the consideration of your suitability or otherwise to own share capital of an institution?  
.....

**NOTE:** The information given in response to this questionnaire shall be kept confidential by the supervisory authorities, except in cases provided for by law. The omission of material facts may represent the provision of misleading information.

**6. DECLARATION**

I am aware that it is an offence to knowingly or recklessly provide any information, which is false or misleading in connection with an application for a licence to carry out the deposit-taking business in Kenya or approval to own significant shares in an institution.

I certify that the information given above is complete and accurate to the best of my knowledge, and that there are no other facts relevant to this application of which the supervisory authority should be aware.

I undertake to inform the supervisory authority of any changes material to the applications which arise while the application is under consideration.

Name: .....

Signed: .....

Dated at: ..... this..... day of..... 20.....

**WITNESSED BEFORE ME:**

**SIGNED** ..... **(Witness)**

**COMMISSIONER FOR OATHS/MAGISTRATE**

Name .....

Signature: .....

Address: .....