

# Application for Recognition as a Responsible Officer of the NSX

(responsible officers must be authorised  
representatives of Participants)

File Reference:

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# Introduction

## ABOUT THIS APPLICATION

This form is for use by persons seeking recognition as a Responsible Officer of the Stock Exchange of Newcastle Limited ACN 000 902 063 ('NSX'). The form is in three parts:

**Part 1** Application Procedure;

**Part 2** Information to be completed; and

**Part 3** Applicant's acknowledgment

To be eligible to apply, applicants must satisfy all of the following requirements:

- have been employed for an aggregate of not less than two years by a Participant, NSX or ASX or have substantially equivalent experience;
- hold an accepted tertiary qualification (including qualification in commerce, economics, law, accounting, business administration, banking, secretarial practice or the Graduate Diploma in Applied Finance and Investment awarded by the Securities Institute of Australia;
- completed the four specified Securities Institute of Australia ("SIA") subjects (see section 2); and
- if required by the Exchange, obtain a pass mark of at least 65% (within three months prior to lodging an application) for the examination set by NSX to test the applicant's knowledge of the NSX Business Rules, ASTC Business Rules and the customs and usages of NSX.

Accordingly, **prior to lodgement** of an application for recognition as a Responsible Officer, all of the above requirements will need to be satisfied.

Applicants may wish to hold preliminary discussions with NSX with respect to their application before lodgement.

Please complete all statements and questions in this application. NSX can provide an electronic version of this application form on request.

The following items are required to be submitted by applicants:

- completed application for membership;
- passport size photo of applicant (refer question 1(h));
- signed statement of experience (refer question 4(b));
- two written references (refer question 5(a));
- letter from the Participant (refer question 6(d));
- annexure to question 7 if necessary;
- copy of any current securities licence or proper authority<sup>1</sup> (refer question 8);

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<sup>1</sup> If no proper authority is currently held, recognition as a Responsible Officer will be conditional upon the applicant obtaining within three (3) months after admission, a proper

- statement of financial position (statutory declaration) (refer question 11);
- relevant particulars if applicant answered "yes" to any questions in 9 or 10.

## **MORE INFORMATION AND SUBMISSION OF APPLICATION**

Further information can be obtained from and all applications should be sent to:

Manager, Admissions  
Stock Exchange of Newcastle Limited  
PO BOX 283  
Newcastle NSW 2300

Phone: +61 2 4929 6377

Fax: + 61 2 4929 1556

<http://www.newsx.com.au>

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authority from the holder of an AFS licence under the Corporations Act which entitles the applicant to engage in the business of stockbroking as an authorised representative of the Participant.

## Part 1 Application to become a Responsible Officer

### 1. APPLICANT DETAILS

|     |                                                                                    |                                                                                                                      |
|-----|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| (a) | Applicant's full name<br>(include former name(s) if any)                           | <div>Last name:</div> <div>First name(s):</div> <div>Title (eg. Mr/Mrs/Miss/Ms/Dr):</div> <div>Former name(s):</div> |
| (b) | Business address                                                                   |                                                                                                                      |
| (c) | Contact details                                                                    | <div>Telephone number:</div> <div>Fax number:</div> <div>E-mail address:</div>                                       |
| (d) | Postal/registered address (if different from the address given above).             |                                                                                                                      |
| (e) | Date of birth.                                                                     | <div>Date: __/__/__</div>                                                                                            |
|     | Place of birth.                                                                    |                                                                                                                      |
| (f) | Number of years applicant has resided in Australia.                                |                                                                                                                      |
| (g) | Citizenship (if not Australian citizen have you been granted permanent residence?) |                                                                                                                      |
| (h) | Is a recent passport size photo of applicant attached?                             | <div>Yes/No</div>                                                                                                    |
| (i) | Is the applicant a Responsible Officer of ASX?                                     | <div>Yes/No</div>                                                                                                    |
|     | Please attach evidence of this as an annexure                                      |                                                                                                                      |

**Applicants who are responsible Officers of the ASX do not need to answer  
Question 2 of Part 2.**

## Part 2 Information to be completed

### 2. EDUCATION

- (a) Please state undergraduate qualifications (including institution, qualification and date completed).

Please attach a copy of qualification(s).

- (b) Has the applicant successfully completed the Graduate Diploma in Applied Finance and Investment awarded by the Securities Institute of Australia?

Yes/No

Date completed:

If so, please attach a copy of qualification.

- (c) Please state any post-graduate qualifications (including institution, qualification and date completed)

Please attach a copy of qualification(s).

- (d) Has the applicant successfully completed the following subjects offered by the Securities Institute of Australia (SIA)<sup>2</sup>? If so, please attach SIA statement of results.

Financial Markets  
Economics 5206 or  
Understanding Investment  
Markets 5001

Previously (i) Financial Markets  
and Economics (C1) or  
Understanding the Finance and  
Investment Industry (C301)

Yes/No

Please indicate which subject the applicant has  
successfully completed: 5206 or 5001

Date completed: \_\_\_\_/\_\_\_\_/\_\_\_\_

(ii) Regulation & Ethics 5003

Previously (ii) Securities Industry  
Law and Ethics (C3) or Legal  
Framework and Compliance (E508)

Yes/No

Date completed: \_\_\_\_/\_\_\_\_/\_\_\_\_

(iii) Fundamentals of  
Securities 5203

Previously (iii) Stock Market and  
Products (E405)

Yes/No

Date completed: \_\_\_\_/\_\_\_\_/\_\_\_\_

<sup>2</sup> Predecessor or successor subjects to those listed are also acceptable. Applicants who have completed predecessor or successor subjects must provide a letter from the SIA confirming that such subjects are substantial equivalents to those listed.

(iv) Stockbroker's  
Administration 5106  
Previously (iv) Stockbrokers'  
Administration (E509)

Yes/No  
  
Date completed: \_\_\_\_/\_\_\_\_/\_\_\_\_

- (e) Has the applicant completed any other courses related to the securities industry (if applicable) ?

Yes/No  
  
If so, please show the name of the course(s), the date(s) completed and attach a copy of qualification(s):

- (f) If required by the Exchange, has the applicant completed the NSX exam and attained a pass mark of at least 65%?

If required by the Exchange - Yes/No  
  
If so, please state the date of completion:  
\_\_\_\_/\_\_\_\_/\_\_\_\_

### 3. AFFILIATIONS

(i) Fellow/Associate  
SIA

(ii) Affiliate SIA (AFF)

(iii) Other professional  
institutions

### 4. EMPLOYMENT HISTORY

- (a) Please set out details of present and previous employment and business activities for the past 10 years.

From: \_\_\_\_/\_\_\_\_/\_\_\_\_

To: present

Name of employer:

Address:

Position title:

Reason for leaving:

From: \_\_\_\_/\_\_\_\_/\_\_\_\_

To: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name of employer:

Address:

Position title:

Reason for leaving:



From:    /    /    

To:       /    /    

Name of employer:

Address:

Position title:

Reason for leaving:

From:    /    /    

To:       /    /    

Name of employer:

Address:

Position title:

Reason for leaving:

- (b) If employed at any time by an NSX or ASX Participant (current or past), please attach a statement signed by a Responsible Officer of that Participant showing period of employment, position and reason for leaving.

Where applicant was in partnership or was a director of a Participant, please attach a statement signed by a Responsible Officer of that Participant.

Yes/No

5. REFERENCES AND REFEREES

- (a) Please provide two (2) written references from persons of repute **other than** employees of the employing Participant or employees of associates of the Participant.

References must be:

(i) typed;

(ii) dated within three (3) months of the application being lodged;

(iii) addressed to the Manager, Admissions; and

(iv) signed and bear the signatories' position, occupation and telephone number.

References should attest to:

(i) how long and in what capacity the referee has known the applicant;

(ii) applicant's previous experience in the securities industry, or other business activity; and

(iii) applicant's good fame and character, high business integrity and aptitude in fulfilling the roles and responsibilities as a Responsible Officer of the NSX efficiently, honestly and fairly.



- (b) Please nominate two referees (excluding relatives).

Referee One

Name:

Occupation/Position:

Business Name:

Address:

Telephone Number:

Referee Two

Name:

Occupation/Position:

Business Name:

Address:

Telephone Number:

## 6. CURRENT OR INTENDED STOCKBROKING ACTIVITIES

- (a) Please give details of the applicant's current or intended stockbroking activities (eg. Director of a Participant, Responsible officer of a Participant nature of activities, etc.).

- (b) Where applicable, when will the position described in (a) above commence?

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

- (c) State the name and address of the Participant to whom the applicant intends devoting the substantial part of their working week.

Name:

Address:

- (d) Please provide a letter of confirmation from the Participant (or proposed Participant) to confirm that the applicant will devote a substantial part of the working week to the Participant's business.

Yes/No

## 7. DIRECTORSHIPS

- (a) Is the applicant a director of any corporation? Please provide details.

Yes/No

(i) Name of corporation:

(ii) Place of incorporation / registration:

(iii) Date of appointment: \_\_\_\_/\_\_\_\_/\_\_\_\_

## 8. SECURITIES LICENSING PROVISIONS

- (a) Does the applicant hold a AFS licence issued under the Corporations Act?

Yes/No

If yes, please attach a copy of the licence.

- (b) If the applicant holds a licence under (a) has the applicant established whether that licence needs amendment if the applicant is admitted as a Responsible Officer of NSX?

Yes/No

- (c) If the existing AFS licence needs amendment, has application been made to the ASIC to obtain a new licence?

Yes/No

- (d) Is the applicant an authorised representative of the holder of an AFS licence?

Yes/No

If yes, please attach a copy of each proper authority held by the applicant.

- (e) Where the applicant does not hold either an AFS licence or a proper authority from a licensed dealer, please explain how the applicant intends to obtain an AFS licence or proper authority entitling the applicant to engage in a stockbroking business and when this will occur.

## 9. SECURITIES INDUSTRY ISSUES

If the answers to any of the below questions are yes, please attach relevant particulars.

Within the past ten (10) years, has the applicant:

- |                                                                                                                                                                                                                                                                |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (a) been licensed or registered under any law which requires licensing or registration in relation to dealing in securities or acting as an investment adviser? If not in Australia, please state the place, the type of licence and the regulatory authority? | Yes/No |
| (b) been licensed, registered or otherwise authorised by law to carry on any other trade, business or profession in any place?                                                                                                                                 | Yes/No |
| (c) been refused the right to carry on any trade, business or profession for which a specific licence, registration or other authority is required by law in any place or restricted from carrying on such trade, business or profession?                      | Yes/No |
| (d) been a member (or equivalent), director or partner of a member organisation or Participant of any stock exchange, futures exchange or commodities exchange                                                                                                 | Yes/No |
| (e) been suspended or expelled from membership (or equivalent) of any stock exchange, futures exchange or commodities exchange or otherwise disciplined by a stock exchange, futures exchange or commodities exchange?                                         | Yes/No |
| (f) been removed from membership (or equivalent) of, or disciplined by any professional body?                                                                                                                                                                  | Yes/No |

|     |                                                                                                                                                                                                                          |        |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (g) | been refused membership (or equivalent) of any stock exchange, futures exchange or commodities exchange?                                                                                                                 | Yes/No |
| (h) | carried on business under any name other than under the name as shown in this application?                                                                                                                               | Yes/No |
| (i) | been known by any name other than the name or names shown in this application?                                                                                                                                           | Yes/No |
| (j) | been convicted of any offence (other than a traffic offence) or charged with any offence or adversely mentioned in a report made by or at the request of any government or governmental authority or agency at any time? | Yes/No |
| (k) | had judgement including any findings in relation to fraud, misrepresentation or dishonesty given against the applicant in any civil proceedings ?                                                                        | Yes/No |
| (l) | been an insolvent under administration within the meaning of the Corporations Act?                                                                                                                                       | Yes/No |
| (m) | been a director of or held an interest in an entity which has been externally administered?                                                                                                                              | Yes/No |
| (n) | been engaged in the management of any corporation other than those referred to in answer to question 7?                                                                                                                  | Yes/No |
| (o) | been refused a fidelity or surety bond?                                                                                                                                                                                  | Yes/No |
| (p) | been refused professional indemnity insurance or other similar insurance?                                                                                                                                                | Yes/No |
| (q) | engaged in an act or omission which constitutes a contravention of, or a                                                                                                                                                 | Yes/No |

failure to comply with, any licence held under the Corporations Act or equivalent law or which constitutes a breach of a condition or restriction applicable in respect of such a licence?

- (r) been under investigation, involved in litigation or charged with an offence not previously disclosed in this application or is the applicant currently under investigation, involved in any such litigation or charged with any such offence?

Yes/No

- (s) been prohibited under the Corporations Act from being a director or promoter of, or being in any way concerned in or taking part in the management of a corporation or is the applicant currently prohibited from so acting?

Yes/No

## 10. GENERAL

- (a) Are you a partner in any other activity other than stockbroking

Yes/No

- (b) Do you intend to make stockbroking your major business activity by devoting a substantial part of the working week to the business of a Participant?

Yes/No

If no, please elaborate in attachment.

## 11. STATUTORY DECLARATION

- (a) This application must be accompanied by a Statutory Declaration, made up to a date not earlier than 30 days before the date of this application, disclosing the applicant's total liabilities (including contingent liabilities) together with details of assets including the method of valuation.

## Part 3 Applicant's Acknowledgment

### 12. ACKNOWLEDGMENT

I acknowledge that:

- (a) I have read the NSX Business Rules as at the date of this application and I have a working knowledge of the provisions of the Corporation Act as they relate to the securities industry;
- (b) I understand that recognition as a Responsible Officer of NSX is on the terms of, and subject to the NSX Business Rules as varied from time to time;
- (c) I have provided correct information in this application and I understand that any wilful omission or misstatement on a material point in or in connection with this application may lead to rejection of this application or, if this application is approved, subsequent cessation of my Responsible Officer status;
- (d) I consent to NSX in its discretion obtaining any additional information it considers relevant to this application (including personal, credit or other information) from an investigative agency, a retail credit agency, the Stockbrokers' Mutual Reference Society Ltd, the Securities Dealers Industry Association or any other source permitted by law in Australia or elsewhere and acknowledge that this application authorises such a source to release information to NSX;
- (e) I authorise the NSX Board to make available to the NSX Appeal Tribunal the reasons for its decision in the event that the NSX Board rejects this application, or approves this application and subsequently action is taken against me in respect of which there is a right of appeal to the NSX Appeal Tribunal and I authorise the NSX Appeal Tribunal to make available to the NSX Board and to the Australian Securities and Investments Commission the reasons for a decision of the NSX Appeal Tribunal if it rejects such an appeal.

### 13. SIGNATURES

Signature of applicant\*

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Signature of witness

Signature: \_\_\_\_\_

Address: