



## THE CAPITAL MARKETS (COLLECTIVE INVESTMENTS SCHEME) REGULATIONS, 2023

### APPLICATION FOR A LICENSE TO CONDUCT THE BUSINESS OF INTERMEDIARY SERVICE PLATFORM PROVIDER

**Note:**

If space is insufficient to provide details, please attach annexure(s). Any annexure(s) should be identified as such and signed by the signatory of this application

#### APPLICATION FORM FOR INTERMEDIARY SERVICE PLATFORM PROVIDERS

1. Name of company.....
2. Registered office.....
3. Date of incorporation.....
4. Address.....
5. Email.....
6. Location, address and telephone number of principle office.....
7. Location, address and telephone number of branch offices.....
8. Details of capital structure:
  - a) Nominal capital (Ksh).....
  - b) Number of shares.....
  - c) Paid up share capital (Ksh).....

9. Shareholders (*or investors in the case of a securities exchange*) (Please attach a list)

Name	Address & telephone number	Number of shares held
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10. a) Directors (Please attach a list)

Name	Identity card/Passport Number	Date of appointment	Date of birth	Permanent address & telephone number	Academic/ Professional qualification	Number of shares held in the company
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b) Secretary

Name:.....

Address:.....

Institute of Certified Secretaries of Kenya Registration No.....

c) Chief Executive Officer and other key personnel (Please attach list)

Name	Identity card/Passport Number	Date of appointment	Date of birth	Permanent address & telephone number	Academic/ Professional qualification	Number of shares held in the company
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11. Particulars of other directorship(s) of the directors and secretary.....

12. Particulars of shares held by directors or secretary in other companies.....

13. Has the applicant or any of its directors, secretary or members of senior management at any time been placed under receivership, declared bankrupt, or compounded with or made an assignment for the benefit of his creditors, in Kenya or elsewhere? Yes/No. If 'yes', give details.....  
.....

14. Has any director, secretary or senior management of the applicant been a director of a company that has been:

a) denied any license or approval under the Capital Markets Act or equivalent legislation in any other jurisdiction. Yes/No. If yes, give details.....  
.....

b) a director of a company providing insurance, financial or investment advisory services whose license has been revoked by the appropriate authority? Yes/No. If yes, give details.....  
.....

c) subjected to any form of disciplinary action by any professional body of which the applicant or any of its directors was a member? Yes/No. If yes, give details.....

15. Has any court ever found that the applicant, or a person associated with the applicant was involved in a violation of the Capital Markets Act of regulations thereunder, or equivalent law outside Kenya? Yes/No. If yes, give details.....

16. Is the applicant and/or a person associated with the applicant now the subject of any proceeding that could result in a 'yes' answer to the above question? Yes/No. If yes, give details.....

17.

a) Is the applicant, or any shareholder, director or the secretary of the applicant, a member or director of a member company of any securities exchange? Yes/No. If yes, give details.....

b) Have any of the above persons been:

i) refused membership pf any securities organisation? Yes/No. If yes, give details.....

ii) expelled from or suspended from trading on or membership of any securities organization? Yes/No. If yes, give details.....

iii) subjected to any other form of disciplinary action by any securities exchange? Yes/No. If yes, give details.....

18. Business references:

Name	Address	Telephone Number(s)	Occupation

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19. Profile of the chief executive officer and key employees in the applicant company:

Name	Post	Qualifications	Experience

20. List the office facilities of the

applicant.....  
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21. State the exact nature of the activity to be carried out on which obliges the applicant to apply for a license from the Capital Markets

Authority.....  
.....  
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22. Any other additional information considered relevant to this

application:.....  
.....  
.....

We.....(Director).....  
and .....(Secretary) declare that all the information given in this application and in the attached documents is true and correct.

Dated this.....day of.....20.....

Signed:

.....Director

.....Director

.....Secretary

Note:

The application should be accompanied by the following—

- a) memorandum and articles of association.
- b) certificate of incorporation

evidence of the entity's incorporation or establishment

b) a written agreement with a licensed fund manager which shall at the minimum set out the following—

i) roles to be played by the parties including their rights and duties

ii) extent of liabilities of the parties to the agreement

iii) dispute resolution mechanisms

iv) complaints handling procedures

v) investor protection mechanisms

c) a business plan detailing the nature of the service platform, how the platform will help delivery value to the capital markets and financial projections among others

d) evidence of adequate capital, office and human resources necessary for the efficient conduct of its business and operations

e) details of the organization structure and profiles of the directors, shareholders, management and other key personnel who are fit and proper as provided under section 24A of the Act

f) detailed information of the platform to be used including system capacity and security measures, its user terms and condition and evidence of its functionality

g) business continuity and disaster recovery plan

h) record keeping procedures including audit trail for daily operations to meet emergencies

i) adequate risk management framework that includes details of its fraud detection and prevention measures and a risk matrix and mitigation measures

j) data protection policy in compliance with the relevant laws

k) policy on prevention of anti-money laundering and terrorism financing

l) cyber security policies and procedures

m) complaint management policies and procedures that includes details on complaint lodging, acknowledgment and resolution

n) risk management policies and procedures

o) the licensing fees set out in the Seventh Schedule; and

p) any other additional documents or information as the Authority may require.