

Form 1 (r.4)

**THE CAPITAL MARKETS (REGISTERED VENTURE CAPITAL COMPANIES) REGULATIONS, 2007**

**APPLICATION FOR REGISTRATION AS A VENTURE CAPITAL COMPANY**

Please attach annexure(s) where necessary. Any annexure(s) should be clearly identified.

1. Name of Applicant .....
2. Date of incorporation .....
3. Company Number .....
4. Physical and Postal Address of principal office.....  
.....
5. Registered Office .....
6. Telephone: .....
7. Fax No: .....
8. Email Address: .....
9. Details of capital structure:
  - (a) Nominal capital (Kshs.) .....
  - (b) Number of shares .....of Kshs . ..... each.
  - (c) Paid-up capital (Kshs) .....
  - (d) Number and broad description of funds:
  - (e) Components (of each Fund):
    - i. Equity .....
    - ii. Shareholder Loans .....
    - iii. Debt .....
    - iv. Other (Explain) .....

.....  
10. Details of subsidiary and associate companies with the percentage of shareholding in each.

.....  
.....  
.....  
11. Details of holding and affiliated companies with percentage of shareholding of the holding company.

.....  
.....  
.....  
12. The nature of venture capital financing it is to undertake:

- i. seed capital financing
- ii. start-up capital financing
- iii. mid-stage financing
- iv. subsidiary financing
- v. fund of funds
- vi. Other.

Tick as appropriate

If other, explain:

.....  
13. Nature of Funds to be operated:

Captive

Semi-captive

Independent fund

Other

Tick as appropriate

If other, explain:

.....  
.....

14. Provide the following details in respect of each shareholder. In the case of corporate shareholders, provide the relevant details in respect of the ultimate beneficial owners of the issued shares. In respect of each individual copies of the national identity cards or passport shall be annexed.

Name .....

Previous names (if any) .....

Year and place of birth .....

Nationality and how acquired .....

Identification Card number and date issued .....

Postal address & telephone number .....

Number of shares held in applicant .....

Shareholdings (directly or indirectly) in other Companies

.....

Directorships in other companies .....

.....

15. Provide the following details in respect of each Director and the Secretary. In respect of each individual copies of the national identity cards or passport shall be annexed.

Name .....

Previous names (if any) .....

Year and place of birth .....

Nationality and how acquired .....

Identification Card/ Passport number and date issued .....

Postal address & telephone number .....

Number of shares held in Applicant .....

Shareholdings (directly or indirectly) in other Companies

.....

Directorships in Companies .....

.....

Educational qualifications and year obtained .....

Professional qualifications and year obtained:.....

Memberships of professional bodies .....

Employment/business record.....

Specific experience related to the provision of venture capital.....

In case of Secretary: Institute of Certified Public Secretaries of Kenya

Registration No. .... Practising Certificate No.

17. Particulars of the auditor of the registered venture capital company

Name: .....

Physical & postal Address: .....

Telephone: .....

Email address: .....

Fax: .....

Institute of Certified Public Accountants of Kenya Registration

Number:.....

Practising Certificate No. ....

Provide individual responses to the following questions in respect of each of the shareholders, directors and secretary :

18. Have you at any time been placed under receivership, declared bankrupt, or compounded with or made an assignment for the benefit of creditors, in Kenya or elsewhere? If 'yes', give details

.....

.....

19. Have you been a director, shareholder or manager of a company that has been:

(a) denied any licence, approval or registration to carry out business in the financial sector in any jurisdiction, or had such licence withdrawn after it was made or any authorization revoked: Yes/No.

If Yes, give details.

.....

.....

(b) a director of a company providing banking, insurance, financial or investment advisory services whose licence has been revoked by the appropriate authority? If Yes, give details.

.....

.....

(c) subjected to any form of disciplinary action, censure, warned as to future conduct or publicly criticized by any regulatory authority or professional body in any country with regard to competence, soundness of judgement or otherwise. If yes, give details.

.....

.....

20. Have you been involved in a violation of any law designed for protecting members of the public against financial loss due to dishonesty or incompetence. If 'yes', give details.

.....

.....

21. 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.

.....

.....

22. Have you or any entity in 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 (including tax authorities), professional association or other regulatory body? If 'yes', give details.

.....  
.....

23. Are you and/or a person associated with you now the subject of any proceeding that could result in a 'yes' answer to the above questions (19), (20), (21) and (22)? If 'yes, 'give details.

.....  
.....

24 (1) Are you a shareholder or director of a member company of any securities exchange? If 'yes', give details.

.....  
.....

(2) Have you been -

(a) refused membership of any securities organization? If 'yes', give details

.....  
.....

(b) expelled from or suspended from trading on or membership of any securities organization? If 'yes' give details

.....  
.....

(c ) subjected to any other form of disciplinary action by any stock exchange? If 'yes', give details.

.....  
.....

We .....(Director),

..... (Director)

and .....(Secretary)

declare that all the information given in this application form is complete and true.

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

Signed:

..... ) Director

.....) Director

.....) Secretary