

Annex 2 – Checklist regarding the required enclosures concerning the application for approval of a change to the licensing requirements pursuant to Article 19 (1)(a) ISA in conjunction with Article 12 (2)(i) ISA respectively a notification pursuant to Article 20 (a) ISA in conjunction with Article 12 (2)(i) ISA

Note for signing:

For all documents to be submitted and legally signed, the submission of a scan of the signed original is generally sufficient. In individual cases, the FMA reserves the right to request a qualified signed original document (see E-GovG).

Enclosures to be submitted via the platform eService “Applications” in PDF format

- Submission of a duly signed application for approval of a change to the licensing requirements pursuant to Article 19 (1)(a) of the ISA in conjunction with Article 12 (2)(i) of the ISA or the notification pursuant to Article 20 (a) of the ISA in conjunction with Article 12 (2)(i) of the ISA¹:

Function

- Board member (Board of Directors, Executive board)
- copy of a valid official identity document
 - current², hand signed curriculum vitae (minimum content³)
 - In the case that the person and/or the licensed company with which the person worked has already been examined by a supervisory authority (EEA or third countries), it is possible to enclose a corresponding confirmation from the supervisory authority concerned with the application. This usually has a positive effect on the processing time, as obtaining and transmitting the confirmation from other supervisory authorities naturally also takes time.
 - current criminal record extract or an equivalent official document
 - extract from the debt collection register or an equivalent official document
 - declaration regarding personal integrity (see Annex 3 of the FMA Guideline 2017/18)
 - declaration concerning other board of directors and/or executive board positions and employment relationships (domestically and abroad) (see Annex 4 of the FMA Guideline 2017/18)
 - declaration of acceptance

¹ See Section 7 of the FMA Guideline 2017/18 as well as the by the FMA provided template according to Annex 5.

² For all documents to be submitted in accordance with these Guidelines, “current” means that they are not older than three months.

³ Personal information (full current name, including previous names, personal address, telephone number); details of all previous functions in insurance undertakings which have been examined by an EEA supervisory authority or third country authority; details of all previous employment in a management body, including full name of the company, address, and nature and scope of the company’s activities; description of the level of professional training (skills, experience, degrees, certificates, other education and training).

- current internal organization chart⁴ prior to the requested changes
- planned internal organizational chart after approval of the requested changes
- for replacement and resignation: Letter of resignation of the resigning body member
- proof of qualification⁵ (degrees, testimonials, certificates, work experiences etc.) according to curriculum vitae enclosed

Authorised representative of a branch

- copy of a valid official identity document
- current², hand signed curriculum vitae (minimum content³)
- In the case that the person and/or the licensed company with which the person worked has already been examined by a supervisory authority (EEA or third countries), it is possible to enclose a corresponding confirmation from the supervisory authority concerned with the application. This usually has a positive effect on the processing time, as obtaining and transmitting the confirmation from other supervisory authorities naturally also takes time.
- current criminal record extract or an equivalent official document
- extract from the debt collection register or an equivalent official document
- declaration regarding personal integrity (see Annex 3 of the FMA Guideline 2017/18)
- declaration concerning other board of directors and/or executive board positions and employment relationships (domestically and abroad) (see Annex 4 of the FMA Guideline 2017/18)
- declaration of acceptance
- current internal organization chart⁴ prior to the requested changes
- planned internal organizational chart after approval of the requested changes
- general power of attorney
- proof of qualification⁵ (degrees, testimonials, certificates, work experiences etc.) according to curriculum vitae enclosed

key function holder incl. “responsible actuary”:

- copy of a valid official identity document
- current², hand signed curriculum vitae (minimum content³)
- In the case that the person and/or the licensed company with which the person worked has already been examined by a supervisory authority (EEA or third countries), it is possible to enclose a corresponding confirmation from the

⁴ The internal organisational chart is a graphical representation of the internal organization and governance of the insurance undertaking. It must contain the name and duties (departmental responsibilities) of all members of the management body and all holders of key functions. The internal organizational chart must also provide information on the responsibilities (tasks) of these persons. If key functions are outsourced, this must be indicated. In this case, both the outsourcing service provider (legal entity) and the individual who actually assumes the key function for the outsourcing service provider must be specified. On the part of the insurance undertaking, the individual who has overall responsibility for the relevant outsourced function must be identified. In addition, the internal organisational chart provides information on the lines of responsibility (reporting lines).

⁵ Depending on the function, sufficient qualification can be assumed if a degree in economics, law or mathematics has been completed and the individual has appropriate professional experience; without a university degree, such sufficient qualification can be assumed if the individual has worked in the same function or a comparable function for at least three years and presents appropriate documents (letters confirming work, etc.). Proof of sufficient experience can be provided through the submission of suitable documents (letters confirming work, confirmations, etc.) for less than three years of activity in the respective area and is subject to a case-by-case assessment of the FMA.

supervisory authority concerned with the application. This usually has a positive effect on the processing time, as obtaining and transmitting the confirmation from other supervisory authorities naturally also takes time.

- current criminal record extract or an equivalent official document
- extract from the debt collection register or an equivalent official document
- declaration regarding personal integrity (see Annex 3 of the FMA Guideline 2017/18)
- declaration of acceptance
- declaration concerning other board of directors and/or executive board positions and employment relationships (domestically and abroad) (see Annex 4 of the FMA Guideline 2017/18)
- current internal organization chart⁴ prior to the requested changes
- planned internal organizational chart after approval of the requested changes
- Proof of qualification⁵ (degrees, testimonials, certificates, work experiences etc.) according to curriculum vitae enclosed

Additional requirement for the key function “actuarial function” and the key function “responsible actuary”:

- Proof of Membership in an Actuaries Association (DAV, SAV, AVÖ, etc.) enclosed