



## Application for entry in the Register of Advisers

### Person to be entered in the register of advisers

#### Client Advisor

First Name .....

Surname .....

Date of birth .....

#### Private address

Street .....

Post box No. ....

Postal code / Place .....

Telephone number .....

#### Attachment:

- *Dated and signed copy of passport or identity card of the client advisor*

## Business information

### (Client Advisor)

I am a self-employed financial service provider at the following business address.

### Business address

Company .....

Street .....

Post box No. ....

Postal code / Place .....

E-Mail Address .....

Telephone number .....

If self-employed: I am registered in the commercial register.

Yes.

No.

or:

I work as an employee for a financial services provider (information on the financial services provider follows on page 5).

### Attachments:

- Copy of the employment contract or confirmation from the employer
- Copy of the current extract from the commercial register (Zefix PDF)

## Position and signature authority

### (Client Advisor)

Position of the client advisor within the organization:

- a. Member of the Board of Directors
- b. Member of the Management
- c. Managing Director or CEO
- d. Department Manager
- e. Senior client advisor
- f. Client advisor
- g. Client advisor in sales force
- h. Client adviser in training
- i. Other (please specify)

.....  
Signature authority:

- a. Single signing authority
- b. Collective signature
- c. Single power of procuration
- d. Collective power of procuration
- e. No right of signature
- f. Other: .....

**Function and advisory activities**

**(Client Advisor)**

**Position of the client advisor within the organization:**

- Investment advisory
- Pension planning advice
- Insurance advisory or consulting
- Advice/representation for collective investment schemes
- Advisory/consulting for financial instruments
- Other

Brief description of the position(s) and the effective activity within the position:

.....

.....

.....

.....

**The advisory activities relate to the following financial instruments:**

- Shares, participation or dividend right certificates and similar participation rights,
- Debt securities: securities that are not equity securities,
- Units or shares in collective capital investments,
- Structured products, particularly capital protected products, maximum return products and certificates,
- Derivatives, options,
- Deposits or other investments whose repayment value or interest rate is dependent on risk or exchange rate, except for those whose interest rate is linked to an interest rate index,
- Bonds,
- Insurance products (Which products? ..... ).
- There is a power of attorney for the "execution only" execution of orders from advisory clients.

Other: .....

**Details of the financial service provider**

**(Employer)**

**Address of the financial service provider**

Company .....  
Street .....  
Post box No. ....  
Postal code / Place .....

**Contact person**

Mr. / Mrs. ....  
First Name .....  
Surname .....  
Telephone number .....  
E-Mail Address .....

- The financial service provider as employer is jointly and severally obliged with the client advisor to pay the registration fees pursuant to Art. 42 FINSA, in particular for the registration of the client advisor, the annual registration fee and for subsequent changes and deletions. In this case, the invoice is issued directly to the financial service provider.

Place, Date .....

Company signature of financial service provider: .....

**Attachment:**

- Copy of HR extract concerning the financial service provider (Zefix PDF)

## Evidence of the required knowledge

Client advisors have to provide evidence of knowledge of the rules of conduct of FINSA and/or professional expertise no later than the end of 2021.

- I invoke the transitional period for evidence of knowledge of the rules of conduct of FINSA and/or professional expertise until 31. December 2021 and will provide the required proof of knowledge before the end of the transitional period without being requested to do so. This fact is referred to in the publicly accessible register entry. You can skip directly to page 8 for the next registration step.

**or**

- I can already provide evidence of knowledge of the rules of conduct of FINSA and/or professional expertise. I am obliged to prove this by filling out the requested information and by submitting the relevant documents in the following paragraphs 1 and/or 2 on page 6 and 7.

### 1. Evidence of knowledge of the rules of conduct of FINSA

At least the following is required: training on articles 7-19 FINSA and articles 25-27 FINSA. If the advisory activity concerns the purchase or sale of financial instruments or the forwarding of corresponding purchase or sale orders, training on the prospectus and the basic information sheet (Key Information Document) is also required. In the case of asset and investment advice, knowledge of the provisions of the Swiss Code of Obligations governing the contractual or mandate relationship is also required.

Training organizer .....  
Date of training .....  
Duration of the training .....  
Training contents .....  
(or List → Attachments) .....  
.....  
.....

#### Attachments:

- *Confirmation of participation from the organizer*
- *List of training course contents for the rules of conduct*

## 2. Evidence of professional expertise

The professional expertise to be evidenced must relate to the financial services actually provided within the listing in Art. 3 (c) FINSA.

The evidence can be provided by:

- a) Evidence of specialised training of an appropriate duration according to generally recognised standards, completed by an examination and for which a diploma/certificate has been issued.
- b) Evidence of practical professional activity in the field of financial services in accordance with Art. 3 (c) FINSA for an appropriate period.
- c) Evidence of higher education in the field of financial services in connection with practical activities in the field of financial services in accordance with Art. 3 (c) FINSA.

Provider of the training .....

Address of the provider .....

Type of training .....

Content of the training according to the categories of Art. 3 (c) FINSA

Duration of the training .....

Acquired certificate .....

Practical work for company .....

Duration of activity .....

Fields of activity .....

### Attachments:

- *Curriculum vitae of the client advisor*
- *Confirmations from employers on the type and duration of the practical activity*
- *Diplomas or certificates for vocational education and training*

***(This page of the form can be copied and submitted multiple times if necessary)***

## Details of professional indemnity insurance

The coverage amount provided for all claims for a year must be at least 500,000 Swiss francs. If the insurance is taken out by a financial services provider that employs multiple customer advisors, the sum insured must be at least:

- a. with two to four client advisors: 1.5 Million Swiss Francs;
- b. with five to eight client advisors: 3 Million Swiss Francs;
- c. with more than eight client advisors: 10 Million Swiss Francs.

The professional indemnity insurance must have a minimum notice period of at least three months.

It must also include damages claimed within one year of the expiry of the insurance contract, provided that they were caused during its term and provided that there is no obligation to pay benefits under another insurance contract.

### Evidence of professional indemnity insurance:

- The professional indemnity insurance is taken out by the financial service provider as policyholder with effect for its employees as insured persons.
- The professional indemnity insurance is taken out by the client advisor himself.
- There is an equivalent financial security/collateral according to Art. 33 FINSO.

### Attachments:

- *Confirmation of insurance by the insurer (insurance certificate),*

*or*

- *a copy of the insurance policy and general terms and conditions of insurance,*

*or*

- *Evidence of equivalent financial security/collateral.*



## Details regarding the ombudsman's office

As the employer of the client advisor, the financial service provider is affiliated to the ombudsman's office designated below,

or

The client advisor is affiliated with the ombudsman's office designated below.

Ombudsman's Office: .....

.....

## Details regarding the registration requirements

### Declaration of the client advisor:

I hereby declare,

- a. that I have never been convicted under Articles 89-92 of the Financial Services Act<sup>1</sup> (FINSA) or Article 86 of the Insurance Supervision Act (ISA); and
- b. that since the date of the extract from my criminal record I have not been convicted of any criminal offence against the property in accordance with Articles 137-172 of the Criminal Code<sup>2</sup> (SCC); and
- c. that I am not prohibited from exercising the activity to be registered pursuant to article 33a FINMASA or from exercising my profession pursuant to article 33 FINMASA.

Signature of the client advisor:

Place, Date: ..... Signature: .....

### Attachments:

- Confirmation of the ombudsman's office
- Current extract from the criminal register in the original, not older than three months

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<sup>1</sup> It concerns the offences: Violation of the rules of conduct, violation of the regulations for prospectuses and basic information sheets, unauthorized offering of financial instruments.

<sup>2</sup> It concerns the punishable acts against the property, namely Illegal appropriation, embezzlement, theft, robbery, confiscation of property, unlawful use of property, unlawful deprivation of energy, unauthorized data acquisition, unauthorized intrusion into a data processing system, damage to property, damage to data, embezzlement and deprivation of pledged and retained property, Fraud, fraudulent misuse of a data processing system, check and credit card misuse, unlawful receipt of social security or welfare benefits, bilking, fraudulent obtaining of benefits, production and marketing of unauthorized decryption of coded offers, Malicious damage to property, false information about commercial trade, false information to commercial registry authorities, counterfeiting of goods, blackmail, usury, unfaithful business management, misuse of wage deductions, receiving stolen goods, violation of manufacturing or trade secrets, Fraudulent bankruptcy and seizure fraud, damage to creditors through reduction of assets, mismanagement, failure to keep accounts, preferential treatment of a creditor, bribery in execution, disposal of seized assets, fraudulent acquisition of a judicial probate contract.

## Application for entry in the register of advisors

The undersigned client advisor confirms that he/she has provided complete and truthful information and **hereby applies for the entry in the RegFix register of advisors.**

The entry in the register of consultants is subject to a fee. The amount of the fees is based on Art. 42 of the Financial Services Ordinance (FINSO).

The entry in the advisor register establishes an obligation of the client advisor to report to the registration body.

### **FINIV Art. 41 Notification duty**

<sup>1</sup> The client advisors shall notify the registration body within 14 days:

- a. the change of their name;
- b. the change of name or address of the financial service provider for whom they work;
- c. the change of their function and position in the organization;
- d. the change of their fields of activity;
- e. completed training and further education;
- f. the change of the ombudsman's office;
- g. the complete or partial termination of the professional indemnity insurance;
- h. the termination of the activity as client advisor;
- i. Convictions for criminal acts under the financial market laws pursuant to Article 1 of the Financial Market Supervision Act of 22 June 2007 (FINMASA) or for criminal acts against assets pursuant to Articles 137-172 of the Criminal Code;
- j. an activity prohibition ordered against them in accordance with article 33a FINMASA or a professional prohibition in accordance with article 33 FINMASA;
- k. with letters i and j comparable convictions or judgements of foreign authorities.

<sup>2</sup> **You are required to renew your registration after 24 months at the latest. Otherwise the entry in the register will be deleted.**

Signature of the client advisor:

Place, Date: ..... Signature: .....

## Index of attachments:

This index serves as a checklist for the required attachments and as an index of attachments. Please tick the submitted attachments.

- Signed and dated copy of passport or identity card of the client advisor or customer service representative.
- Copy of the employment contract or confirmation of the employer about the employment relationship.
- Copy of the commercial register extract concerning the financial service provider (a printout of the complete internet entry in PDF format is sufficient)
- Education and training regarding FINSA rules of conduct: Confirmation/certificate of participation from the organizer.
- List of the training contents regarding the rules of conduct. Note: This can usually be copied from the course documents provided by the organizer.
- Curriculum vitae of the client advisor.
- Confirmations from employers on the type and duration of the practical activity.
- Diplomas of vocational education and training.
- Professional indemnity insurance: confirmation of insurance by the insurer (certificate of insurance), or
- A copy of the insurance policy and the general terms and conditions of insurance with additional evidence of the current validity, or
- Evidence of equivalent financial security deposited.
- Confirmation of the ombudsman's office regarding the affiliation.
- Current extract from the criminal record in the original, not older than three months. (For persons residing in other countries: the equivalent foreign document).