

FA3 - Entity Manager/Owner Application Form



This is the form to make an application for approval in an authorised body or an applicant for the following:

- Incorporated or unincorporated managers
- Incorporated or unincorporated owners

This form is not to be used by authorised bodies who meet the deeming criteria pursuant to Rule 13.2 of the SRA Authorisation Rules 2011:

www.sra.org.uk/solicitors/handbook/authorisationrules/part4/rule13/content.page

In these cases an advance notification form (FA4) should be submitted.

This form cannot be used by recognised bodies wishing to have non legally qualified managers or owners. Please note any managers within a body corporate manager only also need to be approved. Please submit the required number of individual application forms (FA2) with this application where required.

Manager means:

- a member of an LLP;
- a director of a company;
- a partner of a partnership; or
- in relation to any other body, a member of its governing body.

A *body corporate* means a company, an LLP or a partnership which is a legal person in its own right.

In accordance with Rule 16 of the SRA Practice Framework Rules 2011, only an individual may be a manager (director) of an authorised body which is a company.

Legally Qualified Body means:

- a recognised body;
- a licensed body of which lawyers are entitled to exercise, or control the exercise of, 90% or more of the voting rights of that licensed body;
- an authorised non-SRA firm of which lawyers are entitled to exercise, or control the exercise of, 90% or more of the voting rights of that authorised non-SRA firm; or
- a European corporate practice
- and for the purposes of section 9A(6)(h) and (6C) of the AJA means a body which would meet the requirement in Rule 13.2 of the SRA Practice Framework Rules.

In this form, applicant/authorised body means the entity that is, or will be, authorised by the SRA as a recognised body or licensed body. Candidate Entity means the incorporated or unincorporated body which is applying for approval as a manager and/or owner of the applicant/authorised body.

Before completing the application form, please read the guidance at www.sra.org.uk/solicitors/firm-based-authorisation.page which will outline the step-by-step application process.

This application form is an editable PDF which you must save on your computer before and after completion in order to capture your data. Please include in each file name the name of your firm and the title of the form, for example "Smith LLP FA3".

This form is not compatible with Mac computers and data will not be stored correctly. You must complete the form using a Windows based computer. In addition, the PDF application must be created with Adobe PDF - an alternative format will not be accepted.

Section 1 - Basic Application Details

1.1	Applicant authorised body:	<input type="text"/>	SRA Number:	<input type="text"/>
1.2	Candidate Entity name:	<input type="text"/>		
1.3	Role held:	Manager <input type="checkbox"/>	Owner <input type="checkbox"/>	
1.4	If the Candidate Entity will be an owner, please indicate the nature of the interest holding:			
	<input type="text"/>			
1.5	Confirm the percentage held:	<input type="text"/>		
1.6	If the Candidate Entity will be an owner that constitutes a parent undertaking for the purposes of section 420 of the Financial Services and Markets Act 2000, please list any shareholders that hold a material interest (alone or by association) and any beneficial owners:			
	<input type="text"/>			
1.7	Please provide the governance and ownership structure of the Candidate Entity with the application.			YES attached <input type="checkbox"/>
1.8	Please provide the current and proposed structures of the applicant/authorised body with the application.			YES attached <input type="checkbox"/>

Section 2 - Candidate Entity Manager and/or Owner

2.1	What is the primary business activity of the Candidate Entity:			
	<input type="text"/>			
2.2	Has the Candidate Entity at any time made an application to the SRA?		YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If YES, nature of the application			
	<input type="text"/>			
2.3	Please provide the reference number or approximate date of the application:			<input type="text"/>
2.4	Application outcome: <input type="text"/>			
	SRA number assigned to Candidate Entity (if applicable):			<input type="text"/>
2.5	Has the candidate entity ever been regulated by any other regulator?		YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If YES: Regulator:	<input type="text"/>	Registration Number:	<input type="text"/>
Note: Questions 2.6 and 2.7 need only be completed if the Candidate Entity is incorporated:				
2.6	Country of registration or incorporation: <input type="text"/>			
	Date of incorporation: <input type="text"/>			

2.7 Companies House (or overseas equivalent) registration number:

2.8 Registered address (or main address for unincorporated bodies):

Address: County/State:

Country:

Town: Telephone No.

Postcode (or equivalent):

Contact email address:

Section 3 - Separate Businesses

3.1 Will the Candidate Entity, or any non-authorized entity of which it is a partner, owner, director, member, or member of the governing body of:

Engage in legal activities YES NO

Have clients, or aspects of their case, referred, signposted or transferred from the applicant/authorized body YES NO

Be jointly advertised or promoted with the applicant/authorized body (including sharing a website, offering joint services or bidding for work together) YES NO

If you have answered **YES** to any of the above, please provide details:

Name the separate business (with any registration details for corporate entities)	Describe the relationship to the Candidate Entity	Give details of work undertaken by the separate business and if regulated, name regulator	Will the business remain separate or amalgamate with the applicant once authorised?

Section 4 - Entity Manager Details

4.1 Rule 8.6 of the SRA Authorisation Rules 2011 requires all managers within any body corporate manager to be approved.

You will need to complete and submit separate forms for approval for each individual or entity who will require approval to be a manager of a body corporate manager.

Please provide details of all persons in the table below who hold the role of manager in the corporate manager:

Name of Manager	SRA Number	Person Type

*If an individual has not previously been approved or authorised by the SRA, this will be the number the individual received when they registered with mySRA. Entities will be assigned a number by the SRA on receipt of their application.

4.2 Please confirm the number of individual and/or entity forms you will be submitting:

Section 5 - Suitability Test

The SRA has a responsibility to ensure that people who hold certain roles are fit and proper. The SRA Suitability Test 2011 expresses the criteria to be satisfied.

The Candidate Entity manager and/or owner is the candidate for the purposes of this section.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

5.1 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

Criminal offences

Refer to Section 1 of the SRA Suitability Test 2011 within the SRA Handbook.

5.2 Has the candidate ever been convicted by a court of a criminal offence:

- i. involving dishonesty, fraud, perjury or bribery;
- ii. specifically in relation to, or which they have been included on the Violent and Sex Offender Register;
- iii. associated with obstructing the course of justice;
- iv. which demonstrated behaviour showing signs of discrimination towards others;
- v. associated with terrorism;
- vi. which was racially aggravated;
- vii. which was motivated by any of the 'protected' characteristics defined within the Equality Act 2010; and/or
- viii. more than one criminal offence.

YES NO

If the candidate has answered 'YES' we will refuse their application unless there are exceptional circumstances.

5.3 Has the candidate ever been convicted by a court of a criminal offence not falling in 5.2 above. YES NO

If the candidate has answered 'YES' we may refuse the application.

5.4 Is the candidate currently facing any criminal charges? YES NO

If the candidate answered 'YES' they must disclose the details of the charge(s). We will not determine their application until they can confirm that the charge(s) have either been dropped or the outcome of their case is known. Please attach all evidence to the completed application.

Evidence and rehabilitation

Refer to sections 7 and 8 of the SRA Suitability Test 2011 within the SRA Handbook. The detailed evidence requirements are specified after each section of the test.

If the candidate has answered 'YES' to questions 5.2 - 5.4 they must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s) such as sentencing remarks;
- C) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references;
- D) any evidence of rehabilitation;
- E) documentary evidence in support of their case and where possible an independent corroboration of their account of the event(s);
- F) if they were fined, evidence of payment of fine(s), reports can be obtained from the court.

The onus is on the candidate to provide any evidence the candidate considers necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

Please attach all evidence to the completed application.

Financial behaviour

Refer to section 5 of the SRA Suitability Test 2011 within the SRA Handbook.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

5.5 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

5.6 Has the candidate ever had a County Court Judgment (CCJ) issued against them or entered into a Corporate Voluntary Arrangement (CVA) or a winding up order issued against them? YES NO

If the candidate answered 'YES' it will raise a presumption that they cannot manage their finances properly and carefully, and we will refuse their application unless there are exceptional circumstances.

Evidence and rehabilitation

If the candidate has answered 'YES' to question 5.6 they must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s), to include paperwork from the court relating to the hearing, with dates, court reference numbers and the outcome;
- C) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references;
- D) a credit report, no more than one month old at the date of application, through Experian or Equifax;
- E) independent evidence of actions the candidate has taken to clear any debts, satisfy any judgments, and manage their finances.

The onus is on the candidate to provide any evidence they consider necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

Please attach all evidence to your completed application.

Regulatory history

Refer to section 6 of the SRA Suitability Test 2011 within the SRA Handbook.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

5.7 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

5.8 Has the candidate ever:

- i. been made the subject of a disciplinary finding, sanction or action by a regulatory body and/or any court or other body hearing appeals in relation to disciplinary or regulatory findings;
- ii. failed to disclose information to a regulatory body when required to do so, or provided false or misleading information;
- iii. breached the requirements of a regulatory body;
- iv. been refused registration by a regulatory body; and/or
- v. failed to comply with the requests of a regulatory body.

YES NO

If the candidate answered 'YES' we will refuse their application unless there are exceptional circumstances.

5.9 Has the candidate ever been rebuked or reprimanded by or received a warning about their conduct from a regulatory body? YES NO

If the candidate answered 'YES' we may refuse their application.

5.10 Is the candidate currently facing any disciplinary proceeding(s) or investigation(s)? YES NO

If the candidate answered 'YES', they must disclose details of the matter(s). The application may be subject to an extended decision period under Rule 5 of the SRA Authorisation Rules 2011 while we consider any ongoing matter(s). We may be unable to approve an application where the ongoing matter(s) is/are not resolved within the decision period.

Evidence and rehabilitation

If the candidate has answered 'YES' to questions 5.8 - 5.10 you must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s), to include documentation from the regulatory/professional body, minutes from hearings and meetings, confirmation of outcome(s), appeal details (if relevant) and any sanctions;
- C) details of any disciplinary proceeding(s) or investigation(s) they may be facing. Please be aware that we will not determine their application until they can confirm that the matter(s) has/have either been dropped or the outcome of your case is known;
- D) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references;
- E) independent evidence of actions the candidate has taken to satisfy any findings and/or sanctions.

The onus is on the candidate to provide any evidence they consider necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

Please attach all evidence to your completed application.

Any other behaviour

Refer to section 3 of the SRA Suitability Test 2011 within the SRA Handbook.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

5.11 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

5.12 Are there any other factors which may call into question the candidate's character and suitability? YES NO

Unless there are exceptional circumstances we will refuse the candidate's application if they have:

- (i) been responsible for behaviour:
 - (a) which is dishonest;
 - (b) which is violent;
 - (c) where there is evidence of discrimination towards others;
- (ii) misused their position to obtain pecuniary advantage;
- (iii) misused their position of trust in relation to vulnerable people; and/or
- (iv) been responsible for other forms of behaviour which demonstrate that they cannot be relied upon to discharge their regulatory duties.

Evidence and rehabilitation

If the candidate has answered 'YES' to questions 5.12 you must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s);
- C) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references.

The onus is on the candidate to provide any evidence they consider necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

5.13 Has the candidate ever been removed from the office of charity trustee for a charity by an Order of the Charities Act 1993? YES NO

If YES: Please provide details:

5.14 Has the candidate ever been a manager or shareholder of a body corporate which has been the subject of a winding up order, an administration order or any type of receivership, or has otherwise been wound-up or put into administration or has entered into a voluntary arrangement under the Insolvency Act 1986? YES NO

If YES: Please provide details:

5.15 Has the candidate ever committed an offence under the Companies Act 2006? YES NO

If YES: Please provide details:

5.16 Is the candidate aware of any matters which relate to the honesty and integrity of any person they are related to, affiliated with, or act together with which may influence the candidate's authorised role within the applicant/authorised body? YES NO

If **YES**: Please provide details:

5.17 Does or will the candidate have any arrangements, relationships or connections with third parties that may allow another party to have any influence over the running of the applicant/authorised body? YES NO

If **YES**: Please provide details:

5.18 Does the candidate intend to continue with any other business(es) if this application for approval is successful? YES NO

If **YES**: Please provide details:

5.19 Has the candidate been named in any complaints to their regulator or to any Ombudsman in the last 12 months? YES NO

If **YES**: Please provide details:

5.20 Has the candidate ever been disqualified in any capacity under Section 99 of the LSA or under the SRA Authorisation Rules (this includes disqualification from acting as a Head of Finance or Head of Legal Practice)? YES NO

If **YES**: Please provide details:

Section 6 - Declaration

This section is to be completed by an authorised individual manager of the applicant/authorised body.

Knowingly or recklessly giving the SRA information, which is false or misleading, or failing to inform the SRA of significant information may lead to:

- the application being rejected,
- the application for approval of an authorised role holder being rejected,
- authorisation being revoked,
- approval being withdrawn, and
- disciplinary action being taken by the SRA.

It should not be assumed that information is known to the SRA because it is in the public domain or has previously been disclosed to the SRA or another regulatory body. If there is any doubt about the relevance of information, it should be included in this application.

The submission of this PDF constitutes a proper application and the act of submission is evidence of a binding signature.

For the purposes of the Data Protection Act 1998, any personal information provided in this application may be used by the SRA to discharge its statutory functions under the Legal Services Act 2007, the Solicitors Act 1974, the Administration of Justice Act 1985 and any other relevant legislation.

The SRA may make enquiries and seek further information considered necessary in determining this application. In performing these checks, personal information given in the application may be disclosed to registered Credit Reference Agencies who may keep a record of that information.

In making this application on behalf of the candidate:

- 6.1 I confirm that I have read and understood the guidance notes and that the information in this application about the candidate is correct and complete to the best of my knowledge and belief.
- 6.2 I confirm that I have authority to make this application and the declarations on behalf of the applicant and all candidates named in this application.
- 6.3 I have obtained the necessary consents from the candidate for the SRA to disclose to the applicant the results of any checks of any information and any documents held in respect of any candidate.
- 6.4 I confirm that the SRA will be notified as soon as any information provided in this application changes
- 6.5 I confirm that the applicant believes on the basis of due and diligent enquiry that the candidate is a fit and proper person.

Authorised Individual Manager

Please provide details of the Authorised Individual Manager making this declaration:

Surname: Forename(s):

Title: Date of Birth: SRA Number:

E-mail:

Signature: Date:

If completed electronically please tick to say you confirm the declaration.

Please return this form by email to: authorisation@sra.org.uk