Suitability Matrix

Daily policy makers (executive management board)
and persons who otherwise determine the day-to-day policy

**Group B**

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# Explanation

In addition to being trustworthy, persons in charge of day-to-day policy of financial enterprises must also be suitable to adequately fulfil their positions. The financial enterprise nominates its own candidate and substantiates their suitability based on the [**Policy Rule on Suitability 2012**](https://www.afm.nl/~/profmedia/files/wet-regelgeving/beleidsuitingen/beleidsregels/herziene-beleidsregel-geschiktheid.pdf)(as most recently published on 1 April 2023) and the joint EBA and ESMA Suitability Guidelines. The AFM assesses the suitability of the (prospective) person or persons in charge of day-to-day policy based on the Policy Rule and the EBA ESMA Suitability Guidelines. This applies in the case of new appointments and substantial changes in the position and/or final responsibilities of persons in charge of day-to-day policy. A person in charge of day-to-day policy may only be appointed following approval by the AFM. The Policy Rule, its explanatory notes and further information on suitability assessments can be found on the AFM’s website under “Assessment of executive management board members and supervisory board members”. Further information is available on the AFM’s [**website**](https://www.afm.nl/nl-nl/sector/themas/toetsingen/toetsing-bestuurders-en-commissarissen/beoordeling-geschiktheid).
 **Group B**

This suitability matrix applies to the following enterprises in group B of the Policy Rule on Suitability 2012: investment firms, crowdfunding service providers, investment companies, management companies and depositaries. You must indicate in this form why you believe that the person in charge of day-to-day policy concerned meets the requirements set out in the Policy Rule on Suitability 2012. The AFM will take this into consideration in the assessment of the person in charge of day-to-day policy. A limited number of questions are specific to certain types of enterprises within group B, as indicated where applicable.

**For whom?**This form is intended for daily policy makers: directors (two-tier board), executive directors (one-tier board) or persons who otherwise determine the day-to-day policy of enterprises classified in group B of the Policy Rule on Suitability 2012 referred to above.

Members of the Supervisory Board (i.e. supervisory board members and non-daily policy makers (one-tier board)) should use the form "*Suitability Matrix - Non-executive directors (one-tier board) and supervisory board members – Group B*".

**Substantiation**

Your substantiation of the knowledge and experience of daily policy makers (e.g. executive directors), as well as the rationale for the collective composition, is crucial for the AFM's assessment process. The matrix therefore requires both a qualification of the daily policy maker’s knowledge and experience (high, medium or low) and supporting evidence with specific examples. An explanation such as *'the candidate has 10 years of experience in the financial sector*' is insufficient, as it fails to specify the nature of the experience (including the timeframe), the role, and the competencies of the daily policy makers.

**Collective**

Chapter 4 contains the "Matrix of the distribution of ultimate responsibility for board focus areas". Through this matrix, the AFM seeks to understand how ultimate responsibilities are distributed within the collective of daily policy makers. In other words: which daily policy maker holds ultimate responsibility for each focus area. While a collective bears joint responsibility for the entire enterprise, responsibilities are typically distributed within it. The AFM considers it essential that individuals should be positioned where their knowledge, competencies and added value are most effectively utilized.

This form requires explanation of how the collective as a whole meets the requirements outlined in the Policy Rule on Suitability 2012. Questions address aspects such as: how individuals collaborate, their individual strengths and their function within the collective, whether they share similar backgrounds or complement each other.

**Changes in ultimate responsibilities of current daily policy makers**

If a current daily policy maker transfers to another executive position within the same enterprise, this triggers an assessment as defined in section 1.5a of the Policy Rule on Suitability 2012. In such cases, the AFM expects the enterprise to notify it of these changes in daily policy makers' task allocation in a timely manner and to have the relevant daily policy maker(s) undergo a renewed suitability assessment by the AFM. For this purpose, you must submit an assessment request to the AFM, specifying that it concerns a position change.

# General information

If you have any questions about completing this suitability matrix, please email them to: Ondersteuning\_Personentoetsingen@afm.nl

|  |  |
| --- | --- |
| Name of candidate to be assessed | Click or tap here to enter text. |
| Role after appointment of candidate to be assessed | Click or tap here to enter text. |
| Has the candidate’s suitability previously been assessed for a similar role and final responsibilities? If so, where and when? | [ ] yes [ ] no .Click or tap here to enter text. |
| Proposed date of appointment | Click or tap here to enter text. |
| Will the candidate to be assessed replace a departing policymaker? | [ ] Yes[[1]](#footnote-2) [ ] no |
| Name of departing policymaker (if applicable) | Click or tap here to enter text. |
| Will the functions and ultimate responsibilities within the current collective change? | [ ] Yes[[2]](#footnote-3) [ ] no |
| Is a condition attached to the licence regarding the number of people employed in the company? This means a staff of no more than six persons, including policymakers, employees on permanent and temporary contracts, temporary workers, seconded employees, etc.? | [ ] no[ ]  yes, and following the candidate’s appointment the enterprise will have a staff of fewer than seven persons[ ]  yes, and following the candidate’s appointment the enterprise will have a staff of more than six persons |
| Matrix completed by (name) | Click or tap here to enter text. |
| Matrix completed on (date) | Click or tap to enter a date. |
| Has the candidate taken note of the completed matrix? | [ ] yes [ ] no |
| Have the scores been discussed with the collective? | [ ] yes [ ] no |

# Considerations regarding the composition of the collective

Please provide your motivation regarding:

1. Why you have chosen this composition of the collective: describe the collaboration dynamics, roles and characteristics of the various members that contribute to an effective collective?
2. Which ultimate responsibilities have been redistributed within the current collective?
3. What will be the role of the newly registered daily policy maker within the collective?
4. Have specific daily policy makers been selected based on their particular added value to the collective (e.g., expertise required for specific activities or in areas such as IT)? If so, who are these individuals and what is their added value?
5. In which areas does the collective perform strongest and where is room for improvement in your assessment? How do you address these areas of lesser strength?

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| [You may expand the text box if needed] |

# Matrix division of ultimate responsibility in focus areas of the Executive Board

Please indicate in the table on the next page which daily policy maker holds ultimate responsibility for each focus area. Only one daily policy maker can hold ultimate responsibility for each focus area. If ultimate responsibility is assigned to more than one person, please provide your rationale in the free text field on page 9.

If an activity does not occur within your enterprise, indicate "N/A" next to the relevant focus area.

If an activity has been outsourced, specify this in the table on the next page and indicate which daily policy maker within the collective holds ultimate responsibility. You may also provide additional context regarding ultimate responsibility for outsourced activities in the free text field on page 9.

Additional rows and topics may be added as needed.[[3]](#footnote-4)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Management** | ***Name of person 1*** | ***Name of person 2*** | ***Name of person 3*** | ***Name of person 4*** | ***Name of person 5*** |
| ***Function/area of interest*** | ***Function*** | ***Function*** | ***Function*** | ***Function*** | ***Function*** |
| Chair |[ ] [ ] [ ] [ ] [ ]
| Strategy |[ ] [ ] [ ] [ ] [ ]
| Policy |[ ] [ ] [ ] [ ] [ ]
| Investing[[4]](#footnote-5) (n/a for depositories) *Important: functional separation relative to Risk Management* |[ ] [ ] [ ] [ ] [ ]
| Risk management *Important: functional separation relative to Investing* |[ ] [ ] [ ] [ ] [ ]
| Compliance |[ ] [ ] [ ] [ ] [ ]
| Financial administration |[ ] [ ] [ ] [ ] [ ]
| Investment administration |[ ] [ ] [ ] [ ] [ ]
| AO/IC, processes |[ ] [ ] [ ] [ ] [ ]
| Control, Internal Audit |[ ] [ ] [ ] [ ] [ ]
| Wwft and Sanctions Act |[ ] [ ] [ ] [ ] [ ]
| IT |[ ] [ ] [ ] [ ] [ ]
| ESG |[ ] [ ] [ ] [ ] [ ]
| HRM (including D&I) |[ ] [ ] [ ] [ ] [ ]
| Facility management |[ ] [ ] [ ] [ ] [ ]
| Other matters (specify) |[ ] [ ] [ ] [ ] [ ]

# Explanation of division of focus areas

Requested explanation:

* If ultimate responsibility for a focus area is assigned to multiple daily policy makers (e.g. two daily policy makers holding ultimate responsibility for the Compliance focus area), please provide your explanation here.
* If applicable: explain the redistribution of ultimate responsibilities and/or changes in role within the existing collective.
**Important: a redistribution of ultimate responsibilities may trigger a new suitability assessment for the relevant daily policy maker(s).
See also page 4.**
* Please also provide your explanation here regarding ultimate responsibility for outsourced activities.

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# Matrix knowledge and experience of each person in charge of day-to-day policy to be assessed

The matrix with questions about suitability must be completed for each board member, supported by a substantiation of this knowledge and experience. For each component, we also ask for the degree of knowledge and experience (high, medium, low) for the collective as a whole.

**Score level of knowledge and experience**

Please indicate below, for each question, the relevant daily policy maker's knowledge and work experience in this area as being at a low, medium, or high level:

* Low has basic knowledge and experience in this area.
* Medium has a good understanding of the subject, through knowledge and experience (but is not an expert in this field).
* High has very extensive knowledge and work experience in this field (is regarded as an expert by others).

It is not plausible that a “high” score is obtained in all areas. Also, it is not necessary to obtain a “high” score in all areas in order to be approved by the AFM. However, there must be sufficient knowledge and experience present, both individually and in the collective, in accordance with the requirements of the Policy Rule on Suitability 2012.

 **What explanation does the AFM request?**

Please state below in the section “Explanation” the relevant work experience, projects, cross-departmental responsibilities and functions for the position being obtained, substantiating the knowledge and experience of the person in charge of day-to-day policy. Relevant work experience means experience gained in a work environment that is largely similar to or has sufficient points in common with the type of enterprise and the type of position in which a policymaker wishes to work. There are limits concerning the duration required to obtain knowledge and experience. The applicable period is stated for each section. More information can be found in the schedule '*Fitness requirements for policymakers at enterprises in Group B prior to appointment*' that you can find on the AFM [**website.**](https://www.afm.nl/nl-nl/sector/themas/toetsingen/toetsing-bestuurders-en-commissarissen/beoordeling-geschiktheid)

A number of questions are intended for specific companies. This is explicitly stated with the relevant questions. Other questions apply to all companies.

Tips:

Substantiation of suitability for each of the components listed below (A, B, C, D, E and where applicable F and G), should be based on your own knowledge and experience. The table on the next page gives various examples of insufficient substantiation of the suitability of a candidate to be appointed.

|  |  |
| --- | --- |
| Policy Rule Part | Examples of insufficient substantiation [[5]](#footnote-6) |
| 1. Managerial skills (directorial, board room skills)
 | I was manager of a team of 5 FTEs.*[This information concerns hierarchical leadership skills, not managerial skills]* |
| 1. Hierarchical leadership skills
 | I was team leader for three years, managing staff and providing input for their assessments. I had no budget responsibility and limited signing powers. The executive board conducted the assessment interviews.*[This experience does not qualify as hierarchical leadership experience, but as functional leadership experience]* |
| 1. General professional knowledge
 | I have 20 years of experience in the financial markets.*[This statement is insufficient substantiation]* |
| 1. Specific professional knowledge
 | I worked as Head of Compliance at enterprise X, which is subject to supervision, for the past seven years and am now to be appointed as a director at enterprise Y, with final responsibility for the Compliance focus area.*[This substantiation refers to suitability in relation to “back office” tasks (controlled and sound business operations) and not suitability in relation to "front office" tasks]* |
| 1. Controlled and sound business operations
 | In my role as CEO of enterprise X, I worked closely with the CRO and hence know a lot about risk management.*[This substantiation does not concern the candidate's experience in relation to risk management. It also does not reveal what his responsibilities and duties were in relation to risk management]* |

## Managerial (directorial) skills necessary for day-to-day policy

**Managerial skills**

This concerns management skills that are necessary to determine day-to-day policy properly. Assessing these skills involves examining the work experience that has been gained and that is useful for managing an enterprise, taking into account the level of work experience, the role and the degree of responsibility within the enterprise. Examples are responsibility for cross-department matters, duties requiring organisational skills and the role within an enterprise. Managerial skills may also be evident from the responsibility assumed by a policymaker, for example in independent entrepreneurship. By contrast, leadership skills are always gained by being in charge of a number of staff.

Please note: This component is non-compensable within the collective.

For more information: see [**Policy Rule on Suitability 2012**](https://www.afm.nl/~/profmedia/files/wet-regelgeving/beleidsuitingen/beleidsregels/herziene-beleidsregel-geschiktheid.pdf)including explanatory notes (as most recently published on 1 April 2023)*.*

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| 1. **Managerial skills necessary for day-to-day policy**

**IMPORTANT: experience must date from no more than 10 years before the time of assessment.** |
| Aspect | ExplanationThe managerial skills necessary for day-to-day policy must have been gained over a period of at least two years' work experience, at least one year of which was a continuous period. | Score(see p. 10) |
| **A1. Management experience**As a director, held (final) responsibility for a (financial) enterprise. | Explanation: Where (which and type of enterprise) and when (period of time) was the knowledge and experience gained, what did this involve (role, task, principal/secondary position, responsibilities, chairing meetings, etc.)? | [ ] high[ ] medium[ ] low |
| **A2. Managerial skills** Has gained managerial skills that are necessary to determine the day-to-day policy of a (financial) enterprise properly. | Explanation: Where (which enterprise) and when (period of time) was the knowledge and experience gained, what did this involve? Which role and responsibilities? Chairing meetings? Was this a principal or secondary position? | [ ] high[ ] medium[ ] low |
| **A3. Budget responsibility**Had a role with budget responsibility within an organisation. | Explanation: Where and when was the knowledge and experience gained, what did this involve, did the role involve final responsibility or shared responsibility? | [ ] high[ ] medium[ ] low |
| **A4. Decision-making**Has experience with (complex) decision-making processes. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high[ ] medium[ ] low |
| **A5. Strategy and policy**Had a role with responsibility for determining strategy/policy within an organisation. | Explanation: Where and when was the knowledge and experience gained, what did the responsibility involve? | [ ] high[ ]  medium[ ] low |
| **A6. Responsibilities**Has had cross-departmental responsibilities. | Explanation: Where and when was experience gained, what did the responsibility involve? | [ ] high[ ] medium[ ] low |
| **A7. Compliance** Has had responsibility for the observance and enforcement of codes and internal rules, as set out in corporate governance codes and codes of conduct, and applicable laws and regulations. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high[ ] medium[ ] low |
| **A8. Outsourcing**Has experience in supervising and/or monitoring outsourced activities. | Explanation: Where and when was the knowledge and experience gained, what did this involve, which activities did this concern? | [ ] high[ ] medium[ ] low |
| **A9. Communication**Knows when and how stakeholders (including supervisors, customers, shareholders, external auditor) need to be informed, and has experience in doing so. | Explanation: Where and when was the knowledge and experience gained, what did this involve, which activities did this concern? | [ ] high[ ] medium[ ] low |
| **A10. Crisis management**Has experience in managing crisis situations within a management board and/or enterprise. | Explanation: Where and when was this experience gained, what did the crisis involve, what were the candidate’s responsibilities, which activities did this concern? | [ ] high[ ] medium[ ] low |
| **A11. Other**Other relevant knowledge and specific areas of experience in this area:*To be filled in, if and to the extent present.* | Explanation: Where and when was the knowledge and experience gained, what did this involve, which activities did this concern? | [ ] high[ ] medium[ ] low |

## Leadership skills in a hierarchical relationship

**Leadership skills in a hierarchical relationship**
Providing leadership in a hierarchy involves knowing from experience how to discharge the responsibilities and exercise the powers necessary to manage an organisational unit. More information:

For more information: see [**Policy Rule on Suitability 2012**](https://www.afm.nl/~/profmedia/files/wet-regelgeving/beleidsuitingen/beleidsregels/herziene-beleidsregel-geschiktheid.pdf)including explanatory notes (as most recently published on 1 April 2023)*.*

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| 1. **Leadership skills in a hierarchical relationship**

**IMPORTANT: experience must date from no more than 10 years before the time of assessment.** |
| Aspect | ExplanationThe hierarchical leadership experience must have been gained over a period of at least two years’ work experience, at least one year of which was a continuous period. | Score(see p. 10) |
| **B1. Leadership of an organisation**Provided leadership in a hierarchy to an organisation. | Explanation: Where and when was the knowledge and experience gained, what did this involve, what was the size (FTEs) of the organisation and for how many persons/FTEs did the candidate have hierarchical responsibility? | [ ] high [ ] medium [ ] low  |
| **B2. Leadership of a team**Provided leadership in a hierarchy to a collective, department or team. | Explanation: Where and when was the knowledge and experience gained, what did this involve? Where, when and to how many FTEs/persons was direct leadership in a hierarchy provided? | [ ] high [ ] medium [ ] low  |
| **B3. Other**Other relevant knowledge and specific areas of experience in this area (where applicable). | Explanation: Where and when was the experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |

## General professional knowledge gained in a relevant work setting

**General professional knowledge**

General suitability is deemed to include general knowledge of the financial markets, financial products and financial services relevant to an enterprise and the statutory supervision framework applicable to an enterprise. This can be demonstrated on the basis of sufficient work experience or training.

For more information: see [**Policy Rule on Suitability 2012**](https://www.afm.nl/~/profmedia/files/wet-regelgeving/beleidsuitingen/beleidsregels/herziene-beleidsregel-geschiktheid.pdf)including explanatory notes (as most recently published on 1 April 2023)*.*

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| 1. **General professional knowledge gained in a relevant work setting**

**IMPORTANT: experience must date from no more than 5 years before the time of assessment.** |
| Aspect | ExplanationThe general professional knowledge must have been gained in a relevant work setting over a period of at least two years’ work experience, at least one year of which was a continuous period. | Score(see p. 10) |
| **C1. Market**Has general knowledge of and experience with the market in which the enterprise operates and the relevant developments on this market. | Explanation: Where and when was the knowledge and experience gained, what did this involve? What education programme/training was taken for this purpose? | [ ] high [ ] medium [ ] low  |
| **C2. Products and services**Has general knowledge of and experience with performing the licensed-based activities of the enterprise to which the candidate is to be appointed. | Explanation: Where, in which relevant work setting, when and with which products and/or services was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **C3. Legislation and regulations**Has knowledge of and experience with relevant laws and regulations, including Wft, the Money Laundering and Terrorist Financing (Prevention) Act (Wwft) (including TFR), the Sanctions Act, DORA as well as the relevant supervision regulations and policy rules. It is important that the day-to-day policymakers have knowledge of compliance with laws and regulations and the developments therein. | Explanation: Where, when and with respect to which laws and regulations was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| **C4. Other** Other relevant knowledge and specific areas of experience in this area:*To be filled in, if and to the extent present.* | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |

## Specific professional knowledge gained in a relevant work setting

**Specific professional knowledge**

Specific professional knowledge refers to the required suitability for performing an enterprise’s activities (front office). The nature of the enterprise also influences the required level of suitability.

For more information: see [**Policy Rule on Suitability 2012**](https://www.afm.nl/~/profmedia/files/wet-regelgeving/beleidsuitingen/beleidsregels/herziene-beleidsregel-geschiktheid.pdf)including explanatory notes (as most recently published on 1 April 2023)*.*

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| 1. **Specific professional knowledge gained in a relevant work setting**

**IMPORTANT: experience must date from no more than 5 years before the time of assessment.** |
| Aspect | ExplanationThe specific professional knowledge must have been gained in a relevant work setting over a period of at least two years’ work experience, at least one year of which was a continuous period. | Score(see p. 10) |
| **D1. Front office experience**Has direct knowledge of and experience with performing the licensed-based activities of the enterprise to which the candidate is to be appointed (e.g. portfolio management, asset custody services, investment advice, market making, collective investment companies, etc.) | Explanation: What knowledge and experience does this involve? Where and when was the knowledge and experience gained? What did the responsibilities involve? Were the knowledge and experience gained as an daily policy maker, in a hierarchical leadership role or as an operative? How is this experience appropriate to your duties following appointment and to the enterprise to which you are to be appointed? Front office experience here refers to experience with front-line work.  | [ ] high [ ] medium [ ] low  |
| **D2. Professional knowledge**Has specific knowledge and expertise relevant to the enterprise and the market in which it operates.  | Explanation: Where and when was the specific professional knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **D3. Product knowledge** Has knowledge of and experience with the products and/or services of the enterprise. | Explanation: Where and when was the knowledge and experience gained, what did this involve? What kind of products and services do the acquired knowledge and experience relate to? | [ ] high [ ] medium [ ] low  |
| **D4. Product development** Has knowledge of and experience with the development of products and/or services similar to those of the enterprise. | Explanation: Where and when was the knowledge and experience gained, what did this involve and what type of products are concerned? | [ ] high [ ] medium [ ] low  |
| **D5. Abuse**Is aware of how the services and products can be abused for the purposes of market manipulation, money laundering and terrorism financing and has knowledge of and experience with mitigating this risk. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low |
| **D6. Appropriateness** Has experience with assessments of appropriateness of products and/or services similar to those of the enterprise for its customers. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **D7. Customers’ interests** Has knowledge of and experience with putting the customers’ interests first in the provision of services. | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| ***For crowdfunding service providers only*****D8. Information provision** Has knowledge of and experience with correct, clear and non-misleading information provision to project owners and investors (loan based and equity based). | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low |
| ***Only for crowdfunding service providers*****D9. Credit risks** Has knowledge of and experience in assessing credit risks and determining the repayment capacity of companies (loan based). | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low |
| ***Only for crowdfunding service providers*****D10. Business valuation models** Has knowledge of and experience with business valuation models to be able to estimate the correct pricing (equity based). | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low |
| ***For crowdfunding service providers only*****D11. Admission knowledge test** Has knowledge of and experience with the admission knowledge test and loss capacity simulation. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low |
| ***Only for crowdfunding service providers*****D12. KIIS** Has knowledge of and experience with the key investment information sheet (KIIS). | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low |
| **D13. Other**Other relevant knowledge and specific areas of experience in this area:*To be filled in, if and to the extent present.* | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low |

## Suitability with regard to controlled and sound business operations

A policymaker must be suitable with regard to controlled and sound business operations (back office). The controlled and sound business operations also include monitoring and controlling financial and IT risks. The knowledge and experience may have been gained in a non-financial enterprise, but must be related to the nature of the enterprise in which the policymaker will work.

Factors that will be taken into account in the assessment include the size of the enterprise where the experience was gained, the position in which the policymaker gained their experience and the complexity of the enterprise concerned. The experience must be appropriate to the enterprise to which the policymaker is to be appointed and the position they will hold.

For more information: see [**Policy Rule on Suitability 2012**](https://www.afm.nl/~/profmedia/files/wet-regelgeving/beleidsuitingen/beleidsregels/herziene-beleidsregel-geschiktheid.pdf)including explanatory notes (as most recently published on 1 April 2023)*.*

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| 1. **Suitability with regard to controlled and sound business operations**

**IMPORTANT: experience must date from no more than 10 years before the time of assessment.** |
| Aspect | ExplanationThe suitability with regard to controlled and sound business operations must have been gained over a period of at least two years’ work experience, at least one year of which was a continuous period. | Score(see p. 10) |
| **E1. Risk management**Has held the direct responsibility for risk management and has knowledge of and experience with the identification, recognition and management/mitigation of the enterprise’s most relevant risks, including integrity risk and cybersecurity risk (cloud access, storage, processing, etc.). | Explanation: Where and when was the knowledge and experience gained, what did this involve, was the knowledge and experience gained as a director or an operative? Which risk management education programmes/training courses were taken, and when? | [ ] high [ ] medium [ ] low |
| **E2. Risk management policy**Has experience in drafting and/or assessing the policy with regard to risk management and related procedures and measures, as well as asking critical questions in that regard. | Explanation: Where and when was the knowledge and experience gained, what did this involve? Specify whether this involved the business risk and/or product risks.  | [ ] high [ ] medium [ ] low  |
| **E3. Compliance** Has knowledge of and experience with holding responsibility for the compliance function. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **E4. Treatment of customers** Has experience in assessing the safeguarding of the proper treatment of customers. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **E5. AO IC**Has experience with the organisation and operation of the administrative organisation and internal control (AO and IC). | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **E6. Internal Audit (IAD)**Has experience with the structure, existence and operation of the Internal Audit (IAD) function. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **E7. Administration** Has experience with the structure, existence and operation of financial and/or product-related record-keeping. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **E8. Remuneration policy** Has experience in assessing executive remuneration policies. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| **E9. Outsourcing** Has knowledge of and experience with the policy for outsourcing. Is able to understand the policy for outsourcing and ask critical questions about it. | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| **E10. IT risks**Has experience in detecting, controlling and monitoring IT risks for a (financial) company | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| **E11. DORA**Is familiar with DORA requirements and experience in structuring and implementing them in operational management. | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| ***For Investment Firms Only:*****E12. ESG**Has knowledge and experience with risk management related to sustainability (environment, society and governance) | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |
| ***For Investment Firms Only:*****E13. Wwft and Sanctions Act**Has knowledge of and experience with risk management in relation to combatting/preventing money laundering and terrorist financing. | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| ***Only for Collective Investment Companies and Investment Firms:***[**E14. Prudential requirements**](https://www.dnb.nl/voor-de-sector/open-boek-toezicht/sectoren/beleggingsinstellingen/prudentieel-toezicht/factsheet-prudentiele-aandachtspunten-bij-aanvragen-en-in-het-doorlopend-toezicht/)Has knowledge and experience in applying prudential requirements, including calculating capital requirements and regulatory capital and preparing prudential supervisory reports. | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| ***Only for Collective Investment Companies and Investment Firms:***[**E15. Prudential risks**](https://www.dnb.nl/voor-de-sector/open-boek-toezicht/sectoren/beleggingsinstellingen/prudentieel-toezicht/factsheet-prudentiele-aandachtspunten-bij-aanvragen-en-in-het-doorlopend-toezicht/)Has knowledge and experience in determining prudential risks and managing those risks. | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| ***For Depositaries Only:*****E16. Cash flows** Has experience in cash flow control *.* | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| ***For Depositaries Only:*****E17. Custody Assets** Has experience in the safekeeping of custody assets*.* | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| ***For Depositaries Only:*****E18. Assets** Has experience in asset ownership verification and registration. | Explanation: Where and when was the knowledge and experience gained, what did this involve?  | [ ] high [ ] medium [ ] low  |
| **E12. Other** Other relevant knowledge and specific areas of experience in this area:*To be filled in, if and to the extent present.* | Explanation: Where and when was the knowledge and experience gained, what did this involve? | [ ] high [ ] medium [ ] low  |

**The subjects 'F. Independence of mind' and 'G. Sufficient time' are mandatory for investment firms:**

## Independence of mind (mandatory for investment firms)

A policymaker must demonstrate independence of mind, meaning they must be able to make sound, objective, and independent decisions in the execution of their duties. The **ESMA Guidelines on the management body of market operators and data reporting services providers** and the **EBA/ESMA Guidelines on the assessment of the suitability of members of the management body and key function holders** outline the criteria for assessing independence of mind. Based on the responses provided, the AFM may request further elaboration.

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| **F. Independence of mind (to be completed for new policy maker)** |
| **F1. Integrity and independence**Acts with honesty, integrity and maintains independence of mind. This ensures the ability to make sound, objective, and independent decisions. | Explanation:Provide an example of your independent actions here, including in a situation where you are de facto not (or cannot be) independent of the company. You can make the text box larger. |
| **F2. Challenge and Dissent**Acts with honesty, integrity and independence of mind. Provides and invites constructive challenge when making decisions, where necessary. | Explanation: Describe here a concrete example regarding decision-making and counter-pressure. |
| **F3. Mitigating Measures**What mitigating measures have been implemented to prevent conflicts of interest if the proposed supervisor holds multiple (secondary) positions? | Explanation |

## Sufficient time (mandatory for investment firms)

Policymakers must be able to properly fulfill their responsibilities. They should demonstrate loyalty, identify with the enterprise, and show commitment. Despite any other (secondary) roles, policymakers must allocate sufficient time to their duties within the enterprise, taking into account possible periods of significantly increased activity, both within the enterprise itself and in other entities where they hold a position or secondary position. Various factors may influence the time a policymaker can dedicate to their responsibilities.

The assessment of whether a policymaker has sufficient time is both quantitative (ensuring compliance with applicable legal limits) and qualitative (evaluating the actual hours devoted to all roles). In addition to legal constraints, the quantitative assessment also considers the total workload from all positions held. The enterprise must provide all relevant and necessary information to the regulator to demonstrate that the policymaker has sufficient time to fulfill their role(s). Based on the responses provided, additional clarification may be requested.

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| --- |
| **G. Sufficient time (to be completed for new policymaker)** |
| **G1. As a person in charge of day-to-day policy - regular**How many hours do you need to perform the task for which you are currently being assessed in a normal situation? (hours per week and days per year)?  | Explanation. |
| **G2. As a person in charge of day-to-day policy - peak period**How many hours do you need and can you make available to perform the task for which you are currently being assessed in a period of significantly increased activity (e.g. a crisis situation) of the enterprise (hours per week and days per year)?  | Explanation. |
| **G3. (Secondary) duties - internal**Total number of hours (per week) that the policymaker devotes to non-policymaking duties within the organisation and/or any group company or companies. | Explanation. |
| **G4. (Secondary) duties - external**Total number of hours (per week) that the policymaker devotes to secondary duties, beyond the position for which this application is made.  | Explanation. |
| **G5. How to combine**How will the person in charge of day-to-day policy who is to be appointed combine the various positions and functions in terms of time spent (including in case of emergencies)? | Explanation. |

# Overview of time devoted (to be filled out for the new policymaker)

The AFM may conduct a detailed assessment of the policymaker’s actual availability based on the reported time commitment across all current and intended positions, including secondary positions. Suitability is an ongoing requirement. Any changes in the policymaker’s availability must be communicated to the enterprise in a timely manner, allowing the enterprise to take appropriate measures if needed. Examples of such changes include the acceptance of new (secondary) positions or personal circumstances such as long-term illness or caregiving responsibilities.

Below, please list all positions and secondary positions, including the position for which this notification is being submitted.

Additional rows may be added as needed.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Entity** | **Country** | **Description of the entity's activities** | **The person in charge of day-to-day policy’s position at the entity** **(e.g. director, member of the supervisory board, etc.)** | **Additional responsibilities (chairpersonships, committees, etc.)** | **Time devoted****(hours per week and days per year)** | **Term of office (from – to)** | **Number of meetings per year** |
|  |  |  | *[Starting with the prospective board position]* |  |  |  |  |
|  |  |  | *[Current other position(s)]* |  |  |  |  |
|  |  |  | *[Current other position(s)]* |  |  |  |  |
|  |  |  | *[Current secondary position(s)]* |  |  |  |  |

1. You must deregister the departing supervisor via the AFM Portal. Deregistration from the trade register of the Chamber of Commerce can take place after the AFM has approved the deregistration. [↑](#footnote-ref-2)
2. If a sitting policymaker moves to another policymaking position within the same company (for example: if the CRO succeeds the retiring CFO, or if the CFO is given ultimate responsibility for risk management as a new task), this constitutes a moment of assessment as referred to in section 1.5.a of the Policy Rule on Suitability 2012. The AFM expects the company to have the relevant policymaker(s) reassessed for suitability in a timely manner. To this end, you must submit an assessment request to the AFM, stating that it concerns a change of position. [↑](#footnote-ref-3)
3. This list is neither cumulative nor exhaustive [↑](#footnote-ref-4)
4. The focus area “Investing” encompasses the licensed activities of the enterprise, which may include investment services, investment activities, trading, management of collective investment company and crowdfunding services. [↑](#footnote-ref-5)
5. The use of the male pronoun in this matrix also includes the female pronoun. [↑](#footnote-ref-6)