**ANNEX 2:**

**FOR ALL APPLICANTS APPLYING TO CARRY ON SERVICES ANCILLARY TO CREDIT IN RELATION TO REGULATED AGREEMENTS**

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| --- |
| **What is a regulated agreement?** “Regulated agreements” are defined under section 6(1) of *The Lending, Credit and Finance (Bailiwick of Guernsey) Law, 2022* (“the Law”) as:‘A regulated agreement is one made by or on behalf of, and between –1. a provider of credit and a customer who is an individual acting for purposes wholly or mainly outside that individual’s trade, business or profession, whereby credit is provided and interest or other charges may be levied on the customer, or
2. a provider of credit and any customer, whereby credit is provided and interest or other charges may be levied on the customer and the credit is secured against real property situated in the Bailiwick and used for residential purposes.’

**What if I provide services ancillary to credit, but none of the credit arrangements are regulated agreements?**A licence is not required for this activity unless it falls within the financial firm business (Part III) list of activities. Please check the FAQs and the financial firm business decision tree to check whether your firm should instead apply under this licence type. If so, please complete annex 3 to the application form. |

Name of Applicant:

|  |
| --- |
|  |

1. Please provide copies of the following:

|  |
| --- |
| Please only provide the below documentation in respect of the regulated activity(ies) to which this application relates. |

|  |  |  |
| --- | --- | --- |
|  | Submitted | N/A |
| 1. Policy in relation to vulnerable customers; and
 |[ ]   |
| 1. Procedures for assessing affordability (where applicable).
 |[ ] [ ]

**ANNEX 2(a):**

**OTHER INFORMATION – BROKERS**

1. Names of lenders who make/will make available regulated agreements brokered by the Applicant:

|  |
| --- |
| Lender name(s) and trading name(s) (if different): |
|  |

1. Please provide copies of the following:

|  |
| --- |
| **Please note that the requirements pertaining to professional indemnity insurance and insurance against employee dishonesty or fraud is only applicable to home finance brokers.** Please only provide the below documentation in respect of the regulated activity(ies) to which this application relates. |

|  |  |  |
| --- | --- | --- |
|  | Submitted | N/A |
| 1. A copy of the cover note/acceptance in principle in respect of the professional indemnity insurance for the Applicant to include the sums insured, deductibles, significant exclusions and geographical limitations; and
 |[ ] [ ]
| 1. A copy of the cover note/acceptance in principle in respect of the insurance against employee dishonesty or fraud for the Applicant to include the sums insured, deductibles, significant exclusions and geographical limitations.
 |[ ] [ ]

**ANNEX 2(b):**

**OTHER INFORMATION – APPOINTED SERVICE PROVIDERS:**

1. Names of private lenders who are exempt from the requirement to be licensed, on behalf of whom the Applicant acts as Appointed Service Provider:

|  |  |
| --- | --- |
| Lender name or trading name(s) (if different): | Address: |
|  |  |

**ANNEX 2(c):**

**OTHER INFORMATION – DEBT ADMINISTRATORS**

1. Please provide copies of the following:

|  |
| --- |
| Please only provide the below documentation in respect of the regulated activity(ies) to which this application relates. |

|  |  |
| --- | --- |
|  | Submitted |
| 1. Policy and procedures in respect of instances of defaults and arrears; and
 |[ ]
| 1. Forbearance policy.
 |[ ]

**SUPPLEMENTARY QUESTIONS TO ANNEX 2 (*for existing firms only*):**

**FOR ALL APPLICANTS APPLYING TO CARRY ON SERVICES ANCILLARY TO CREDIT IN RELATION TO REGULATED AGREEMENTS**

1. Total gross income from all business activity during the year ending 31 December 2022 (£):

|  |
| --- |
|  |

1. Number of complaints received in the course of services ancillary to credit provision during the year ending 31 December 2022:

|  |
| --- |
|  |

Of these, how many were considered “significant complaints”? Please provide a brief explanation of the nature of these complaints:

|  |
| --- |
|  |

|  |
| --- |
| Going forward, a significant complaint will be defined as a complaint alleging a breach of the Law, bad faith, malpractice, impropriety, or repetition or recurrence of a matter previously complained of, whether significant or otherwise, as per section 13.1 [Interpretation] of *The Lending, Credit and Finance Rules and Guidance, 2023* |

**SUPPLEMENTARY QUESTIONS TO ANNEX 2(a):**

**(TO BE COMPLETED BY BROKERS ONLY)**

|  |
| --- |
| For the avoidance of doubt, figures requested in respect of “consumer credit” and “home finance” relate to existing credit arrangements which will become regulated agreements under the Law from 1 July 2023. |

1. Number of customers for whom loans/credit were brokered during the year ended 31 December 2022:

|  |  |  |
| --- | --- | --- |
| Number of consumer credit customers: | Number of home finance customers: | Total number of customers (including loans/credit arrangements that are not regulated agreements): |
|  |  |  |

1. Number of agreements arranged by the Applicant, during the year ended 31 December 2022:

|  |  |  |
| --- | --- | --- |
| Number of consumer credit agreements: | Number of home finance agreements: | Total number of agreements (including loans/credit arrangements that are not regulated agreements): |
|  |  |  |

|  |
| --- |
| In question 3 “number of customers” refers to the number of individuals to whom credit is provided. For example – a credit provider issues the following agreements:* Loan 1 to Mr A
* Loan 2 to Mrs B
* Loan 3 to Mr A and Mrs B
* Loan 4 to Mr A and C Ltd

In this example, the number of individual customers is 2 and the “number of agreements” is 4.  |

1. Value of loans/credit brokered during the year ending 31 December 2022:

|  |  |  |
| --- | --- | --- |
| Value of consumer credit/loans brokered (£): | Value of home finance loans brokered (£): | Total value of loans/credit brokered (£): |
|  |  |  |

1. Total gross income from broking activity in relation to regulated agreements during the year ending 31 December 2022:

|  |  |  |
| --- | --- | --- |
| Total gross income from consumer credit broking (£): | Total gross income from home finance broking (£): | Total gross income from finance broking activity not related to regulated agreements (£): |
|  |  |  |

**SUPPLEMENTARY QUESTIONS TO ANNEX 2(b):**

**(TO BE COMPLETED BY APPOINTED SERVICE PROVIDERS ONLY)**

1. For each lender where the Applicant acts as an Appointed Service Provider, the number of customers and value of loan/credit book, as at 31 December 2022 (£):

|  |  |  |
| --- | --- | --- |
| Lender: | Number of customers: | Value (£): |
|  |  |  |

1. For each lender, the number and total value of loans (in respect of this activity) rolled over or extended during the year ending 31 December 2022:

|  |  |  |
| --- | --- | --- |
| Lender: | Number of loans: | Total value of loans (£): |
|  |  |  |

1. For each lender, the number and total value of loans (in respect of this activity) placed in arrears during the year ending 31 December 2022:

|  |  |  |
| --- | --- | --- |
| Lender: | Number of loans: | Total value of loans (£): |
|  |  |  |

**SUPPLEMENTARY QUESTIONS TO ANNEX 2(c):**

**(TO BE COMPLETED BY DEBT ADMINISTRATORS ONLY)**

1. Total value of debt handled during the year ending 31 December 2022 (£):

|  |
| --- |
|  |

1. Total gross income (remuneration) from debt administration activity during the year ending 31 December 2022 (£):

|  |
| --- |
|  |

1. Number of customers subject to debt administration and value of debt administered, by lender, as at 31 December 2022:

|  |  |  |
| --- | --- | --- |
| Lender: | Number of customers: | Value (£):  |
|  |  |  |