APPLICATION FOR REGISTRATION OF THIRD-COUNTRY AUDITORS AND AUDIT ENTITIES DECLARATION OF HONOUR - LEGAL PERSONS

This document is an Annex to application form for registration of third-country auditors and audit entities according to Article 45 of the amended Directive 2006/43/EC of 17 May, 2006 on statutory audits of the annual accounts and consolidated accounts.

The declaration shall be filled in electronically and submitted to the CSSF either in paper form bearing a handwritten signature or in electronic form bearing a qualified electronic signature within the meaning of Regulation (EU) No 910/2014 authenticating the undersigned person and holding his/her personal liability and the liability of the legal person for all the information provided in this declaration of honour.

All fields must be filled in. Please indicate “not applicable”, “n/a” or “nil” where relevant.

The CSSF processes personal data submitted through this form in accordance with the GDPR (Regulation (EU) 2016/679) as detailed in its [privacy policy](https://www.cssf.lu/en/terms-of-service-and-privacy-policy/) published on the CSSF website [www.cssf.lu](http://www.cssf.lu/en/).

# Identification of the legal person

|  |
| --- |
| **Official name of the legal person (as indicated in the articles of association)** |
| Insert text. |
| **Official legal form of the legal person** |
| Insert text. |
| **Address of the registered office of the legal person** |
| Insert text. |

# Other information concerning the legal person

|  |
| --- |
| Is the legal person currently subject to any legal proceedings? (if so, contact the CSSF and attach the list of pending legal proceedings)  Yes  No |

# Identification of the undersigned natural person acting as a representative for the legal person

|  |
| --- |
| **Last name of the undersigned representative of the legal person (as it appears on the identity card or passport)** |
| Insert text. |
| **First name(s) of the undersigned representative of the legal person (as it appears on the identity card or passport)** |
| Insert text. |
| **Position/function(s) of the representative within the legal person** |
| Insert text. |
| **Professional address, email address and phone number** |
| Insert text. |

**I, the undersigned** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, acting as a representative of the legal person, declare on my honour that the legal person I represent:**

1. has never been nor currently is subject to any bankruptcy, insolvency, moratorium, controlled management, suspension of payments, court-ordered liquidation or reorganisation or any similar procedure generally affecting the rights of creditors;
2. has never been nor currently is director, manager or administrator nor has any other managerial function or any significant influence in a company, legal person or any other legal entity which has been subject or is subject to bankruptcy, insolvency, moratorium, controlled management, suspension of payments, court-ordered liquidation or reorganisation or any similar procedure generally affecting the rights of creditors, or which had or currently has a significant influence on a company subject to these proceedings;
3. has never been nor currently is director, manager or administrator nor any other managerial function or has any significant influence in a company or other legal entity which has been or currently is subject to a criminal procedure or sanction;
4. has never had criminal records (e.g. fine or other criminal sanction) relating to its activities and has never been subject to any criminal investigations or proceedings relating to its activities, to any civil[[1]](#footnote-1) or administrative and disciplinary proceedings relating to its activities (including disqualification as a company director or in relation with bankruptcy, insolvency or similar procedures), nor is currently being subject to any such investigation, proceedings or measures described above;
5. has never been nor currently is subject to investigations, enforcement proceedings or sanctions by a supervisory authority[[2]](#footnote-2) (including the CSSF);
6. is not director or shareholder of an entity that has been or currently is subject to investigations, enforcement proceedings or sanctions by a supervisory authority (including the CSSF);
7. has never been subject to a refusal or a withdrawal of registration, authorisation, membership or licence to carry out a trade, business or profession, or to the withdrawal, revocation or termination of registration, authorisation, membership or licence, or expulsion by a regulatory or government body;
8. has never been dismissed from a position of trust, fiduciary relationship or similar situation (e.g. alleged serious infringement of contractual obligations);
9. is not affected by proceedings (such as those under a) to e) above) involving a legal entity of the group or network to which the legal entity belongs;
10. has an insurance policy covering all risks arising from its activities (if applicable);
11. has transmitted or will transmit to the CSSF documents that include complete, sincere and accurate information and that are up-to-date at the time of the transmission to the CSSF;
12. has submitted or will submit to the CSSF copies of documents that are true copies of and identical to the original documents.

Remarks or comments of the undersigned, if any (on the items above, in particular where one of the above items cannot be confirmed by the undersigned).

|  |
| --- |
| Insert text. |

**By signing this declaration of honour, the undersigned and the legal person commit to inform the CSSF without delay in case any item reported in this declaration changes in the future.**

**The undersigned and the legal person acknowledge and accept that if this declaration of honour is or becomes incorrect, non-litigious administrative procedure could be initiated in matters of professional repute against them.**

**By signing this declaration of honour, the undersigned and the legal person commit to interact openly and cooperatively with the CSSF and to disclose appropriately and actively any information that the CSSF would reasonably expect to be provided for the purposes of its supervision.**

**The undersigned confirms that he/she personally signed this declaration of honour, regardless of the form of the signature below (i.e. handwritten or electronic).**

|  |
| --- |
| In case this declaration of honour is not the first declaration filed with the CSSF, please indicate the date of the previous declaration. |
| Insert date. |
| **Place of signature** |
| Insert text. |
| **Date of signature** |
| Insert date. |
| **Signature** |

1. Any civil action directed against the legal person (e.g. damages relating to the exercise of the profession). [↑](#footnote-ref-1)
2. Information to be also provided if an appeal is still possible or if an appeal has been lodged. [↑](#footnote-ref-2)