

**FINANCIAL INSTITUTIONS AND MARKETS ACT, 2021****GENERAL****THE FORM AND CONTENT OF ANY APPLICATION FOR APPROVAL OF A CHANGE OF NAME, USE OF ANOTHER NAME OR USE OF A SHORTENED FORM OR DERIVATIVE FORM OF A NAME MADE TO NAMFISA UNDER THIS ACT****Standard No. GEN.S.10.19**

issued by NAMFISA under sections 391(4) and 410(9) of the Financial Institutions and Markets Act, 2021

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**Definitions**

1. (1) In this Standard –
  - (a) “Act” means the Financial Institutions and Markets Act, 2021 (Act No. 2 of 2021), and it must be read with the regulations prescribed under the Act and the standards and other subordinate measures issued by NAMFISA under the Act; and
  - (b) “NAMFISA ERS” means the Electronic Regulatory System which facilitates communication between NAMFISA and financial institutions or financial intermediaries.
- (2) Words and phrases defined in the Act have the same meaning in this Standard, unless the context indicates otherwise, including without limitation, the following as defined in section 1 of the Act:
  - (a) principal officer; and
  - (b) NAMFISA.

**Application**

2. (1) An application for approval of a change of name, use of another name or use of a shortened form or derivative of a name must be –
  - (a) made on the form set out in the Schedule attached to this Standard;
  - (b) signed by the principal officer or another duly authorised person;
  - (c) submitted together with supporting documents showing –
    - (i) proof of payment of the prescribed application fee;
    - (ii) a resolution made inclusive of reasons that supports the application; and
    - (iii) such other information and documents specified in the Schedule to this Standard or which NAMFISA may, from time to time, require and communicate to the applicant.
- (2) The applicant must disclose all information as required in the Schedule to this Standard and all parts must be duly completed.

(3) An application not complete in all respects and not conforming to the instructions specified in the Schedule may be rejected on the basis of being non-compliant with this Standard.

(4) In instances where the application is deemed incomplete, NAMFISA must give the applicant the opportunity to provide the required information to complete the application. The required information must be provided within the period of seven days, or such other period stipulated or agreed to by NAMFISA, failing which the application shall be rejected.

(5) Nothing shall prevent NAMFISA from seeking further or additional information or documents as may be reasonably necessary for processing of the application.

(6) The applicant, its principal officer or a duly authorised person may, if so required, be called to appear before NAMFISA for a personal representation in connection with the application.

(7) Where an application is made for a change of name, and where the applicant is an entity, certified copies of the relevant approved documents of the applicant, evidencing the name change, must be submitted to NAMFISA within 30 calendar days after the change of name has been approved by the Business and Intellectual Property Authority.

### **Submission**

3. (1) The application must be submitted to NAMFISA electronically on the NAMFISA ERS.

(2) Where necessary and when so directed by NAMFISA, the applicant must submit specified documentation or information manually to NAMFISA.

### **Application fee**

4. The non-refundable fee chargeable for the application, and the manner of payment, is stipulated in Standard No. GEN.S.10.23 - Fees.

## **SUPPORTING SCHEDULE**

**The following supporting schedule is attached to and forms part of this Standard:**

Schedule: APPLICATION FOR APPROVAL OF A CHANGE OF NAME, USE OF ANOTHER NAME OR USE OF A SHORTENED FORM OR DERIVATIVE OF A NAME

**SCHEDULE** (to Standard No. GEN.S.10.19)**APPLICATION FOR APPROVAL OF A CHANGE OF NAME, USE OF ANOTHER NAME  
OR USE OF A SHORTENED FORM OR DERIVATIVE OF A NAME****To be completed by the principal officer or another duly authorised person**

<p>1. In terms of section 391(4) of the Act, I, the undersigned, being the principal officer or duly authorised person of _____, hereby apply for –</p> <p>(tick applicable box)</p> <ul style="list-style-type: none"> <li>• a change of name; <input type="checkbox"/></li> <li>• use of another name; or <input type="checkbox"/></li> <li>• use of a shortened form or derivative of a name. <input type="checkbox"/></li> </ul>	
2. Registered name:	
3. NAMFISA Licence Registration Number:	
4. Proposed name:	
<p>5. Required supporting attachments:</p> <ul style="list-style-type: none"> <li>• Resolution on the decision to make the application and reason(s) for the proposed name;</li> <li>• Amended document(s) of the applicant must be submitted afterwards in accordance with clause 2(3); and</li> <li>• Original license or, if lost, a sworn declaration to that effect; and proof of payment of the non-refundable application fee.</li> </ul>	
6. Additional file attachments	
<p>By signing this document I confirm that all the above information is true and accurate and can be relied on and that I have disclosed all necessary and material information that may be required by NAMFISA.</p> <p>SIGNED ON BEHALF OF THE APPLICANT:</p> <p>Name: _____</p> <p>Capacity: _____</p> <p>Signature: _____</p> <p>Date: _____</p>	