

## ANNEX 1:

**FOR ALL APPLICATIONS TO CARRY ON CREDIT PROVISION IN RELATION TO REGULATED AGREEMENTS****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 –

- (i) 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
- a) 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 my business provides credit, but none of the credit arrangements are regulated agreements?**

A financial firm business (Part III) licence may instead be required; please check the financial firm business decision tree [*hyperlink to be inserted*] to check whether your firm should instead apply under this licence type. If so, please complete annex 3 to the application form.

**What if my business provides credit under both regulated agreements and non-regulated agreements?**

Only a credit provision (Part II) licence is required (i.e., a financial firm business licence is not required), as per section 1(2)(a) of Part 1 of Schedule 1 to the Law.

Name of applicant:

1. Please provide a list of all Appointed Retailers (if applicable):

Where some, or all, of an applicant/licensee’s credit facilities are arranged through retailers, those retailers may be considered Appointed Retailers, if the retailers themselves do not offer consumers advice or guidance in relation to that credit facility. Retailers can be deemed to be Appointed Retailers provided that they meet the criteria set out in section 7.5 of *The Lending, Credit and Finance Rules and Guidance, 2022*; i.e., there must be a formal, written, contract of engagement between the Appointed Retailer and the applicant/licensee, and the applicant/licensee must remain responsible for the conduct of any Appointed Retailer(s).

If the Applicant uses any Appointed Retailer(s), please provide the company name(s) and any trading names (if different) below, along with the relevant address(es).

Company name (and any trading names):	Address:

2. Names of brokers by whom lending is being/will be introduced (where such brokers are not deemed to be Appointed Retailers):

Company name (and any trading names):	Address:

3. 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                |
|---|--------------------------|
| a) Policy in relation to vulnerable customers;                                  | <input type="checkbox"/> |
| b) Procedures for assessing affordability;                                      | <input type="checkbox"/> |
| c) Policies and procedures in respect of instances of defaults and arrears; and | <input type="checkbox"/> |
| d) Forbearance policy.  | <input type="checkbox"/> |

**ANNEX 1(a):**

**OTHER INFORMATION – APPLICANTS PROVIDING/PROPOSING TO PROVIDE HOME FINANCE LENDING**

4. Please provide a list of all staff who provide home finance advice (if applicable):

Full name and address of individual	Date of birth	Home finance qualifications

5. 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
a) Execution-only policy (if the lender offers direct to customer mortgages without advice);	<input type="checkbox"/>	<input type="checkbox"/>
b) Exception policy (i.e., demonstrating how the Applicant deals with lending applications that fall outside of the normal lending criteria); and	<input type="checkbox"/>	<input type="checkbox"/>
c) An explanation of niche product criteria (e.g., lending into retirement, newly self-employed, impaired credit, etc.).	<input type="checkbox"/>	<input type="checkbox"/>

**SUPPLEMENTARY QUESTIONS TO ANNEX 1:**

**FOR ALL APPLICATIONS TO CARRY ON CREDIT PROVISION IN RELATION TO REGULATED AGREEMENTS**

1. Number of customers to whom credit is provided as at 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):

2. Value of loan/credit book as at 31 December 2022:

Value of consumer credit book (£):	Value of home finance book (£):	Total value of loan/credit book (including loans/credit arrangements that are not regulated agreements) (£):

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

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4. Total gross income from provision of credit (in relation to regulated agreements) during the year ending 31 December 2022 (£):

Income from consumer credit activity (£):	Income from home finance activity (£):	Total income from all lending activity (including loans/credit arrangements that are not regulated agreements) (£):

5. Number and total value of loans rolled over or extended during the year ending 31 December 2022:

	Number of loans:	Total value of loans (£):
Loans relating to regulated agreements:		
Loans not relating to regulated agreements:		

6. Total number and total value of loans that went into arrears at any time during the year ending 31 December 2022:

	Number of loans:	Total value of loans (at the time each of these went into arrears) (£):
Loans relating to regulated agreements:		
Loans not relating to regulated agreements:		

7. Number of complaints received in the course of credit provision during the year ending 31 December 2022:

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Of which, how many were considered “significant complaints”, (i.e., ‘a complaint alleging a breach of the Law, *mala fides*, 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, 2022*. Please provide a brief explanation of the nature of these complaints:

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