



FINANCIAL SERVICES  
COMMISSION

## **GUIDELINE No. 14**

### **QUALIFICATIONS OF DIRECTORS AND OFFICERS**

This Guideline is issued by the Financial Services Commission (“the Commission”) pursuant to section 53 of the Financial Services Commission Act 2010-21 (“Act”) and comes into effect March 1, 2013.

This Guideline establishes the standards of the Commission with respect to the qualifications of directors and officers of a credit union and should be considered in conjunction with section 57 of the Co-operative Societies Act (CSA).

1. No individual shall be elected or appointed as a director or officer of a society unless, in addition to the qualifications referred to in section 57 of the CSA, the individual is also a “fit and proper” person to hold the position in question.
2. For the purposes of this Guideline, whether an individual is a fit and proper person to hold any particular position shall be determined by the Commission on the basis of the character and competence of the person, and in making such determination, the Commission shall make such investigations and inquiries as it deems necessary, and shall consider:
  - 2.1 the background, experience, integrity, competence and soundness of judgment of the person;
  - 2.2 the diligence with which the person is fulfilling or is likely to fulfill the responsibilities of the position in question;
  - 2.3 whether the interest of members and, in the case of a credit union, other depositors or potential depositors of the credit union are, or are likely to be, in any way threatened by the person holding the position; and
  - 2.4 any other matters that the Commission deems appropriate.
3. No society may be registered or having been registered may continue to be so registered unless the directors and officers or the proposed directors and officers are fit and proper persons, within the meaning of section 2 of this Guideline, to hold the positions in question.