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**NOTIFICATION PURSUANT TO ARTICLE 60 of**

**REGULATION (EU) 2023/1114**

**(Preliminary Examination Phase)**

**Name of notifying entity: «…..………………………………………………………………………»**

**Purpose of this form**

You should complete this form if you wish to provide or/and to exercise activities or services in relation to Crypto Assets, in accordance with Article 60 of the Regulation (EU) 2023/1114.

***Special conditions:***

1. ***This Notification is submitted in the context of the preliminary examination phase as per the Cyprus Securities and Exchange Commission’s (the ‘CySEC’) announcement dated 13 November 2024 .***
2. ***CySEC, at this stage, is not bound by the timelines envisaged under Article 60 of MiCAR and therefore, is not obliged to assess or consider notifications within a specific timeframe before 30 December 2024.***
3. ***The information submitted*** ***during the preliminary examination phase will be considered as ‘officially submitted’ upon***

***a) payment of the respective fee or on 30 December 2024, whichever is the latest; and***

***b) re-submission of the notification form, without any supporting documentation already provided and which remains up-to-date and accurate; and***

***c) confirmation by the respective applicant that the information submitted before 30 December 2024, remains up-to-date and accurate on 30 December 2024 or at any later date.***

1. ***Any decision as to concluding on the completeness of a notification will be made by CySEC following MiCAR’s application on 30 December 2024.***

***By signing this Notification Form, you agree to accept the above conditions.***

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**GENERAL INSTRUCTIONS**

1. This Form must be completed in electronic form. An electronic version of it can be downloaded from the website of the Cyprus Securities and Exchange Commission (“the Commission”) at the address [www.cysec.gov.cy](http://www.cysec.gov.cy).
2. This Form must be submitted as per the Commission’s Announcement dated 30 September 2019 on the [Receipt of applications and correspondence of the Authorisation Department of the Commission](http://www.cysec.gov.cy/CMSPages/GetFile.aspx?guid=a4ae2fec-92ff-4b09-9438-0273070b7951).
3. The questions should remain unaltered and the answers must be provided below each question or in the designated section.
4. All questions applicable to the case of the applicant should be duly completed, or, if they are not applicable state “N/A”. Incomplete applications will be returned.
5. All additional reference documents set out in Part D must accompany this Form. Part D is an integral part of this Form. In the case where the attachment of additional details or documents is required, add a reference to the relevant paragraph and attach them as a numbered reference document following the numbering order set out by the Commission in Part D of this Form which sets out the List of additional documents that accompany this Form. The numbering of the reference Documents must remain unchanged even when there are no details/documents to be submitted.
6. Where there are no competent authorities for the issue of certificates, attach equivalent documents from an independent and reliable source.
7. This Form, when submitted to the Commission, must be accompanied by the required charge, in accordance with Directive xxxx for the charges and annual fees ***(please refer to the special conditions at page 1)***.
8. When completing this Form, information which is publicly available or have previously been disclosed to the Commission or to another supervisory authority, should not be considered as known by the Commission.
9. Where applicants are required to “confirm”, a tick (**✓**) or an (x) placed in the relevant box will be taken as confirmation.
10. If the space provided does not suffice for your reply, please provide that information on a separate sheet/document and refer to it in the space provided for the answer. Please ensure that any separate sheets/documents are clearly marked with the name of the applicant organization and reference the appropriate question.
11. Further information or clarification may be requested for the purpose of considering and evaluating an application.
12. Further information or clarification may be requested for the purpose of considering and evaluating an application.

# **PART A** **- Contact Details**

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| Reference Number: |  |
| Date: |  |
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| **FROM:** |
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| Name of the notifying entity: |  |
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| Licence number: |  |
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| Address: |  |
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| **Contact details of the designated contact person** |
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| Name: |  |
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| Telephone: |  |
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| Email: |  |
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| **TO:** |
|  |
| Member State: | CYPRUS |
|  |  |
| Competent Authority: | CYPRUS SECURITIES AND EXCHANGE COMMISSION (CySEC) |
|  |  |
| Address: | AIAS BUILDING, 19 DIAGOROU STREET,NICOSIA, 1097CYPRUS |
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| **Contact details of the designated contact point** |
|  |
| Name: | Authorisations Department  |
| Address: | AIAS BUILDING, 19 DIAGOROU STREET,NICOSIA, 1097CYPRUS |
|  |  |
| Telephone: | +357 22506600 |
|  |  |
| Email: |  |

Dear [*insert appropriate name*],

In accordance with the Commission Implementing Regulation (EU) XXXX/XXX, laying down implementing technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council with regard to standard forms, templates and procedures for the information to be included in the application for the authorisation of crypto-asset service providers, kindly find attached our notification of our intention to provide crypto-asset services.[[1]](#footnote-1)

We [notifying entity ***(the ‘Applicant’)***] declare that the submitted information is true, accurate, complete and not misleading. Unless specifically stipulated otherwise, the information is up to date on the date of this notification.

Information indicating a future date is explicitly identified in the application and we undertake to notify the authority in writing without delay if any such information should turn out to be untrue inaccurate, incomplete or is misleading.

|  |
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| **Person in charge of preparing the application:** |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Name: |  |
|  |  |
| ID or Passport Number |  |
|  |  |
| Status/Position: |  |
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| Telephone: |  |
| Email: |  |

# **PART B -** **Required Information**

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| **ANNEX A: Programme of operations*****(Business Plan)*** |
| **A1. Types of crypto-asset services that the applicant crypto-assets service provider intends to provide** |

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| --- | --- | --- |
| **No.** | 1. **Crypto Asset Services and activities**
 | **Tick where applicable (✓)** |
| 1. | Providing custody and administration of crypto-assets on behalf of clients |  |
| 2. | Operation of a trading platform for crypto-assets; |  |
| 3. | Exchange of crypto-assets for funds; |  |
| 4. | Exchange of crypto-assets for other crypto-assets; |  |
| 5. | Execution of orders on behalf of clients |  |
| 6. | Placing of crypto-assets; |  |
|  7. | Reception and transmission of orders for crypto-assets on behalf of clients; |  |
| 8. | Providing advice on crypto-assets; |  |
|  9. | Providing portfolio management on crypto-assets; |  |
|  10. | Providing transfer services for crypto-assets on behalf of clients; |  |

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|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **A2** |  **Where the applicant belongs to a group, an explanation of how the activities of the applicant will fit within the group strategy and interact with the activities of the other entities of the group, including an overview of the current and planned organisation and structure of the group***Please also provide a detailed Group Structure chart of the holdings of the applicant, including the breakdown of its capital and voting rights and the names of the shareholders or members with qualifying holdings.* |  |
| **A3** | **An explanation of how the activities of the entities affiliated with the applicant, including where there are regulated entities in the group, is expected to impact the activities of the notifying entity, including a list of and information on the entities affiliated with the notifying entity, and where there are regulated entities, the services provided by these entities and the domain names of each website operated by such entities** |  |
| **A3** |  **List of crypto-asset services that the applicant intends to provide as well as the types of crypto-assets to which the crypto-asset services will relate** |  |
| **A4** |  **Other planned activities, regulated in accordance with Union or national law or unregulated, including any services, other than crypto-asset services, that the applicant intends to provide***Please include whether you (intend to) provide (i) any staking and/or lending services, or (ii) non-custodial wallets to clients.* |  |
| **A5** |  **Whether the applicant intends to offer crypto-assets to the public or seek admission to trading of crypto-assets and if so, of what type of crypto-assets** |  |
| **A6** |  **List of jurisdictions, in and outside the European Union, in which the applicant plans to provide crypto-asset services, including information on the domicile of targeted clients and the targeted number by geographical area** |  |
| **A7** |  **Types of prospective clients targeted by the applicant’s services.** |  |
| **A8** |  **Description of the means of access to the applicant’s crypto-asset services by clients, including all of the following:**1. **the domain names for each website or other ICT-based application through which the crypto-asset services will be provided by the applicant and information on the languages in which the website will be available, the types of crypto-asset services that will be accessed through it and, where applicable, from which Member States the website will be accessible**
2. **the name of any ICT-based application available to clients to access the crypto-asset services, in which languages it is available and which crypto-asset services can be accessed through it.**
 |  |
| **A9** | **Planned marketing and promotional activities and arrangements for the crypto-asset services, including:**1. **all means of marketing to be used for each of the services,**
2. **the intended means of identification that the applicant intends to use,**
3. **information on the relevant category of clients targeted,**
4. **types of crypto-assets,**
5. **languages that will be used for the marketing and promotional activities.**
 |  |
| **A10** |  **Detailed description of the human, financial and ICT resources allocated to the intended crypto-asset services as well as their geographical location.** |  |
| **A11** | **The Applicant’s outsourcing policy and how it was adapted to crypto-asset services as well as a detailed description of the notifying entity’s planned outsourcing arrangements, including intra-group arrangements, and the way that the notifying entity will comply with Article 73 of Regulation (EU) 2023/1114, including information on the function or person responsible for outsourcing, the human and ICT resources allocated to the control of the outsourced functions, services or activities of the related arrangements and on the risk assessment related to the outsourcing.** |  |
| **A12** |  **List of entities that will provide outsourced services, their geographical location and the relevant services outsourced** |  |
| **A13** |  **Forecast accounting plan including stress scenarios at an individual and, where applicable, at consolidated group and sub-consolidated level in accordance with Directive 2013/34/EU. The financial forecast shall consider any intra-group loans granted or to be granted by and to the Applicant.** |  |
| **A14** | **Any exchange of crypto-assets for funds and other crypto-asset activities that the applicant intends to undertake, including through any decentralised finance applications with which the applicant wishes to interact on its own account.** |  |
| **A15** | **Where the applicant intends to provide the service of reception and transmission of orders for crypto-assets on behalf of clients, it shall provide to the competent authority a copy of the policies and procedures and a description of the arrangements ensuring compliance with the requirements set out in Article 80 of Regulation (EU) 2023/1114**. |  |
| **A16** |  **Where the notifying entity intends to provide the service of placing of crypto-assets, it shall provide to the competent authority a copy of procedures to identify, prevent, manage and disclose conflicts of interests and a description of the arrangements in place to comply with Article 79 of Regulation (EU) 2023/1114 and Commission Delegated Regulation establishing technical standards adopted pursuant to Article 72(5) of Regulation (EU) 2023/1114.** |  |
|  | **ANNEX B: Business Continuity Plan*****The Business Continuity Plan shall include a detailed description of its business continuity plan, including the steps to be taken to ensure continuity and regularity in the provision of its crypto-asset services*.** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **B1** | **Details showing that the established business continuity plan is appropriate and that arrangements are set up to maintain and periodically test that plan.** |  |
| **B2** | **With regard to critical or important functions supported by third-party service providers, details on how business continuity is ensured in the event that the quality of the provision of such functions deteriorates to an unacceptable level or fails.**  |  |
| **B3** |  **information on how business continuity is ensured in the event of the death of a key person and, where relevant, political risks in the service provider’s jurisdictions.** |  |
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|  | **ANNEX C: Detection and prevention of money laundering and terrorist financing*****The Applicant shall provide the competent authority with information on its internal control mechanisms, policies and procedures to ensure compliance with the provisions of national law transposing Directive (EU) 2015/849[[2]](#footnote-2) and on the risk assessment framework to manage risks relating to money laundering and terrorist financing, including the following:*** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **C1** | **The Applicant’s assessment of the inherent and residual risks of money laundering and terrorist financing associated with its provision of crypto-asset services, including the risks relating to:** **(i) the notifying entity’s customer base;** **(ii) the services provided;** **(iii) the distribution channels used;** **(iv) the geographical areas of operation;**  |  |
| **C2** | **The measures that the Applicant has or will put in place to prevent the identified risks and comply with applicable anti-money laundering and counter-terrorist financing requirements, including the notifying entity’s risk assessment process, the policies and procedures to comply with customer due diligence requirements, and the policies and procedures to detect and report suspicious transactions or activities.** |  |
| **C3** | **Detailed information on how internal control mechanisms, policies and procedures are adequate and proportionate to the scale, nature, inherent risk of money laundering and terrorist financing, including the range of crypto-asset services provided, the complexity of the business model and how the Applicant ensures its compliance with Directive (EU) 2015/849 and Regulation (EU) 2023/1113 of the European Parliament and of the Council[[3]](#footnote-3).** |  |
| **C4** | **Arrangements, human and financial resources devoted to ensure, based on annual indications, that staff of the notifying entity is appropriately trained in anti-money laundering and counter-terrorist financing matters and on specific crypto-asset related risks.** |  |
| **C5** | **A copy of the Applicant’s anti-money laundering and counter-terrorism policies, procedures and systems.** |  |
| **C6** | **A summary document outlining changes that have been made to the notifying entity’s anti-money laundering and counter-terrorism procedures and systems as a consequence of the planned crypto-asset services.** |  |
| **C7** | **The frequency of the assessment of the adequacy and effectiveness of the internal control mechanisms, systems and procedures, including the identity of the person or function responsible for such assessment.** |  |
|  |  |  |
|  | **ANNEX D: ICT systems and related security arrangements** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **D1** | **Technical documentation of the ICT systems, DLT infrastructure relied upon, where relevant, and the security arrangements, including a description of the arrangements and deployed ICT and human resources established to comply with Regulation (EU) 2022/2554[[4]](#footnote-4), including the following:**  |  |
|  | **D1.1 description of how the Applicant ensures a sound, comprehensive and well–documented ICT risk management framework as part of its overall risk management system, including a detailed description of ICT systems, protocols and tools and of how the notifying entity’s procedures, policies and systems will safeguard the security, integrity, availability, authenticity and confidentiality of data in accordance with Regulation (EU) 2022/2554 and Regulation (EU) 2016/679[[5]](#footnote-5) of the European Parliament and of the Council;** |  |
|  | **D1.2 an identification of ICT services supporting critical or important functions, developed or maintained by the notifying entity, as well as those provided by third-party service providers, a description of such contractual arrangements and how those arrangements comply with Article 73 of Regulation (EU) 2023/1114 and Chapter V of Regulation (EU) 2022/2554;** |  |
|  | **D1.3 a description of the notifying entity’s procedures, policies, arrangements and systems for security and incident management.** |  |
| **D2** |  **If available, a description of a cybersecurity audit conducted by a third-party cybersecurity auditor having sufficient experience in accordance with Commission Delegated Regulation establishing technical standards pursuant to Article 26(11) fourth subparagraph of Regulation (EU) 2022/2554 covering ideally the following audits or tests by external independent parties:** |  |
|  | **D2.1 organisational cybersecurity, physical security and secure software development lifecycle arrangements;** |  |
|  | **D2.2 vulnerability assessments and network security assessments;** |  |
|  | **D2.3 configuration reviews of ICT assets supporting critical and important functions as defined in Article 3, point (22) of Regulation (EU) 2022/2554;** |  |
|  | **D2.4 penetration tests on the ICT assets supporting critical and important functions as defined in Article 3, point (17) of Regulation (EU) 2022/2554, in accordance with all the following audit test approaches:** **(1) black box: the auditor has no information other than the IP addresses and URLs associated with the audited target. This phase is generally preceded by the discovery of information and the identification of the target by querying domain name system (DNS) services, scanning open ports, discovering the presence of filtering equipment;** **(2) grey box phase: auditors have the knowledge of a standard user of the information system (legitimate authentication, “standard” workstation). The identifiers can belong to different user profiles in order to test different privilege levels;** **(3) white box phase: auditors have as much technical information as possible (architecture, source code, telephone contacts, identifiers, etc.) before starting the analysis and also access to technical contacts related to the target;** |  |
|  | **D2.5 where the notifying entity uses and/or develops smart-contracts, a cybersecurity source code review of them.** |  |
| **D3** | **A description of conducted audits of the ICT systems, if any, including used DLT infrastructure and security arrangements;**  |  |
| **D4** | **A description of the relevant information referred to in points D1 and D2 in non-technical language.**  |  |
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|  | **ANNEX E: Segregation and safekeeping of clients’ crypto-assets and funds** ***If the Applicant intends to hold crypto-assets belonging to clients or the means of access to such crypto-assets, or clients’ funds other than e-money tokens, shall provide a detailed description of its procedures for the segregation of clients’ crypto-assets and funds, including the following:*** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **E1** | **How the Applicant ensures that:**1. **clients’ funds are not used for its own account;**
2. **crypto-assets belonging to the clients are not used for its own account;**
3. **the wallets holding clients’ crypto-assets are different from the notifying entity’s own wallets;**
 |  |
| **E2** | **A detailed description of the approval system for cryptographic keys and safeguarding of cryptographic keys including multi-signature wallets.** |  |
| **E3** | **How the Applicant segregates clients’ crypto-assets, including from other clients’ crypto-assets where wallets containing crypto-assets of more than one client, are kept in omnibus accounts.** |  |
| **E4** | **A description of the procedure ensuring that clients’ funds other than e-money tokens are deposited with a central bank or a credit institution by the end of the business day following the day on which they were received and are held in an account separately identifiable from any accounts used to hold funds belonging to the Applicant.** |  |
| **E5** | **Where the Applicant does not intend to deposit funds with the relevant central bank, which factors the notifying entity takes into account to select the credit institutions with which to deposit clients’ funds, including the notifying entity’s diversification policy, where available, and the frequency of review of the selection of credit institutions with which to deposit clients’ funds.** |  |
| **E6** | **How the notifying entity ensures that clients are informed in clear, concise and non-technical language about the key aspects of the notifying entity’s systems, policies and procedures to comply with Article 70(1), (2) and (3) of Regulation (EU) 2023/1114.**  |  |
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|  | **ANNEX F: Custody and administration policy** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **F1** | **A description of the arrangements linked to the type of custody offered to clients, a copy of the notifying entity’s standard agreement for the custody and administration of crypto-assets on behalf of clients pursuant to Article 75(1) of Regulation (EU) 2023/1114 and a copy of the summary of the custody policy made available to clients in accordance with Article 75(3) third subparagraph of that Regulation.** |  |
| **F2** | **The Applicant’s custody and administration policy, including a description of identified sources of operational and ICT risks for the safekeeping and control of the crypto-assets or the means of access to the crypto-assets of clients, together with the following:** 1. **the policies and procedures, and a description of the arrangements to comply with Article 75(8) of Regulation (EU) 2023/1114;**
2. **the policies and procedures, and a description of the systems and controls, to manage the operational and ICT risks, including where the custody and administration of crypto-assets on behalf of clients is outsourced to a third party;**
3. **the policies and procedures relating to, and a description of, the systems to ensure the exercise of the rights attached to the crypto-assets by the clients;**
4. **the policies and procedures relating to, and a description of, the systems ensuring the return of crypto-assets or the means of access to the clients;**
 |  |
| **F3** | **Information on how the crypto-assets and the means of access to the crypto-assets of the clients are identified.** |  |
| **F4** | **Information on arrangements to minimise the risk of loss of crypto-assets or means of access to crypto-assets.** |  |
| **F5** | **Where the crypto-asset service provider has delegated the provision of custody and administration of crypto-assets on behalf of clients to a third-party:** 1. **information on the identity of any third-party providing the service of custody and administration of crypto-assets and its status in accordance with Article 59 or Article 60 of Regulation (EU) 2023/1114;**
2. **a description of any functions relating to the custody and administration of crypto-assets delegated by the crypto-asset service provider, the list of any delegates and sub-delegates, as applicable, and any conflict of interest that could arise from such a delegation;**
3. **a description of how the notifying entity intends to supervise the delegations or sub-delegations.**
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|  | **ANNEX G: Operating rules of the trading platform and market abuse detection*****The following disclosures apply in case where the Applicant intends to operate a trading platform for crypto-assets.******Furthermore, Applicants intending to operate a trading platform for crypto-assets shall also submit a copy of the operating rules of the trading platform and of any policies and procedures to detect and prevent market abuse.*** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **G1** |  **Rules regarding the admission of crypto-assets to trading** |  |
| **G2** | **The approval process for admitting crypto-assets to trading, including the customer due diligence carried out in accordance with Directive (EU) 2015/849** |  |
| **G3** | **The list of any categories of crypto-assets that will not be admitted to trading and the description of the reasons for such exclusion** |  |
| **G4** | **The Policies, procedures, and fees for the admission to trading, together with a description, where relevant, of membership, rebates and the related conditions** |  |
| **G5** | **The Rules governing the order execution, including any cancellation procedures for executed orders and for disclosing such information to market participants** |  |
| **G6** | **The methods put in place to assess the suitability of crypto-assets in accordance with Article 76(2) of Regulation (EU) 2023/1114** |  |
| **G7** | **The systems, procedures and arrangements put in place to comply with Article 76(7) of Regulation (EU) 2023/1114** |  |
| **G8** |  **The manner of making public any bid and ask prices, the depth of trading interests at those prices that are advertised for crypto-assets through their trading platform and price, volume and time of transactions executed in respect of crypto-assets traded on their trading platform, in accordance with Article 76(9) and (10) of Regulation (EU) 2023/1114** |  |
| **G9** | **The fee structures and a justification on how they comply with the requirements laid down in Article 76(13) of Regulation (EU) 2023/1114** |  |
| **G10** |  **The systems, procedures, and arrangements put in place to keep data relating to all orders at the disposal of the competent authority or the mechanism to ensure that the competent authority has access to the order book and any other trading system** |  |
| **G11** |  **With regards to the settlement of transactions:**1. **whether the final settlement of transactions is initiated on the distributed ledger or outside the distributed ledger;**
2. **timeframe within which the final settlement of crypto-asset transactions is initiated;**
3. **the way to verify the availability of funds and crypto-assets;**
4. **the way to confirm the relevant details of transactions;**
5. **the measures foreseen to limit settlement fails;**
6. **the moment at which settlement is final and the moment at which final settlement is initiated following the execution of the transaction.**
 |  |
| **G12** |  **Policies and procedures and systems to detect and prevent market abuse, including information on the communications to the competent authority of possible market abuse cases** |  |
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|  | **ANNEX H: Exchange of crypto-assets for funds or other crypto-assets*****The following disclosures apply in case where the Applicant intends to exchange crypto-assets for funds or other crypto-assets*** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **H1** | **A description of the commercial policy established in accordance with Article 77(1) of Regulation (EU) 2023/1114** |  |
| **H2** | **The method for determining the price of the crypto-assets that the notifying entity proposes to exchange for funds or other crypto-assets in accordance with Article 77(2) of Regulation (EU) 2023/1114, including how the volume and market volatility of crypto-assets impact the pricing mechanism** |  |
|  |  |  |
|  | **ANNEX I: Execution policy*****The following disclosures apply in case where the Applicant intends to execute orders for crypto assets on behalf of clients***  |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **I1** | **The arrangements to ensure the client has provided consent on the execution policy prior to the execution of the order** |  |
| **I2** | **A list of the trading platforms for crypto assets on which the applicant will rely for the execution of orders and the criteria for the assessment of execution venues included in the execution policy in accordance with Article 78(6) of Regulation (EU) 2023/1114** |  |
| **I3** | **Which trading platforms the Applicant intends to use for each type of crypto-assets and confirmation that it will not receive any form of remuneration, discount or non-monetary benefit in return for routing orders received to a particular trading platform for crypto-assets** |  |
| **I4** |  **How the execution takes into account price, costs, speed, likelihood of execution and settlement, size, nature, conditions of custody of the crypto-assets or any other relevant factors are considered as part of all necessary steps to obtain the best possible result for the client** |  |
| **I5** |  **Where applicable, the arrangements for informing clients that the applicant will execute orders outside a trading platform and how the applicant will obtain the prior express client consent before executing such orders** |  |
| **I6** |  **How the client is warned that any specific instructions from a client may prevent the applicant from taking the steps that it has designed and implemented in its execution policy to obtain the best possible result for the execution of those orders in respect of the elements covered by those instructions** |  |
| **I7** | **The selection process for trading venues, execution strategies employed, the procedures and processes used to analyse the quality of execution obtained and how the applicant monitors and verifies that the best possible results were obtained for clients** |  |
| **I8** | **The arrangements to prevent the misuse of any information relating to clients’ orders by the employees of the applicant.** |  |
| **I9** | **The arrangements and procedures for how the applicant will disclose to client’s information on its order execution policy and notify them of any material changes to their order execution policy.** |  |
| **I10** | **The arrangements to demonstrate compliance with Article 78 of Regulation (EU) 2023/1114 to the competent authority, upon the request of the authority.** |  |
|  |  |  |
|  | **ANNEX J: Provision of advice or portfolio management on crypto-assets*****The following disclosures apply in case where the Applicant intends to provide advice on crypto-assets or portfolio management of crypto-assets***  |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **J1** |  **A detailed description of the arrangements put in place by the applicant to ensure compliance with Article 81(7) of Regulation (EU) 2023/1114, including the following:**1. **the mechanisms to control, assess and maintain effectively the knowledge and expertise of the natural persons providing advice on crypto-assets or managing portfolios of crypto-assets;**
2. **the arrangements ensuring that natural persons involved in the provision of advice or portfolio management are aware of, understand and apply the applicant’s internal policies and procedures established to comply with Regulation (EU) 2023/1114, in particular with Article 81(1) of that Regulation and anti-money laundering and anti-terrorist financing obligations in accordance with Directive (EU) 2015/849**
3. **the amount of human and financial resources planned to be devoted on a yearly basis by the Applicant to the professional development and training of the staff providing advice on crypto-assets or managing portfolios of crypto-assets.**
 |  |
| **J2** | **The mechanisms to control, assess and maintain that the natural persons giving advice on behalf of the notifying entity have the necessary knowledge and expertise, according to the criteria for such assessment used in national legislation, to assess the suitability as referred to in Article 81(1) of Regulation (EU) 2023/1114.** |  |
|  |  |  |
|  | **ANNEX K: Transfer services*****The following disclosures apply in case where the Applicant intends to provide transfer services for crypto-assets on behalf of clients*** |
|  | **INFORMATION** | **Relevant Doc. (#Paragraph, #Page)** |
| **K1** | **Details on the types of crypto-assets for which the applicant intends to provide transfer services.** |  |
| **K2** | **A detailed description of the arrangements put in place by the notifying entity to comply with Article 82 of Regulation (EU) 2023/1114, including detailed information on the notifying entity’s arrangements and deployed ICT and human resources to address risks promptly, efficiently and thoroughly during the provision of transfer services for crypto-assets on behalf of clients, taking into account potential operational failures and cybersecurity risks.** |  |
| **K3** | **Where available, a description of the notifying entity’s insurance policy, including on the insurance’s coverage of detriment to client’s crypto-assets that may result from cyber security risks.**  |  |
| **K4** | **Arrangements to ensure that clients are adequately informed about the policies and procedures and arrangements referred to in point K2.** |  |

# **PART C -** **CONFIRMATIONS**

**Confirmations by external auditors - legal advisers**

Attach certifications from the external auditors and legal advisers of the Applicant that, from what they know and believe, neither the applicant nor the persons that effectively direct its business are in any way involved, directly or indirectly, in any criminal activities or any activities, that may be used in the promotion, furtherance, assistance, instigation of money laundering and/or terrorist financing or that may be deemed to be promoting, furthering, assisting or instigating it.

**Declaration by Directors**

**We responsibly declare, having full knowledge of the consequences of the Law, that:**

1. **We have exercised all due diligence in ensuring that all the information stated in this application, as well as the details and documents that accompany it are correct, complete and accurate.**
2. **We have taken all necessary measures so that the applicant will fulfill all the requirements to provide services in relation to Crypto Assets in accordance with Article 60 of the Regulation (EU) 2023/1114.**
3. **We will notify the Commission, in writing, immediately where, in the period between the submission of the application and the Commission’s decision, a change takes place in the information or and details and documents submitted with the application.**

**We understand the provisions of Section 41 of the Cyprus Securities and Exchange Commission Laws 2009 to 2020, according to which, the provision of false, or misleading information constitutes a criminal offence which is subject to a penalty of imprisonment not exceeding five years or to a fine up to one hundred and seventy thousand euro or to both penalties.**

**With full understanding and acceptance of the details provided herein, we hereby grant our explicit consent to the processing of our personal data, in compliance with the General Data Protection Regulation 2016/679 (GDPR), as it may be amended over time, and that the following personal data will be transmitted to the ESAs Information System established pursuant to Article 31a of the ESAs’ Founding Regulations: *First name(s), surname/family name, date of birth, place of birth, birth name, other names used.***

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Full name and capacity Signature

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Date: ……………………………………….……………………………………………

# **PART D -** **LIST OF DOCUMENTS THAT ACCOMPANY THE APPLICATION FORM**

| **TITLE OF DOCUMENT** | **Number of Relevant Document** | **FOR INTERNAL USE ONLY** |
| --- | --- | --- |
| Program of operations*(Business Plan)* | **1** |  |
| Group Structure Chart | **2** |  |
| Organisational Structure Chart | **3** |  |
| Business Continuity Plan | **4** |  |
| AML Manual | **5** |  |
| ICT Technical Documentation*(As per requirement D1, Annex D)* | **6** |  |
| Cybersecurity Audit Report*(if available, as per requirement D2, Annex D)* | **7** |  |
| ICT systems Audit Reports*(If available, as per requirement D3, Annex D)* | **8** |  |
| ICT systems description in non-technical language*(as per requirement D4, Annex D)* | **9** |  |
| Procedures for the segregation of clients’ crypto-assets and funds *(as per requirements of Annex E)* | **10** |  |
| Custody and administration policy*(as per requirements of Annex F)* | **11** |  |
| Operating rules of the trading platform*(as per requirements of Annex G)* | **12** |  |
| Policies and procedures and systems to detect and prevent market abuse, including information on the communications to the competent authority of possible market abuse cases | **13** |  |
| Internal Operations Manual***Explanation: Depending on the equivalent services, it intends to provide, the Applicant must include specific information about the relevant policies it will establish as required in Annexes H – J.*** | **14** |  |
| Description of the arrangements put in place to comply with Article 82 of Regulation (EU) 2023/1114***Explanation: Where the Applicant intents to provide transfer services, the relevant arrangements should be submitted as a stand-alone document.*** | **15** |  |
|  |  |  |

1. Please note that this notification form shall not be deemed as officially submitted until the Regulation enters into force. [↑](#footnote-ref-1)
2. [The Prevention and Suppression of Money Laundering and Terrorist Financing Law of 2007 to 2023](https://www.cysec.gov.cy/CMSPages/GetFile.aspx?guid=71792292-672d-4464-a225-d872daa76fa4) [↑](#footnote-ref-2)
3. Regulation (EU) 2023/1113 of the European Parliament and of the Council of 31 May 2023 on information accompanying transfers of funds and certain crypto-assets and amending Directive (EU) 2015/849 (OJ L 150, 9.6.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/1113/oj). [↑](#footnote-ref-3)
4. Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011 (OJ L 333, 27.12.2022, p. 1, ELI: http://data.europa.eu/eli/reg/2022/2554/oj). [↑](#footnote-ref-4)
5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) [↑](#footnote-ref-5)