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**NOTIFICATION OF INTENTION**

**TO FREELY PROVIDE/PERFORM SERVICES/ACTIVITIES**

**IN ANOTHER MEMBER STATE AND/OR THIRD COUNTRY**

**Name of CIF : «…..……………………………..»**

**Authorisation number : «…………………………………»**

**Purpose of this form**

You should complete this form if you are a Cyprus Investment Firm that wishes to exercise a passport right for free provision/performance of investment services/activities in another member state and/or a third country.

You may also use this form if you are a Cyprus Investment Firm that wishes to notify the Cyprus Securities and Exchange Commission of changes to the details of your current free provision/performance of services/activities.

Please submit this form both in hard copy form and **by email in word format at** **authorisations@cysec.gov.cy****.**

|  |
| --- |
| For official use onlyThe applicant has paid the charges regarding the notification, as these are defined in point 13 of the Directive DI144-2007-04 as amended by DI144-2007-04(A).  ………………………………… Signature…………………..……….. Name/Position |

**Notification pursuant to section 79 of the Investment Services and Activities and Regulated Markets Law (L. 144(I)/2007)**

1. **Details of the person that CySEC will contact about this application**

|  |  |  |
| --- | --- | --- |
| Contact person name | : |  |
| Telephone number | : |  |
| Fax number | : |  |
| e-mail address | : |  |

1. Indicate with (√) the member state(s) and/or name the third countries into which services/activities are to be provided/performed.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Member states required** |  |  | **Third countries required** |  |
| All member states |  |  |  |  |
|  |  |  |  |  |
| Austria  |  |  |  |  |
| Belgium |  |  |  |  |
| Bulgaria |  |  |  |  |
| Croatia |  |  |  |  |
| Czech Republic |  |  |  |  |
| Denmark |  |  |  |  |
| Estonia |  |  |  |  |
| Finland |  |  |  |  |
| France |  |  |  |  |
| Germany |  |  |  |  |
| Greece |  |  |  |  |
| Hungary |  |  |  |  |
| Iceland |  |  |  |  |
| Italy  |  |  |  |  |
| Ireland |  |  |  |  |
| Latvia |  |  |  |  |
| Liechtenstein |  |  |  |  |
| Lithuania |  |  |  |  |
| Luxembourg |  |  |  |  |
| Malta |  |  |  |  |
| Netherlands |  |  |  |  |
| Norway |  |  |  |  |
| Poland |  |  |  |  |
| Portugal |  |  |  |  |
| Romania |  |  |  |  |
| Slovak Republic |  |  |  |  |
| Slovenia |  |  |  |  |
| Spain |  |  |  |  |
| Sweden  |  |  |  |  |
| UK |  |  |  |  |

1. If the firm intends to provide/perform services/activities into more than one member state and/or third country, will these services vary for each state?

|  |  |  |
| --- | --- | --- |
| Yes  |  | (see point 4.14 below) |
| No |  |  |

1. **Notification details**

|  |  |  |  |
| --- | --- | --- | --- |
| * 1. 3
 | Τype of notification | **:** | [i.e. first time/ additional services/ address change[[1]](#footnote-1)] |
|  | Notification reference | **:** | [for official use] |
|  | Investment firm | **:** | [Name of firm] |
|  | Address | **:** | [address] |
|  | Telephone number | **:** | [tel. No] |
|  | Fax number  | **:** | [fax No] |
|  | Email  | **:** | [email] |
|  | Domain name[[2]](#footnote-2)  | **:** | [domain name] |
|  | Contact | **:** | [name] |
|  | Home State | **:** | Cyprus |
|  | Authorisation Status | **:** | Authorised by the Cyprus Securities and Exchange Commission |
|  | Authorisation Date | **:** | [Authorisation Date] |
|  | Date from which MiFIDservices will be provided | **:** | [for official use] |
| * 1. MiFID services/activities to be provided/performed (if the answer to point 3 above is yes, please complete a separate matrix for each member state/third country):
 |
|  | **Investment services and activities** | **Ancillary services** |
|  | **1** | **2** | **3** | **4** | **5** | **6** | **7** | **8** | **1** | **2** | **3** | **4** | **5** | **6** | **7** |
| **Financial Instruments** | **1** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **2** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **3** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **4** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **5** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **6** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **7** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **8** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **9** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **10** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

1. Indicate the proposed date in which you wish to start business.

|  |  |
| --- | --- |
| Date | dd/mm/yy |

1. **Program of operations**
	1. Describe the way in which the services/activities mentioned in point 4.14 above will be conducted.

|  |
| --- |
|  |

* 1. Describe the type of clients and/or counterparties with whom the services/activities mentioned in point 4.14 above will be conducted.

|  |
| --- |
|  |

* 1. Describe the systems of internal control over the services/activities to be provided/performed into the other member states/third countries that will be used by management in Cyprus to monitor such services/activities.

|  |
| --- |
|  |

1. **Tied agents**
	1. State whether you intend to use tied agents to freely provide/perform services/activities in the territory of another member state.

|  |  |
| --- | --- |
| Yes  |  |
| No |  |

* 1. In case of a positive answer in point 7.1 above, please complete the following table for each tied agent you intend to use to freely provide services in the territory of another member state:

|  |  |  |  |
| --- | --- | --- | --- |
|  | Name  | : |  |
|  | Trading name(s), if different from the name given above | : |  |
|  | Identity card or passport number /registration number (in case of a company) and country of issue | : |  |
|  | Address | : |  |
|  | Telephone number | : |  |
|  | Fax number | : |  |
|  | E-mail address |  |  |
|  | Date of commencement of agreement with the investment firm | : |  |
|  | Member state in which the tied agent will operate | : |  |
|  | Member state in which the tied agent is registered in the public register - Registration number (if any) | : |  |

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

1. **I have exercised all due diligence in ensuring that all the information stated in this notification, as well as the details and documents that accompany it are correct, complete and accurate.**
2. **I am authorised to sign on behalf of the CIF.**

**I acknowledge and accept that the Commission may reveal information in the discharge of its duties, as these are defined in the Law 144(Ι)/2007.**

**The provision of false, or misleading information or details or documents or forms, or the withholding of material information from the current notification, in addition to constituting a violation subject to an administrative fine not exceeding €350.000 and in case of remission or continuation of the violation, an administrative fine not exceeding €700.000 and a criminal offence punishable, in the event of conviction, by imprisonment not exceeding five years.**

Full name: …………………...…………….............................................................................

Position held in the Investment Firm: …………..………………………………………

Signature: ……………………………………..………………………………………….

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

**Annex**

**Full description of MiFID services and activities and financial instruments**

**(Notes regarding point 4.14)**

**Investment services and activities (Part Ι of the Third Appendix of the Law 144(Ι)/2007)**

(1) Reception and transmission of orders in relation to one or more financial instruments

(2) Execution of orders on behalf of clients

(3) Dealing on own account

(4) Portfolio management

(5) Investment advice

(6) Underwriting of financial instruments and/or placing of financial instruments on a firm commitment basis

(7) Placing of financial instruments without a firm commitment basis

(8) Operation of Multilateral Trading Facility

**Ancillary services (Part IΙ of the Third Appendix of the Law 144(Ι)/2007)**

(1) Safekeeping and administration of financial instruments for the account of clients, including custodianship and related services such as cash/collateral management

(2) Granting credits or loans to an investor to allow him to carry out a transaction in one or more financial instruments, where the firm granting the credit or loan is involved in the transaction

(3) Advice to undertakings on capital structure, industrial strategy and related matters and advice and services relating to mergers and the purchase of undertakings

(4) Foreign exchange services where these are connected to the provision of investment services

(5) Investment research and financial analysis or other forms of general recommendation relating to transactions in financial instruments

(6) Services related to underwriting

(7) Investment services and activities as well as ancillary services of the type included under points I and II above related to the underlying of the derivatives included under point III 5, 6, 7 and 10 where these are connected to the provision of investment or ancillary services.

**Financial instruments (Part III of the Third Appendix of the Law 144(Ι)/2007)**

(1) Transferable securities

(2) Money-market instruments

(3) Units in collective investment undertakings

(4) Options, futures, swaps, forward rate agreements and any other derivative contracts relating to securities, currencies, interest rates or yields, or other derivatives instruments, financial indices or financial measures which may be settled physically or in cash

(5) Options, futures, swaps, forward rate agreements and any other derivative contracts relating to commodities that must be settled in cash or may be settled in cash at the option of one of the parties (otherwise than by reason of a default or other termination event).

(6) Options, futures, swaps, and any other derivative contract relating to commodities that can be physically settled provided that they are traded on a regulated market or/and an MTF

(7) Options, futures, swaps, forwards and any other derivative contracts relating to commodities, that can be physically settled not otherwise mentioned in paragraph 6 of Part III and not being for commercial purposes, which have the characteristics of other derivative financial instruments, having regard to whether, inter alia, they are cleared and settled through recognised clearing houses or are subject to regular margin calls

(8) Derivative instruments for the transfer of credit risk

(9) Financial contracts for differences

(10) Options, futures, swaps, forward rate agreements and any other derivative contracts relating to climatic variables, freight rates, emission allowances or inflation rates or other official economic statistics that must be settled in cash or may be settled in cash at the option of one of the parties (otherwise than by reason of a default or other termination event), as well as any other derivative contract relating to assets, rights, obligations, indices and measures not otherwise mentioned in this Part, which have the characteristics of other derivative financial instruments, having regard to whether, inter alia, they are traded on a regulated market or an MTF, are cleared and settled through recognised clearing houses or are subject to regular margin calls.

1. Please state it clearly if the notification involves more than one type (i.e. first time notification of intention for free provision of services in one country and notification of intention for free provision of additional services in another country where the firm already provides services). [↑](#footnote-ref-1)
2. Please state all the domain names through which the Company operates for the provision of its services. [↑](#footnote-ref-2)