

# Tied agent passport notification form/ change of tied agent particulars notification



Name of Investment Services Licence Holder

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Part 1 - Notification Letter

The Director – Securities and Markets  
Malta Financial Services Authority  
Triq I-Imdina, Zone 1  
Central Business District, Birkirkara  
CBD 1010

\_\_\_\_\_

Dear Sir/ Madam

Re: Notification in accordance with Article 35 (2) of Directive 2014/65/EU for the Establishment of a Tied Agent in another member state

We wish to notify the MFSA that \_\_\_\_\_ (the Company) intends to  
\_\_\_\_\_ Tied Agent in:

\_\_\_\_\_

to carry out/ carrying out the services indicated and listed in this notification form.

We undertake to notify the MFSA in the event of any change in any of the particulars provided in this notification, at least one month before implementing the change.

I/We confirm that the information contained in this form is true, correct and accurate and that I/We are duly authorised to sign on behalf of and bind the Company when submitting this form.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

## Part 2 – Contact Information

Type of notification: \_\_\_\_\_

Member State in which the investment firm/credit institution intends to use a tied agent established in the Host Member State(s): \_\_\_\_\_

Name of the investment firm/credit institution: \_\_\_\_\_

Address of the investment firm/credit institution: \_\_\_\_\_

Name of the contact person at the investment firm/credit institution: \_\_\_\_\_

Telephone number of the investment firm/credit institution: \_\_\_\_\_

E-mail of the investment firm/credit institution: \_\_\_\_\_

Name of the tied agent: \_\_\_\_\_

Address of the tied agent: \_\_\_\_\_

Telephone number of the tied agent: \_\_\_\_\_

E-mail of the tied agent: \_\_\_\_\_

Name(s) of those responsible for the management of the tied agent: \_\_\_\_\_

Home Member State: \_\_\_\_\_

Authorisation Status: \_\_\_\_\_

Authorised by

Authorisation Date: \_\_\_\_\_

Reference or hyperlink to the public register where the tied agent is registered: \_\_\_\_\_

Part 3 – Programme of operations

Intended investment services or activities to be provided by the tied agent (\*)

		Investment Services and Activities <sup>1</sup>									Ancillary services						
		1	2	3	4	5	6	7	8	9	1	2	3	4	5	6	7
Financial Instruments <sup>2</sup>	1	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	2	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	3	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	4	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	5	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	6	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	7	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	8	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	9	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	10	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									
	11	<input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>									

(\*) Please tick the appropriate box(es).

Business plan and structural organisation of the tied agent

Business Plan

1. Explain how the tied agent will contribute to the strategy of the firm/group.

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2. Describe what the main functions of the tied agent will be.

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<sup>1</sup> Applicants are to refer to Section A of Annex I of the Markets in Financial Instruments Directive II (2014/65/EU)

<sup>2</sup> Applicants are to refer to Section C of Annex I of the Markets in Financial Instruments Directive II (2014/65/EU)

3. Describe the main objectives of the tied agent.

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### Commercial Strategy

1. Describe the types of clients/counterparties the tied agent will be dealing with.

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2. Describe how the firm will obtain and deal with these clients.

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### Organisational Structure

1. Briefly describe how the tied agent fits into the corporate structure of the firm/group (This may be facilitated by attaching an organisational chart).

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2. Set out the organisational structure of the tied agent, showing both functional and legal reporting lines.

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3. Identify who will be responsible for the tied agent operations on a day to day basis? Provide details of professional experience of the persons responsible for the management of the tied agent (Please attach CV).

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4. Identify who will be responsible for the internal control functions at the tied agent.

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5. Identify who will be responsible for dealing with complaints in relation to the tied agent.

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6. Identify how will the tied agent report to the head office.

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7. Detail any critical outsourcing arrangements.

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### Systems & Controls

Provide a brief summary of arrangements for:

1. Safeguarding client money and assets (where applicable);  

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2. Compliance with the conduct of business and other obligations that fall under the responsibility of the Competent Authority of the host Member State according to Article 35(8) and record keeping under Article 16(6);  

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3. Staff code of Conduct, including personal account dealing;  

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4. Anti-money laundering;  

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5. Monitoring and control of critical outsourcing arrangements (where applicable).  

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6. The name, address and contact details of the accredited compensation scheme of which the investment firm or credit institution is a member.  

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### Financial Forecast

Attach a forecast statement for profit and loss and cash flow, both over an initial period of thirty-six month period.