

Form for the Branch Passport Notification and Change of Branch Particulars Notification

Name of Investment Services Licence Holder

**[Insert name here]**

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# **Part 1 - Notification Letter**

**Head – Securities and Markets Supervision**

**Malta Financial Services Authority**

**Triq l-Imdina, Zone 1 Central Business District**

**Birkirkara CBD 1010**

[Insert date here]

Dear Sir/ Madam

**Re: Notification in accordance with Article 35 (2) of Directive 2014/65/EU for the Establishment of a Branch in another Member State**

We wish to notify the Malta Financial Services Authority (‘MFSA’) that[insert name here] (‘the Investment Firm’[[1]](#footnote-1)) intends to [choose an item] the services indicated and listed in this notification form, in the following Member States:

[Insert countries here]

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 am/are duly authorised to sign on behalf of and bind the Investment Firm when submitting this form.**

Name: [Insert text here]

Signature:

Title: [Insert text here]

# **Part 2 – Contact Information**

|  |  |
| --- | --- |
| Type of notification ([[2]](#footnote-2)): | [Choose an item] |
| Member State in which the Investment Firm intends to establish a branch ([[3]](#footnote-3)): | ­­­­­­­­­­­­[Insert text here]  |
| Name of the Investment Firm: | [Insert text here]  |
| Address of the Investment Firm: Name of the contact person at the Investment Firm: | [Insert text here] [Insert text here]  |
| Telephone number of the Investment Firm: | [Insert text here]  |
| E-mail of the Investment Firm: | [Insert text here]  |
| Name of the branch: | [Insert text here]  |
| Address of the branch: | [Insert text here]  |
| Telephone number of the branch: | [Insert text here]  |
| E-mail of the branch:Name(s) of those responsible for the management of the branch: | [Insert text here] [Insert text here]  |
| Home Member State: | Malta |
| Authorisation Status: | Authorised by the MFSA |
| Authorised by: | MFSA |
| Authorisation Date ([[4]](#footnote-4)):  | [Insert text here]  |
|  |  |

# **Part 3 – Programme of operations**

## **Intended investment services, activities and ancillary services provided by the branch (\*)**

|  |  |  |
| --- | --- | --- |
|  | **Investment Services and Activities****[[5]](#footnote-5)** | **Ancillary services5** |
|  | **A1** | **A2** | **A3** | **A4** | **A5** | **A6** | **A7** | **A8** | **A9** | **B1** | **B2** | **B3** | **B4** | **B5** | **B6** | **B7** |
| **Financial Instruments5** | **C1** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C2** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C3** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C4** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C5** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C6** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C7** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C8** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C9** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C10** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
|  | **C11** |[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
| (\*) Please tick the appropriate box(es). |

## **Business Plan and Structural Organisation of the Branch**

### Business Plan

1. Explain how the branch will contribute to the strategy of the Investment Firm/group.

[Insert text here]

1. Describe what the main functions of the branch will be.

[Insert text here]

1. Describe the main objectives of the branch.

[Insert text here]

### Commercial Strategy

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

[Insert text here]

1. Describe how the Investment Firm will obtain and deal with these clients.

[Insert text here]

### Organisational Structure

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

[Insert text here]

1. Set out the organisational structure of the branch, showing both functional and legal reporting lines.

[Insert text here]

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

[Insert text here]

1. Identify who will be responsible for the internal control functions at the branch.

[Insert text here]

1. Identify who will be responsible for dealing with complaints in relation to the branch.

[Insert text here]

1. Explain how the branch will report to the head office.

[Insert text here]

1. Detail any critical outsourcing arrangements.

[Insert text here]

###

### Tied Agents ([[6]](#footnote-6))

1. Will the branch use a tied agent?

[Insert text here]

1. What is the identity of the tied agent?

Name [Insert text here]

Address [Insert text here]

Telephone [Insert text here]

Email [Insert text here]

Contact Point [Insert text here]

Reference or hyperlink to the public register where the tied agent is registered.

[Insert text here]

### Systems & Controls

Provide a brief summary of arrangements for:

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

[Insert text here]

1. 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);

[Insert text here]

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

[Insert text here]

1. Anti-money laundering;

[Insert text here]

1. Monitoring and control of critical outsourcing arrangements (if applicable).

[Insert text here]

1. The name, address and contact details of the accredited compensation scheme of which the Investment Firm is a member.

[Insert text here]

### Financial Forecast

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

1. As defined under Article 4(1)(1) of the Markets in Financial Instruments Directive II (2014/65/EU) [↑](#footnote-ref-1)
2. For the purposes of a change of branch particulars notification please complete only the parts of the forms which are relevant to the notified changes. When the Investment Firm intends to make changes to the investment services, activities, ancillary services or financial instruments provided by the branch, the Investment Firm shall list all investment services, activities ancillary services or financial instruments the branch provide. [↑](#footnote-ref-2)
3. Please note that national corporate law may require the previous registration to a commercial registry prior to the commencement of operations by the branch. [↑](#footnote-ref-3)
4. The date on which the Investment Firm was granted an Investment Services Licence pursuant to article 6 of the Investment Services Act, 1994. [↑](#footnote-ref-4)
5. Refer to Annex I of the Markets in Financial Instruments Directive II (2014/65/EU) [↑](#footnote-ref-5)
6. The Investment Firm shall submit a separate passport notification in respect of each tied agent the branch intends to use. [↑](#footnote-ref-6)