|  |  |
| --- | --- |
|  |  |
| MALTA FINANCIAL SERVICES AUTHORITY |
| **AA103 – MiCA Notification Form** |
|  |

|  |
| --- |
|  |
| **High Level Guidelines** |
|  |
|  |
| 1. General

This Notification Form emanates from Regulation (EU) 2023/1114 on Markets in Crypto-Assets (or "the MiCA Regulation") and the relevant Commission Implementing Regulation laying down implementing technical standards for the application of Regulation (EU) 2023/1114 as published under Title V of the MiCA Regulation. This Notification Form shall be duly filled in by the governing body of the entity authorised under Article 6 of the Investment Services Act, who intends to provide crypto-asset services under the scope of Article 60 of the MiCA Regulation ("the notifying entity").In this respect, the governing body of the notifying entity, or the person authorised by it to act on its behalf, shall to the best of its knowledge, provide information, which is truthful, accurate and complete. The notifying entity, or the person authorised by it to act on its behalf shall notify the MFSA immediately if the information provided changes in any respect.The governing body of the notifying entity, or the person authorised by it to act on its behalf shall note that it is a criminal offence, under Article22(3) and 23 of the Act, to furnish information or to make a statement which one knows to be inaccurate, false or misleading in any material respect, or to recklessly furnish information or to make a statement which is inaccurate, false or misleading in any material respect, pursuant to any of the provisions of this Act or of any Regulations made or of any Rules issued thereunder, or any condition, obligation, requirement, directive or order made or given as aforesaid.The governing body of the notifying entity, or the person authorised by it to act on its behalf is required to make reference, and where applicable comply with, the Act, the Regulations made, or Rules issued thereunder during the completion of the Notification Form. The governing body of the notifying entity, or the person authorised by it to act on its behalf shall also refer to the respective National and/or European Regulatory Frameworks or other binding regulation as may be applicable.The governing body of the notifying entity, or the person authorised by it to act on its behalf shall not tamper with, or modify in any manner, this Notification Form. Should it transpire that the documents were tampered with, or modified in any manner, the Authority shall consider the Notification Form to be invalid. Any potential improvements should be communicated to the MFSA for consideration.The Authority may, at its sole discretion, request further information/ documentation from the governing body of the notifying entity, or the person authorised by it to act on its behalf.1. Definitions

For the purposes of this Notification Form, the definitions identified below should be read in conjunction with the provisions of the Act, the Regulations and other respective national or European regulatory frameworks or other binding regulations as may be applicable.In the event that any of the definitions contained hereunder conflict with a definition under the Act, the definitions set out in the Act or in any other such law shall prevail, unless otherwise specified herein.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| **‘Act’** | means the Investment Services Act (Chapter 370 of the Laws of Malta)  |
|  |  |
| **‘Authority’****‘ESMA’** | means the Malta Financial Services Authority established by the Malta Financial Services Authority Act (Chapter 330 of the Laws of Malta)European Securities Markets Authority’ |
|  |  |
|  |  |
|  |  |
| **‘Regulatory framework’** | means the respective National and/or European Regulatory Frameworks or other binding regulation, as may be applicable |
| **‘RTS’** | means the ESMA Regulatory Technical Standard (‘RTS’) specifying the information to be submitted as part of the notification for provision of crypto-asset services, issued in terms of the MiCA Regulation. |
|  |  |

1. Instructions

All relevant sections of the Notification Form must be completed. If the form is not electronically signed, it must be printed, originally signed, and sent to the Authority at the following address: **Investment** **Services Supervision** **Malta Financial Services Authority****Triq l-Imdina, Zone 1****Central Business District, Birkirkara****CBD 1010**In the printed Declaration Form, the Applicant is reminded to enter the name of the notifying entity. It is to be noted that only this declaration Form should be sent physically to the Authority. In order for the Notification Form to be considered complete, and therefore for the prescribed 20 working days to commence, the notifying entity is required to have submitted, along with a duly filled Notification Form, all the required documentation as identified within this Notification Form. 1. Privacy Notice

The MFSA ensures that any processing of personal data is conducted in accordance with Regulation (EU) 2016/679 (General Data Protection Regulation), the Data Protection Act (Chapter 586 of the Laws of Malta) and any other relevant European Union and national law. For further details, you may refer to the MFSA Privacy Notice available on the MFSA webpage <https://www.mfsa.mt/privacy-notice/>.  |

| * 1. Details of the Notifying Entity
 |
| --- |
|  | **General and Identification Details**  |
|  | **Identification** |
|  | Registered Name | Enter text |
|  | Registered Number  | Enter text |  | Date of Registration | Enter date |
|  | Name of Registry*(if applicable)* | Malta Business Registry |  | Country of Registration | Malta |
|  | LEI Code *(if applicable)* | Enter text |
|  | Authorisation type | Select item |  | Date of Authorisation | Enter date |
|  | **Addresses** |
|  | **Registered Address***Indicate registered address as indicated on the Registration Document.* |
|  | Number/Name | Enter text |  | Street/Road | Enter text |
|  | City/Town/Village | Enter text |  | Region/State*(if applicable)* | Enter text |
|  | Post Code | Enter text |  | Country | Select country |
|  | **Representation** *Indicate the details of the internal representatives of the notifying entity and their contact details, as applicable.* |
|  | **Internal Representative** |
|  | Position | Select item |  | If *‘Other’*: Specify Position | Enter text |
|  | Title | Select item |
|  | Name | Enter text |  | Surname | Enter text |
|  | Representative’s Business Email Address | Enter text |
|  | Representative’s Business Direct Number | Enter text |

| * 1. Activities, Business Model and Strategy
 |
| --- |
|  | **Activities** |
|  | **Proposed Financial Service Activity – Investment Firm***Indicate the proposed activities which the notifying entity intends to undertake pursuant to Article 60 of the MiCA Regulation.* |
|  |

|  |  |
| --- | --- |
|  | Financial Service |
|  | Dealing on own account | Execution of orders on behalf of other persons | Reception and Transmission of Orders | Management | Investment Advice | Trustee, Custodian or Nominee | Placing of instruments without a firm commitment basis | Underwriting/placing of instruments on a firm commitment basis | Operation of an MTF | Operation of an OTF |
| Crypto Assets | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |

 |
|  | **Client base – Investment Firm***Indicate the intended target market* |
|  |

|  |  |
| --- | --- |
|  | Financial Service |
|  | Dealing on own account | Execution of orders on behalf of other persons | Reception and Transmission of Orders | Management | Investment Advice | Trustee, Custodian or Nominee | Placing of instruments without a firm commitment basis | Underwriting/placing of instruments on a firm commitment basis | Operation of an MTF | Operation of an OTF |
| * 1. Retail Clients
 | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| * 1. Professional Clients (excluding collective investment schemes)
 | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| * 1. Professional Clients (including collective investment schemes)
 | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| * 1. Collective Investment Schemes
 | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| * 1. Eligible Counterparties
 | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |

 |
|  | **Proposed Financial Service Activity – Fund Management***Indicate the proposed activities which the notifying entity intends to undertake pursuant to Article 60 of the MiCA Regulation.* |
|  |

|  |  |  |
| --- | --- | --- |
|  | Core Activities | Non-Core Activities |
|  | Management of Portfolio of Investments | Reception and Transmission of Orders  | Investment Advice | Discretionary Portfolio Management  |
| Crypto Assets | - | - | - | - |

 |
|  | **Client base – Fund Management***Indicate the intended target market* |
|  |

|  |  |  |
| --- | --- | --- |
|  | Core Activities | Non-Core Activities |
|  | Management of Portfolio of Investments | Reception and Transmission of Orders  | Investment Advice | Discretionary Portfolio Management  |
| Retail Clients | - | - | - | - |
| Professional Clients | - | - | - | - |
| Collective Investment Schemes | - | - | - | - |
| Eligible Counterparties  | - | - | - | - |

 |
|  | **Proposed Financial Service Activity – Trading Venue***Indicate the proposed activities which the notifying entity intends to undertake pursuant to Article 60 of the MiCA Regulation.* |
|  |

|  |  |
| --- | --- |
|  | Financial Service |
|  | Operation of a Regulated Market ('RM') | Operation of a Multilateral Trading Facility ('MTF') | Operation of an Organised Trading Facility ('OTF') |
| Crypto Assets | -- | -- | -- |

 |
|  |  |
|  | **Proposed Financial Service Activity – Central Securities Depositories***Indicate the proposed activities which the notifying entity intends to undertake pursuant to Article 60 of the MiCA Regulation.* |
|  |

|  |  |
| --- | --- |
|  | Financial Service |
|  | Operating a securities settlement system (‘settlement service’) - Mandatory | Establishing CSD links, providing, maintaining or operating securities accounts in relation to the settlement service, collateral management, other ancillary services |
| Crypto Assets | -- | -- |

 |
| **Information requirements** for financial entities that intend to provide crypto-asset services as **requested under the RTS** |
|  | **Article 1: Programme of Operations** *Note: This section should be populated for the following three years of operations* |
|  | Where the notifying entity belongs to a group as defined in Article 2(11) of Directive 2013/34/EU, an explanation of how the activities of the notifying entity 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 (if applicable).  |
|  | Enter text |
|  | An explanation of how the activities of the entities affiliated with the notifying entity, 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 (including regulated services, activities and types of clients) and the domain names of each website operated by such entities. |
|  | Enter text |
|  | A list of crypto-asset services that the notifying entity intends to provide as well as the types of crypto-assets to which the crypto-asset services will relate. |
|  | Enter text |
|  | Details on other planned activities, regulated in accordance with Union or national law or unregulated, including any other services, than crypto-asset services, that the notifying entity intends to provide. |
|  | Enter text |
|  | Whether the notifying entity 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. |
|  | Enter text |
|  | A list of jurisdictions, in and outside the European Union, in which the notifying entity plans to provide crypto-asset services, including information on the targeted number of clients by geographical area. |
|  | Enter text |
|  | Types of prospective clients targeted by the notifying entities’ crypto-asset services. |
|  | Enter text |
|  | A description of the means of access to the notifying entity’s crypto-asset services by clients, including all of the following: |
|  | The domain names for each website or other ICT-based application through which the crypto-asset services will be provided by the notifying entity and information on the languages in which the website or other ICT-based application will be available, the types of crypto-asset services that will be accessed through that website or other ICT-based application and, where applicable, from which Member States the website or other ICT-based application will be accessible; |
|  | Enter text |
|  | The name of any ICT-based application available to clients to access the crypto-asset services, the languages in which that ICT-based application is available, and the crypto-asset services which can be accessed through the ICT-based application |
|  | Enter text |
|  | The planned marketing and promotional activities and arrangements for the crypto-asset services, including: |
|  | All means of marketing to be used for each of the services, the means of identification that the notifying entity intends to use and information on the relevant category of clients targeted and types of crypto-assets; |
|  | Enter text |
|  | Languages that will be used for the marketing and promotional activities. |
|  | Enter text |
|  | A detailed description of the human, financial and ICT resources allocated to the intended crypto-asset services as well as their geographical location. |
|  | Enter text |
|  | Information on the notifying entity’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, how the notifying entity intends to comply with the requirements set out in Article 73 of Regulation (EU) 2023/1114. This information should also include details on the functions or person responsible for outsourcing, the resources (human and ICT) allocated to the control of the outsourced functions, services or activities of the related arrangements and on the risk assessment related to the outsourcing.  |
|  | Enter text |
|  | The list of entities that will provide outsourced services for the provision of crypto-asset services, their geographical location and the relevant services outsourced. |
|  | Enter text |
|  | A 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 notifying entity. |
|  | Enter text |
|  | Any exchange of crypto-assets for funds and other crypto-asset activities that the notifying entity intends to undertake, including through any decentralised finance applications with which the notifying entity wishes to interact on its own account. |
|  | Enter text |
|  | Where the notifying entity 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. |
|  | Enter text |
|  | Where the notifying entity intends to provide the service of placing of crypto-assets, it shall provide to the competent authority a copy of the policies and 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 as well as Article 9 of the RTS on conflicts of interest of CASPs. |
|  | Enter text |
|  | **Article 2: Business Continuity** |
|  | A detailed description of the notifying entity’s business continuity plan, including which steps shall be taken to ensure continuity and regularity in the provision of the notifying entity’s crypto-asset services. |
|  | Enter text |
|  | The description shall include details showing that the established business continuity plan is appropriate and that arrangements are set up to maintain and periodically test it. The description shall explain, 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. The description shall also explain 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 jurisdiction. |
|  | Enter text |
|  | **Article 3: Detection and prevention of money laundering and terrorist financing** |
|  | The notifying entity’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 the notifying entity’s customer base, to the products and services provided, to the transactions, to the distribution channels used and to the geographical areas of operation. |
|  | Enter text |
|  | The measures that the notifying entity has or will put in place to prevent the identified risks and comply with applicable anti-money laundering and counter-terrorist financing requirements and other anti-financial crime, including the 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.  |
|  | Enter text |
|  | Detailed information on how such mechanisms, systems and procedures are adequate and proportionate to the scale, nature, inherent money laundering and terrorist financing risk, range of crypto-asset services provided, the complexity of the business model and how they ensure the notifying entity’s compliance with Directive (EU) 2015/849 and Regulation (EU) 2023/1113. |
|  | Enter text |
|  | The identity of the person/s in charge of ensuring compliance with anti-money laundering and counter-terrorist financing and other anti-financial crime obligations, and evidence of the person’s skills and expertise. |
|  | Enter text |
|  | 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 (annual indications) and other anti-financial crime and on specific crypto-asset related risks. |
|  | Enter text |
|  | A copy of the notifying entity’s anti-money laundering and counter-terrorism and other anti-financial crime policies and procedures and systems. |
|  | Enter text |
|  | Summary document outlining changes that have been made to the notifying entity’s anti-money laundering and counter-terrorism and other anti-financial crime policies and procedures, business risk assessment and customer risk assessment methodology and systems as a consequence of the planned introduction of crypto-asset services. |
|  | Enter text |
|  | The notifying entity`s amendments to the Risk Appetite Statement and Customer Risk Acceptance Policy in the context of the increase in Financial Crime Risks. |
|  | Enter text |
|  | The frequency of the assessment of the adequacy and effectiveness of such mechanisms, systems and policies and procedures as well as the person or function responsible for such assessment. |
|  | Enter text |
| * + 1.
 | **Article 4: ICT systems and related security arrangements** |
|  | Technical documentation of the ICT systems, on DLT infrastructure relied upon, where relevant, and on the security arrangements. To include a description of the arrangements and deployed ICT and human resources established to ensure that the notifying entity complies with Regulation (EU) 2022/2554, including, but not limited to: |
|  | 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 to safeguard the security, integrity, availability, authenticity and confidentiality of data in accordance with Regulation (EU) 2022/2554 and Regulation (EU) 2016/679; |
|  | Enter text |
|  | 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 (identity and geographical location of the providers, description of the outsourced activities or ICT services with their main characteristics, copy of contractual agreements) and how they comply with Article 73 of Regulation (EU) 2023/1114 and the Chapter V of Regulation (EU) 2022/2554; |
|  | Enter text |
|  | A description of the notifying entity’s procedures, policies, arrangements and systems for security and incident management. |
|  | Enter text |
|  | If available, a cybersecurity audit conducted by a third-party cybersecurity auditor having sufficient experience in accordance with [DORA TLPT RTS detailing the minimum requirements on capabilities which are described in DORA Level 1 Article 27] covering: the following audits or tests performed by external independent parties: |
|  | Organisational cybersecurity, physical security and secure software development lifecycle arrangements; |
|  | Enter text |
|  | Vulnerability assessments and scans, network security assessments; |
|  | Enter text |
|  | Configuration reviews of ICT assets supporting critical and important functions as defined in Article 3(22) of Regulation (EU) 2022/2554; |
|  | Enter text |
|  | Penetration tests on the ICT assets supporting critical and important functions as defined in Article 3(22) of Regulation (EU) 2022/2554, in accordance with all the following audit test approaches:* 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, etc.;
* grey box phase: auditors have the knowledge of a standard user of the information system (legitimate authentication, “standard” workstation, etc.). The identifiers can belong to different user profiles in order to test different privilege levels;
* white box phase: auditors have as much technical information as possible (architecture, source code, telephone contacts, identifiers, etc.) before starting the analysis. They also have access to technical contacts related to the target;
 |
|  | Enter text |
|  | If the notifying entity uses and/or develops smart contracts, a cybersecurity source code review of them. |
|  | Enter text |
|  | A description of conducted audits of the ICT systems including used DLT infrastructure and security arrangements. |
|  | Enter text |
|  | A description of the relevant information set out in subparagraphs 2.5.1 and 2.5.2 in non-technical language of the information provided under points 2.5.1 and 2.5.2. |
|  | Enter text |
|  | **Article 5: Segregation of Clients’ Crypto-Assets and Funds***Note: This section should be populated for notifying entities intending to hold crypto-assets belonging to clients or the means of access to such crypto-assets, or clients’ funds (other than e-money tokens)* |
|  | A detailed description of its policies and procedures for the segregation of clients’ crypto-assets and funds, including all of the following: |
|  | How the notifying entity ensures that: |
|  | Clients’ funds are not used for its own account; |
|  | Enter text |
|  | Crypto-assets belonging to the clients are not used for its own account; |
|  | Enter text |
|  | The wallets holding clients’ crypto-assets are different from the notifying entity’s own wallets; |
|  | Enter text |
|  | A description of the approval system for cryptographic keys and safeguarding of cryptographic keys including multi-signature wallets  |
|  | Enter text |
|  | How the notifying entity segregates clients’ crypto-assets, including from other clients’ crypto-assets in the event of wallets containing crypto-assets of more than one client (omnibus accounts); |
|  | Enter text |
|  | A description of the procedure to ensure 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 notifying entity. |
|  | Enter text |
|  | Where the notifying entity does not intend to deposit funds with the relevant central bank, which factors the notifying entity is taking into account to select the credit institutions to deposit clients’ funds, including the notifying entity’s diversification policy, where available, and the frequency of review of the selection of credit institutions to deposit clients’ funds. |
|  | Enter text |
|  | 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 and policies and procedures to comply with Article 70(1), (2) and (3) of Regulation (EU) 2023/1114. |
|  | Enter text |
|  | In accordance with Article 70(5) of Regulation (EU) 2023/1114, crypto-asset service providers that are electronic money institutions or credit institutions shall only provide the information listed in paragraph 1 above in relation to the segregation of clients’ crypto-assets. |
|  | Enter text |
|  | **Article 6: Custody and Administration Policy***Note: This section should be populated for notifying entities intending to hold crypto-assets belonging to clients or the means of access to such crypto-assets, or clients’ funds (other than e-money tokens)* |
|  | A description of the arrangements linked to the type or types 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 as well as a copy of the summary of the custody policy made available to clients in accordance with Article 75(3) of Regulation (EU) 2023/1114; |
|  | Enter text |
|  | The notifying entity’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 policies and procedures, and a description of, the arrangements to ensure compliance with Article 75(8) of Regulation (EU) 2023/1114; |
|  | Enter text |
|  | The policies and procedures, and a description of the systems and controls, to manage those risks, including when the custody and administration of crypto-assets on behalf of clients is outsourced to a third party; |
|  | Enter text |
|  | 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; |
|  | Enter text |
|  | The policies and procedures relating to, and a description of, the systems to ensure the return of crypto-assets or the means of access to the clients; |
|  | Enter text |
|  | Information on how the crypto-assets and the means of access to the crypto-assets of the clients are identified. |
|  | Enter text |
|  | Information on arrangements to minimise the risk of loss of crypto-assets or of means of access to crypto-assets. |
|  | Enter text |
|  | 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: |
|  | 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; |
|  | Enter text |
|  | 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 conflicts of interest that may arise from such a delegation; |
|  | Enter text |
|  | Description of how the notifying entity intends to supervise the delegations or sub delegations. |
|  | Enter text |
|  | **Article 7: Operating rules of the trading platform and market abuse detection***Note: This section should be populated for notifying entities intending to operate a trading platform for crypto-assets* |
|  | The list of the rules regarding the admission of crypto-assets to trading. |
|  | Enter text |
|  | The approval process for admitting crypto-assets to trading, including the customer due diligence carried out in accordance with Directive (EU) 2015/849. |
|  | Enter text |
|  | The list of any categories of crypto-assets that will not be admitted to trading and the description of the reasons for such exclusion. |
|  | Enter text |
|  | The policies and procedures and fees for the admission to trading, together with a description, where relevant, of membership, rebates and the related conditions. |
|  | Enter text |
|  | The rules governing order execution, including any cancellation procedures for executed orders and for disclosing such information to market participants. |
|  | Enter text |
|  | The policies and procedures adopted to assess the suitability of crypto-assets in accordance with Article 76(2) of Regulation (EU) 2023/1114. |
|  | Enter text |
|  | The systems, procedures and arrangement put in place to comply with Article 76(7) points (a) to (h) of Regulation (EU) 2023/1114. |
|  | Enter text |
|  | The systems, procedures and arrangements to make public any bid and ask prices, the depth of trading interests at those prices which are advertised for crypto-assets through their trading platforms and price, volume and time of transactions executed in respect of crypto-assets traded on their trading platforms, in accordance with Article 76(9) and (10) of Regulation (EU) 2023/1114. |
|  | Enter text |
|  | The fee structures and a justification of how they comply with the requirements laid down in Article 76(13) of Regulation (EU) 2023/1114. |
|  | Enter text |
|  | The systems, procedures and arrangement 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. |
|  | Enter text |
|  | With regards to the settlement of transactions: |
|  | Whether the final settlement of transactions is initiated on the distributed ledger or outside the distributed ledger; |
|  | Enter text |
|  | The timeframe within which the final settlement of crypto-asset transactions is initiated; |
|  | Enter text |
|  | The systems and procedures to verify the availability of funds and crypto-assets; |
|  | Enter text |
|  | The procedures to confirm the relevant details of transactions; |
|  | Enter text |
|  | The measures foreseen to limit settlement fails; |
|  | Enter text |
|  | The definition of the moment at which settlement is final and the moment at which final settlement is initiated following the execution of the transaction. |
|  | Enter text |
|  | The 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. |
|  | Enter text |
|  | Notifying entities intending to operate a trading platform for crypto-assets shall provide to the competent authority a copy of the operating rules of the trading platform and of any procedures to detect and prevent market abuse. |
| Enter text |
|  | **Article 8: Exchange of crypto-assets for funds or other crypto-assets** *Note: This section should be populated for notifying entities intending to exchange crypto-assets for funds or other crypto-assets* |
|  | A description of the commercial policy established in accordance with Article 77(1) of Regulation (EU) 2023/1114. |
|  | Enter text |
|  | The methodology 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. |
|  | Enter text |
|  | **Article 9: Execution Policy** *Note: This section should be populated for notifying entities intending to provide the service of executing orders for crypto-assets on behalf of clients* |
|  | Submission of the execution policy, including all of the following: |
|  | The arrangements to ensure the client has provided consent on the execution policy prior to the execution of the order. |
|  | Enter text |
|  | A list of the trading platforms for crypto-assets on which the notifying entity 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. |
|  | Enter text |
|  | Which trading platforms it 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. |
|  | Enter text |
|  | How the execution factors of 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. |
|  | Enter text |
|  | Where applicable, the arrangements for informing clients that the notifying entity will execute orders outside a trading platform and how the notifying entity will obtain the prior express client consent before executing such orders. |
|  | Enter text |
|  | How the client is warned that any specific instructions from a client may prevent the notifying entity 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. |
|  | Enter text |
|  | The selection process for trading venues, execution strategies employed, the procedures and processes used to analyse the quality of execution obtained and how the notifying entity monitors and verifies that the best possible results were obtained for clients. |
|  | Enter text |
|  | The arrangements to prevent the misuse of any information relating to clients’ orders by the employees of the notifying entity. |
|  | Enter text |
|  | The arrangements and procedures for how the notifying entity will disclose to clients information on its order execution policy and notify them of any material changes to their order execution policy. |
|  | Enter text |
|  | The arrangements to demonstrate compliance with Article 78 of Regulation (EU) 2023/1114 to the competent authority, upon the request of the authority. |
|  | Enter text |
|  | **Article 10: Provision of Advice or Portfolio Management on Crypto-Assets** *Note: This section should be populated for notifying entities intending to provide advice on crypto-assets or portfolio management of crypto-assets* |
|  | The policies and procedures and a detailed description of the arrangements put in place by the notifying entity to ensure compliance with Article 81(7) of Regulation (EU) 2023/1114. This information shall include details on: |
|  | The mechanisms to control, assess and maintain effectively the knowledge and competence of the natural persons providing advice or portfolio management on crypto-assets; |
|  | Enter text |
|  | The arrangements to ensure that natural persons involved in the provision of advice or portfolio management are aware of, understand and apply the notifying entity’s internal policies and procedures designed to ensure compliance with Regulation (EU) 2023/1114, especially Article 81(1) of Regulation (EU) 2023/1114 and anti-money laundering and anti-terrorist financing obligations in accordance with Directive (EU) 2015/849; |
|  | Enter text |
|  | The amount of human and financial resources planned to be devoted on a yearly basis by the notifying entity to the professional development and training of the staff providing advice or portfolio management on crypto-assets; |
|  | Enter text |
|  | The arrangements adopted by the notifying entity to ensure that the natural persons giving advice on behalf of the notifying entity have the necessary knowledge and expertise to conduct the suitability assessment referred to in Article 81(1) of Regulation (EU) 2023/1114. |
|  | Enter text |
|  | **Article 11: Transfer services** *Note: This section should be populated for notifying entities intending to provide transfer services for crypto-assets on behalf of clients* |
|  | Details on the types of crypto-assets for which the notifying entity intends to provide transfer services. |
|  | Enter text |
|  | The policies and procedures and a detailed description of the arrangements put in place by the notifying entity to ensure compliance 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, considering potential operational failures and cybersecurity risks. |
|  | Enter text |
|  | If any, 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. |
|  | Enter text |
|  | Arrangements to ensure that clients are adequately informed about the policies and procedures and arrangements referred to in point 2.12.2 above. |
|  | Enter text |

| * 1. Declaration Form
 |
| --- |
| Dear Enter text,In accordance with the Regulation (EU) 2023/1114 on Markets in Crypto-Assets (or "the MiCA Regulation") and the relevant Commission Implementing Regulation laying down the implementing technical standards for the application of Regulation (EU) 2023/1114 as published under Title V of the MiCA Regulation and of the Council with regard to standard forms, templates and procedures for the notification of certain entities of their intention to provide crypto-asset services, kindly find attached our notification of our intention to provide crypto-asset services. We Enter name of Notifying Entity 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 notification 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.Details of person in charge of preparing the notification: |
| Signature |  |  |
| Name  | Enter text | Surname | Enter text |
| Position | Enter text | Date | Enter date |
| Telephone Number | Enter text | Email Address | Enter text |
|  |  |