

Brussels, 2 October 2020

## Annex 2 to communication NBB\_2020\_038

### **Branch passport notification in accordance with Article 35 of Directive 2014/65/EU**

This form should be used in case of notification and of modification of an existing notification regarding the establishment of a branch in another EEA Member State. In the latter case, please complete only the parts of the form which are relevant for the notified changes. If the changes purport to the investment services, activities or financial instruments, please list all the investment services, activities, or financial instruments the firm will provide in the future.

<b>Firm Name:</b>	
<b>Date:</b>	

<b>1. Contact Information</b>	
<b>Type of Notification:</b>	Branch passport notification / change of branch particulars notification
<b>Member State in which the investment firm intends to establish a branch:</b>	
<b>Name of the investment firm:</b>	
<b>Address of the investment firm:</b>	
<b>Telephone number of the investment firm:</b>	
<b>Email of the investment firm:</b>	
<b>Name of the contact person at the investment firm:</b>	
<b>Name of the branch:</b>	
<b>Address of the branch:</b>	
<b>Telephone number of the branch:</b>	
<b>Email of the branch:</b>	
<b>Name(s) of those responsible for the management of the branch:</b>	

<b>Home Member State:</b>	Belgium
<b>Authorisation Status:</b>	Authorised by the National bank of Belgium
<b>Authorisation Date:</b>	

## 2. Programme of Operations

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

		Investment services and activities									Ancillary services						
		A 1	A 2	A 3	A 4	A 5	A 6	A 7	A 8	A 9	B 1	B 2	B 3	B 4	B 5	B 6	B 7
Financial Instruments	C1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	C11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Please place an (x) in the appropriate box (es).

## 3. Business Plan and structural organisation of the branch

<p><b><u>Business plan</u></b></p> <ol style="list-style-type: none"> <li>How will the branch contribute to the strategy of the firm/group?</li> <li>What will the main functions of the branch be?</li> <li>Describe the main objectives of the branch.</li> </ol>	
<p><b><u>Commercial Strategy</u></b></p> <ol style="list-style-type: none"> <li>Describe the types of clients/counterparties the branch will be dealing with.</li> <li>Describe how the firm will obtain and deal with these clients.</li> </ol>	

<p><b><u>Organisational structure</u></b></p> <ol style="list-style-type: none"> <li>1. Briefly, describe how the branch fits into the corporate structure of the firm/group. (This may be facilitated by attaching an organisational chart.)</li> <li>2. Set out the organisational structure of the branch, showing functional, geographical and legal reporting lines.</li> <li>3. 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).</li> <li>4. Identify who will be responsible for the internal control functions at the branch.</li> <li>5. Identify who will be responsible for dealing with complaints in relation to the branch.</li> <li>6. Explain how the branch will report to the head office.</li> <li>7. Detail any critical outsourcing arrangements.</li> </ol>	
<p><b><u>Tied Agents<sup>1</sup></u></b></p> <ol style="list-style-type: none"> <li>1. Will the branch use a tied agent?</li> <li>2. What is the identity of the tied agent? <ul style="list-style-type: none"> <li>- Name</li> <li>- Address</li> <li>- Telephone</li> <li>- E-mail</li> </ul> </li> </ol>	

<sup>1</sup> The investment firm shall submit a separate passport notification in respect of each tied agent the branch intends to use.

<ul style="list-style-type: none"> <li>- Contact point</li> <li>- reference or hyperlink to the public register where the tied agent is registered</li> </ul>	
<p><b><u>Systems &amp; Controls</u></b></p> <p>Provide a brief summary of arrangements for:</p> <ol style="list-style-type: none"> <li>1. safeguarding client money and assets;</li> <li>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 Art 35(8) and record keeping under Art 16(6);</li> <li>3. staff code of Conduct, including personal account dealing;</li> <li>4. anti-money laundering;</li> <li>5. monitoring and control of critical outsourcing arrangements (if applicable);</li> <li>6. the name, address and contact details of the accredited compensation scheme of which the investment firm is a member;</li> </ol>	
<p><b><u>Financial forecast</u></b></p> <p>Attach a forecast statement for profit and loss and cash flow, both over an initial period of thirty six month period;</p>	

<b>Signed:</b>	
<b>Name of Signatory:</b>	
<b>Date:</b>	

The personal data which you have provided to the National Bank of Belgium via this form will be processed by the latter as set out in its [Privacy Policy](#).

## **SECTION A**

### **Investment services and activities**

- (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 an MTF;
- (9) Operation of an OTF.

## **Section B**

### **Ancillary services**

- (1) Safekeeping and administration of financial instruments for the account of clients, including custodianship and related services such as cash/collateral management and excluding maintaining securities accounts at the top tier level;
- (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 Section A or B of Annex 1 related to the underlying of the derivatives included under points (5), (6), (7) and (10) of Section C where these are connected to the provision of investment or ancillary services.

## **SECTION C**

### **Financial instruments**

- (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, emission allowances or other derivatives instruments, financial indices or financial measures which may be settled physically or in cash;
- (5) Options, futures, swaps, forwards 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 other than by reason of 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, a MTF, or an OTF, except for wholesale energy products traded on an OTF that must be physically settled;
- (7) Options, futures, swaps, forwards and any other derivative contracts relating to commodities, that can be physically settled not otherwise mentioned in point 6 of this Section and not being for commercial purposes, which have the characteristics of other derivative financial instruments;
- (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 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 other than by reason of default or other termination event, as well as any other derivative contracts relating to assets, rights, obligations, indices and measures not otherwise mentioned in this Section, which have the characteristics of other derivative financial instruments, having regard to whether, inter alia, they are traded on a regulated market, OTF, or an MTF;
- (11) Emission allowances consisting of any units recognised for compliance with the requirements of Directive 2003/87/EC (Emissions Trading Scheme).