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| ADMINISTRATIVE BODY TO WHICH THE APPLICATION IS ADDRESSED | |
| CNMV | Institutions Authorisation and Registration Department |
| Identification code |  |

# Application for authorisation for the establishment of a branch of a third-country IF in Spain

## Applicant(s) for authorisation[[1]](#footnote-1)

|  |  |  |
| --- | --- | --- |
| First name and surnames/firm name: | ………………………………………………………………….. | |
| Tax Id. Number (NIF)/passport no./resident card no./Tax Id. Code (CIF): | ………………………………………………………………….. | |
| Postal address: | ………………………………………………………………….. | |
| Contact telephone number: | ………………………………………………………………….. | |
| Email: | ………………………………………………………………….. | |
| Represented by **(\*)**: | ……………………….  In his/her capacity as:  ………………………. | Tax Id. Number/passport no./resident card no./Tax Id. Code: ………………………. |
| Postal address: ………………………. |
| Contact telephone number: …………………. |
| Email: ……………………. |

(\*) The representative hereby declares that his/her powers of attorney are sufficient and are not subject to conditions or limitations. He/she further declares that his/her powers are valid and have not been suspended or revoked, and that the powers to act as representative are sufficient.

**HEREBY DECLARE(S)**:

* That (Firm name) is not registered in ESMA’s register of third-country firms referred to in Article 48 of Regulation EU 600/2014 of the European Parliament and of the Council, of 15 May 2014.
* *That (Firm name) currently provides investment services and ancillary services, and engages in investment activities[[2]](#footnote-2) in Spain through its branch located at (branch address) pursuant to Article 35 of Directive 2014/65/EU of the European Parliament and of the Council, of 15 May 2014, on markets in financial instruments, amending Directive 2002/92/EC and Directive 2011/61/EU.*
* In the event of amending the terms and conditions of this authorisation, the terms and conditions of the authorisation or the supervision by the national competent authority, (Firm name) shall submit such terms and conditions in writing to the CNMV.

**REQUEST(S)**,pursuant to the provisions of *Article 171* of the Recast Text of the Spanish Securities Market Act, approved by Spanish Royal Legislative Decree 4/2015, of 23 October (*TRLMV*), and the implementing regulations thereof, the authorisation of the CNMV for the establishment of ………………, Sucursal en España, as a branch of a third-country investment firm in Spain.

## Person appointed for notification purposes

APPOINT(S) as the recipient of any notifications made by the CNMV related to the application for authorisation for the establishment of the Branch:

* Applicants
* Other (\*)

In this case, please submit the following information:

First name and surnames/firm name:

Tax Id. Number/passport no./resident card no./Tax Id. Code:

Postal address:

Contact telephone number:

Email: ………………………………………………………………………..

(\*) Please note that a copy of the requests for additional information submitted by the CNMV during the processing of the case file shall be forwarded to the person appointed as the recipient of communications.

## Contact person for the processing of the project

If the contact person for the processing of the project and the applicants requesting authorisation are not the same person, the following information must be submitted:

|  |  |  |
| --- | --- | --- |
| First name and surnames/firm name:  Tax Id. Number/passport no./resident card no./Tax Id. Code:  Postal address:    Contact telephone number:  Email:  This person is empowered to sign, for and on behalf of the applicants requesting authorisation, any written submission of documentation provided by said applicants.  No  Yes  **** The applicant hereby declares, pursuant to the provisions of Article 5 of Spanish Law 39/2015, of 1 October, on the Common Administrative Procedure of Public Administrations, that:   |  |  | | --- | --- | | * The powers granted by the applicant to such person, empower him or her to take actions and measures of a formal nature associated with this application.   Yes  No ****in which case, he/she declares that:   |  | | --- | | The powers granted by the applicant to such person, empowers him or her, under this case file, to submit requests, file affidavits or issue communications, lodge appeals, withdraw actions, and waiver rights in my name:  Attached is the supporting documentation (\*) of this representation:  (\*) *The representation shall be deemed accredited by power of attorney executed and granted in the presence of the Court or through the relevant virtual office, or by accrediting your registration with the electronic power of attorney register of the competent Public Administration.* | | |

## List of documents attached to the application

In accordance with *Articles 171* and *173* of *TRLMV*, and *Articles 29 bis(1)* and *29 ter(1)* of Spanish Royal Decree 217/2008, of 15 February, on the legal regime for investment firms and other firms that provide investment services, partially amending the Regulation of Spanish Law 35/2003, of 4 November, on Collective Investment Schemes, approved by Spanish Royal Decree 1309/2005, of 4 November (*RD on IFs*), ATTACHED to the application are the following documents:

* Manualfor the authorisation of branches of third-country firms in Spain
* List of activities of the Branch in Spain
* Audited annual accounts of the firm, and where appropriate of its group, for the last financial year
* Articles of association of the firm
* Manual on anti-money laundering and combating the financing of terrorism
* *Internal rules of conduct of the branch in Spain*
* Information on the person(s) responsible for managing the branch in Spain:
  + - Questionnaire on integrity and good governance[[3]](#footnote-3)
    - Criminal record certificate3
    - Curriculum Vitae3
    - The firm’s evaluation on the suitability of the candidate(s) proposed1
    - Other (please specify)

Signed by: ......................................................................

In .............................., on ...... ............................... 20.........

1. All documents attached to this application must be signed by the applicant, or its representative, on all pages, unless indicated otherwise. The text in italics shall only be included where appropriate. [↑](#footnote-ref-1)
2. Indicate, as appropriate. [↑](#footnote-ref-2)
3. It must be electronically signed by the person concerned. [↑](#footnote-ref-3)