Application Form for Authorisation as a Crowdfunding Service Provider

Under Regulation (EU) 2020/1503

February 2024

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| **PART 1 – Notes on Completion** |

**Regulation (EU) 2020/1503[[1]](#footnote-1) establishes an EU regulatory regime for Crowdfunding Service Providers. The Central Bank of Ireland (the Central Bank) is the competent authority in Ireland responsible for the authorisation and supervision of Crowdfunding Service Providers pursuant to the European Union (Crowdfunding) Regulations 2021 (S.I. No. 702 of 2021) (“the Regulations”).**

**Regulation (EU) 2020/1503 defines a “Crowdfunding Service Provider” as meaning:**

* a legal person who provides crowdfunding services.

**Regulation (EU) 2020/1503 defines “Crowdfunding Service” as meaning:**

* the matching of business funding interests of investors and project owners through the use of a crowdfunding platform and which consists of any of the following activities:
	+ the facilitation of granting of loans;
	+ the placing without a firm commitment basis, as referred to in point (7) of Section A of Annex I to Directive 2014/65/EU, of transferable securities and admitted instruments for crowdfunding purposes issued by project owners or a special purpose vehicle, and the reception and transmission of client orders, as referred to in point (1) of that Section, in relation to those transferable securities and admitted instruments for crowdfunding purposes.

**THE APPLICANT[[2]](#footnote-2) SHOULD NOT COMPLETE THIS APPLICATION FORM UNTIL IT HAS READ AND IS FAMILIAR WITH:**

1. The “Guidance Note on Completing an Application Form for Authorisation as a Crowdfunding Service Provider” (“the Guidance Note”) (many terms used in this Application Form are described in the Guidance Note) **(Please note the Guidance Note is an important instruction manual that will assist the Applicant in making an Application to the Central Bank);**
2. Regulation (EU) 2020/1503;
3. The Regulations; and
4. Regulatory Technical Standards developed according to Article 12(16) of Regulation (EU) 2020/1503.
5. The Applicant must satisfy itself that the scope of its proposed activities require authorisation as a Crowdfunding Service Provider. The Applicant should seek independent legal advice if in any doubt as to the scope or application of the relevant legislation to its particular activities.
6. An application form must be submitted in **typed searchable[[3]](#footnote-3) format** (with the exception of the signatures required in the Declaration being made in Part 6 of the application form).
7. All questions in each section of the application form that are relevant to the Applicant **must be answered before the application can be submitted for consideration**.
8. Any questions that have a ‘**YES/NO’** or ‘**YES/NO/N/A’** box should be completed by the Applicant with a ‘YES’, ‘NO’ or ‘N/A’ answer, as appropriate. **Do not leave any blank spaces in sections of the application form that are relevant to the Applicant.** The Applicant must ensure that all questions are answered and all required documentation is submitted with the application form. Applicants should include an index of the documentation included in the application.
9. Any questions that require a ‘**Document Reference’** should be completed by inputting a reference to the document (including page number and relevant paragraph as applicable) where a response to that question has been provided. If the question is in an applicable section but is not applicable “N/A” should be inputted. Applicants must ensure that document referencing is fully completed throughout this application form in the boxes provided. Document references should match the relevant application form question number e.g. the document provided in response to question 3.8 should be referenced as Document 3.8, page number X, paragraph Y.
10. Any questions that require a **‘Type Answer’** should be completed by typing a response directly into the application form. Space is provided to **type responses to these questions directly into the application form and Declaration**. Additional rows may be added by the Applicant, if required to complete its response to a question, but the structure and content of the application form and Declaration **must not be deleted or amended** in any other manner. If the question is in an applicable section but is not applicable “N/A” should be inputted. If there isn’t enough space for the proposed response or if the answer is requested on a separate sheet, the Applicant should provide that information on a separate sheet and refer to it in the space provided for the answer. The Applicant should ensure that any sheets are clearly marked with the name of the Applicant and include a reference to the relevant question.
11. The Applicant should ensure that it has read and understands the Declaration being made in Part 6 of the application form. This Declaration should be **fully completed, signed and dated**.
12. An electronic copy of the completed application form and all required supporting documentation should be submitted in electronic format to the Central Bank via our secure file transfer system by requesting access from crowdfundingauthorisations@centralbank.ie. Physical copies of the completed application form and all required supporting documentation **are not** required to be submitted.
13. The Applicant is obliged to inform the Central Bank of any material changes to the information provided in the application submission, in a timely manner, during the application process.
14. The Central Bank may seek **further information or clarification** in respect of the information provided by the Applicant in the application for the purpose of assessing and reaching a determination in respect of the application. The Central Bank applies a risk based approach in assessing applications and the nature, scale and complexity of the Applicant will determine the extent to which any further information or clarification is sought from an Applicant. The Central Bank may also decide to interview key members of the senior management of an Applicant before deciding whether to grant an authorisation. The Central Bank **will only grant an authorisation to an Applicant if it is satisfied that the Applicant has demonstrated that it meets the relevant authorisation requirements.**
15. The Applicant should ensure that all information provided in the application is accurate and complete. All information which might reasonably be considered relevant for the purpose of the application must be disclosed. If not, the application may be refused or the application process may be delayed.
16. An application will **only** progress to the Assessment Phase of the application process when the following have been received:
	1. A fully completed Application Form for Authorisation as a Crowdfunding Service Provider (including **all** the specific information and documentation requested therein), including the Applicant’s Business Plan and Programme of Operations); and
	2. A fully completed Individual Questionnaire (“IQ”) (including all the specific information and documentation requested therein) in respect of **each** person proposed to hold a Pre-Approval Controlled Function (“PCF”) role in the Applicant.
17. The Applicant should also ensure it submits an **Attestation** on the headed paper of the Applicant and signed by two members of the Board of Directors of the Applicant containing the confirmations required as set out in Section 3.3 of the Guidance Note and Appendix 1 below.
18. An incomplete application will not be processed further until the required information has been provided and the Applicant will be advised that the application does not contain sufficient material to be progressed.
19. The legislative and regulatory requirements referred to in this application form are not exhaustive and the Applicant should ensure that it is familiar with, and in a position to comply with, all the relevant legislative and regulatory requirements applicable to its proposed regulated activities, should it be granted an authorisation by the Central Bank.
20. The Central Bank may process personal data provided by the Applicant in order to fulfil its statutory functions or to facilitate its business operations. Any personal data will be processed in accordance with the requirements of data protection legislation. Any queries concerning the processing of personal data by the Central Bank may be directed to dataprotection@centralbank.ie. A copy of the Central Bank’s Data Protection Notice is available at [www.centralbank.ie/fns/privacy-statement](http://www.centralbank.ie/fns/privacy-statement).

 **Any queries in relation to this application form should be sent to:**

crowdfundingauthorisations@centralbank.ie

1. **IMPORTANT NOTICE – FALSE OR MISLEADING INFORMATION**

The Applicant must ensure that **ALL** information provided to the Central Bank in relation to the application submission is accurate and complete.

**Pursuant to Article 17(1)(d) of Regulation (EU) 2020/1503, the Central Bank may revoke an authorisation on being satisfied on reasonable grounds that the authorisation was obtained by means of false or misleading representation.**

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| **PART 2 – Applicant Information****All Applicants must complete all questions set out below** |

|  |  |
| --- | --- |
| 2.1 | Full legal name of the Applicant  |
| [Type Answer]  |
| 2.2 | Legal form of the Applicant  |
|  | [Type Answer] |
| 2.3 | National ID / CRO Registration number |
|  | [Type Answer] |
| 2.4 | Legal Entity Identifier (where available) |
|  | [Type Answer] |
| 2.5 | Trading name(s) the Applicant will use, if different from response to question 2.1 above |
| [Type Answer] |
| 2.6 |  | **Registered Office of the Applicant**  |
|  | **Postal Address** | [Type Answer] |
|  | **Telephone Number** | [Type Answer] |
|  | **Email Address(es)** | [Type Answer] |
|  | **Website Address(es)** | [Type Answer] |
|  |  |
| 2.7 | Provide a copy of the Applicant’s Articles of Association and, where available, Deed of Incorporation | [Yes/No] |
|  |  |
| 2.8 | Provide the contact details of the following persons: |
|  |  | * 1. Individual[[4]](#footnote-4) in charge of the application who will accept service of any documents in respect of the application submission and of any future correspondence issued to the Applicant if it is granted an authorisation
 | * 1. Individual[[5]](#footnote-5) nominated by the Applicant to be the Fitness and Probity Administrator. This individual will need to register for access to the Central Bank of Ireland Portal as outlined on our [website](https://registration.centralbank.ie/).

The Fitness and Probity Administrator will then be able to provide each individual proposed for a PCF role with the relevant permissions in order to submit the IQ.  |
|  |  | **Within the Applicant**  | **Third Party** | **Within the Applicant Only** |
|  | **Name** | [Type Answer] | [Type Answer] | [Type Answer] |
|  | **Position in the Applicant /** **Relationship to the Applicant** | [Type Answer] | [Type Answer] | [Type Answer] |
|  | **Postal Address** | [Type Answer] | [Type Answer] | [Type Answer] |
|  | **Telephone Number** | [Type Answer] | [Type Answer] | [Type Answer] |
|  | **Email Address** | [Type Answer] | [Type Answer] | [Type Answer] |
| 2.9 | Confirm whether the Applicant already has an existing Fitness and Probity Administrator set up on the Central Bank of Ireland Portal  | [Yes / No / N/A] |
| 2.10 | If yes to question 2.9 above, confirm that the Applicant has identified the existing Fitness and Probity Administrator in response to question 2.8 b) above, or where the Applicant wishes to change their Fitness and Probity Administrator, that the proposed individual will register for access to the Central Bank of Ireland Portal as outlined on our [website](https://registration.centralbank.ie/). | [Yes / No / N/A] |
|  |  |
| 2.11 | Confirm that the Central Bank has the Applicant’s permission to liaise with the third party[[6]](#footnote-6) named in response to question 2.8 a) above to seek further information or clarification in respect of the information or documentation included in the application submission  | [Yes/No / N/A] |

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| **PART 3 – Business Plan****All Applicants must complete all sections set out below** |

|  |
| --- |
| 3.1 Forecast Calculations and Plans  |
|  | Provide details of the: |
|  | 1. Forecast calculation of the Applicant’s prudential safeguards for the first three business years
 | [Document Reference] |
|  | 1. Forecast accounting plans for the first three business years, including
	1. forecast balance sheets
	2. forecast profit and loss accounts or income statements
 | [Document Reference] |
|  | 1. Planning assumptions for the above forecast as well as explanations of the figures
 | [Document Reference] |
|  |
| Accounting Procedures |
|  | Provide a description of the accounting procedures by which the Applicant will record and report its financial information | [Document Reference] |
|  |
| 3.3 Prudential Safeguards |
|  | Identify the amount of the prudential safeguards as referred to in Article 11 of Regulation (EU) 2020/1503 that the Applicant has in place at the time of the application for authorisation and provide a description of the assumptions used for its determination | [Document Reference] |
|  |
| 3.4 Own Funds (where applicable) |
|  | Provide a description of the amount of the Applicant’s prudential safeguards covered by own funds as referred to in Article 11(2)(a) of Regulation (EU) 2020/1503 | [Document Reference] |
|  |
| 3.5 Insurance Policy (where applicable) |
|  | Provide a description of the amount of the Applicant’s prudential safeguards covered by an insurance policy as referred to in Article 11(2)(b) of Regulation (EU) 2020/1503 | [Document Reference] |
|  |
| 3.6 Prudential Safeguards Planning |
|  | Provide a description of the Applicant’s prudential safeguards planning and monitoring procedures | [Document Reference] |
|  |
| 3.7 Own Funds |
|  | Provide the following: |
|  | 1. A description of how the Applicant has calculated the amount of own funds in a way that is compliant with Article 11 of Regulation (EU) 2020/1503
 | [Document Reference] |
|  | 1. For existing undertakings, an audited account statement or public register certifying the amount of own funds of the Applicant
 | [Document Reference] |
|  | 1. For undertakings in the process of being incorporated, a bank statement issued by a bank certifying that the funds are deposited in the Applicant’s bank account
 | [Document Reference] |
|  |
| 3.8 Insurance Policy |
|  | Provide one of the following:  |
|  | 1. A copy of the subscribed insurance policy incorporating all the elements necessary to comply with Article 11(6) and (7) of Regulation (EU) 2020/1503, where available, or
 | [Document Reference] |
|  | 1. A copy of the preliminary insurance agreement incorporating all the elements necessary to comply with Article 11(6) and (7) of Regulation (EU) No 2020/1503 signed by an undertaking authorised to provide insurance in accordance with Union law or national law
 | [Document Reference] |

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| **PART 4 – Programme of Operations****All Applicants must complete all sections set out below** |

## 4.1 Information on the Types of Crowdfunding Services

|  |  |
| --- | --- |
| 4.1.1 | The Applicant shall indicate: |
|  | 1. The crowdfunding services that the Applicant intends to provide:
 | [Document Reference] |
|  | 1. Facilitation of granting of loans, which includes the provision of relevant information such as default rates of loans
 | [Yes / No] |
|  | 1. Placing without a firm commitment basis of transferable securities and admitted instruments for crowdfunding purposes and the reception and transmission of orders in relation to those transferable securities and admitted instruments
 | [Yes / No] |
|  | 1. (Where the Applicant intends to provide a facilitation of granting of loans) A description of the internal arrangements for the provision of facilitation of loans and a description of the contractual arrangements that the Applicant will establish with project owners and with investors (with particular reference to the mandates that investors will give to the Applicant)
 | [Document Reference] |
|  | 1. Other services or activities that the Applicant intends to provide:
 | [Document Reference] |
|  | 1. Asset safekeeping
 | [Yes / No] |
|  | 1. Payment services
 | [Yes / No] |
|  | 1. Use of special purpose vehicles for the provision of crowdfunding services
 | [Yes / No] |
|  | 1. Application of credit scores to crowdfunding projects
 | [Yes / No] |
|  | 1. Suggestion of the price and / or the interest rate of crowdfunding offers
 | [Yes / No] |
|  | 1. Operating a bulletin board
 | [Yes / No] |
|  | 1. Establishing and operating contingency funds
 | [Yes / No] |
|  | 1. The types of offers that the Applicant plans to present (such as loan-based projects, equity-based projects, the type of sector or business activity, the type of investments to be offered on the crowdfunding platform, and types of investors targeted)
 | [Document Reference] |
|  | 1. The selection procedure setting out the details of the methods adopted to select the offers to be presented on the crowdfunding platform, including the nature and the extent of the due diligence undertaken in respect of project owners
 | [Document Reference] |
|  | 1. The arrangements to make public the offers on the crowdfunding platform and how the interests of investors for a crowdfunding project will be communicated to the relevant project owner
 | [Document Reference] |
|  | 1. Any other services/activities currently (or intended to be) provided by the Applicant not covered by Regulation (EU) 2020/1503 that may be provided according to Union or national law including references to and a copy of the relevant authorisations (where applicable)
 | [Document Reference] |
| 4.2 Information on the Crowdfunding Platform  |
| 4.2.1 | Provide a description of: |
|  | 1. the arrangements to make the information to clients on the Crowdfunding Service Provider that the Applicant shall provide on the website of its crowdfunding platform in accordance Article 19 of Regulation (EU) 2020/1503, including relevant IT arrangements
 | [Document Reference] |
|  | 1. the arrangements to make the crowdfunding platform an internet-based information system, publicly accessible and without discriminatory access
 | [Document Reference] |
|  | 1. the procedures and arrangements for the prompt, fair and expeditious provision of the crowdfunding services, including the description of: the procedures for the reception and transmission of client orders; the systems for processing such orders; and how these procedures and arrangements allow for the reception and transmission and execution of the client orders on an equal basis
 | [Document Reference] |
|  | (d) the mechanisms that the Applicant plans to implement to facilitate the information flows between the project owner and the investors, or between the investors, if applicable | [Document Reference] |
|  |
| 4.3 Marketing Strategy |
| 4.3.1 | Provide a description of the marketing strategy that the Applicant plans to use in the Union, including languages of the marketing communications; identification of the Member States where advertisements will be most visible in media and the expected means of communication that will be used | [Document Reference] |
|  |
| 4.4 Governance Arrangements |
| 4.4.1 | Provide a description of: |
|  | 1. The internal structure of the Applicant (organisational chart, etc.) with indication of the distribution of the tasks and powers and the relevant reporting lines, the control arrangements implemented and any other useful information to illustrate the Applicant’s operational features, policies and procedures to ensure effective and prudent management
 | [Document Reference] |
|  | 1. The staff recruitment plan, if any, for the next three years and the relative state of implementation, or indication of the personnel in office to be used for carrying out the services
 | [Document Reference] |
|  | 1. List all the individuals proposed to hold **ANY** PCF roles in the Applicant in the table below (see [here](https://www.centralbank.ie/docs/default-source/regulation/how-we-regulate/authorisation/fitness-probity/regulated-financial-service-providers/regulated-financial-service-providers/list-of-46-preapproval-controlled-functions.pdf?utm_medium=website&utm_source=CBI-footer&utm_content=43731) for the list of PCF roles):
 |
|  | **Name:** | **PCF Number & PCF Title:** | **Location:** | **Job Title:** |
| [Type Answer] | [Type Answer] | [Type Answer] | [Type Answer] |
| [Type Answer] | [Type Answer] | [Type Answer] | [Type Answer] |
| [Type Answer] | [Type Answer] | [Type Answer] | [Type Answer] |
|  |
| 4.5 Internal Control Mechanisms |
| 4.5.1 | Provide a description of the internal control mechanism (such as compliance function and risk management function, where established) put in place by the Applicant, in order to monitor and to ensure compliance of its procedures to the Regulation (EU) 2020/1503, including information on reporting to the management body | [Document Reference] |
|  |
| 4.6 Risk Management |
| 4.6.1 | Provide a mapping of the risks identified by the Applicant and a description of risk management policies and procedures to identify, manage and monitor risks related to the Applicant’s activities, processes and systems  | [Document Reference] |
| 4.6.2 | The response to question 4.6.1 above should also include: |
|  | 1. A description of the internal processes and methodologies referred to in Article 6 (2) of Regulation (EU) 2020/1503 (where applicable)
 | [Document Reference] |
|  | 1. A description of the policy of the contingency fund referred to in Article 6 (5)(b) of Regulation (EU) 2020/1503 (where applicable)
 | [Document Reference] |
|  |
| 4.7 Safeguarding of Data Processing System |
| 4.7.1 | Provide a description of: |
|  | 1. The internal arrangements adopted to ensure the proper handling of the personal data and information received from investors, including the use of clouds
 | [Document Reference] |
|  | 1. the policy for fraud prevention and privacy/data protection
 | [Document Reference] |
|  | 1. the locations, methods and policies for documentation archiving, including the use of clouds
 | [Document Reference] |
|  |
| 4.8 Risks related to the IT Infrastructure and Procedures |
| 4.8.1 | Provide a description of the identified sources of operational risks and a description of the procedures, systems and controls adopted by the Applicant to manage those operational risks (system reliability, security, integrity, privacy, etc.) | [Document Reference] |
| 4.8.2 | The response to question 4.8.1 above should include a description of: |
|  | 1. procedures to avoid operational interruptions
 | [Document Reference] |
|  | 1. back-up devices in place
 | [Document Reference] |
|  | 1. measures on safeguards against hackers' attacks
 | [Document Reference] |
|  |
| 4.9 Risk Related to the Determination of the Offer |
| 4.9.1 | Provide a description of the technical tools and human resources dedicated to the offer determination, in particular the determination of the pricing in accordance with Article 4(4)(d) of Regulation (EU) 2020/1503 | [Document Reference] |
|  |
| **4.10** **Risks Related to the Asset Safekeeping Services and Payment Services (where applicable)** |
| 4.10.1 | Where the Applicant intends to provide asset safekeeping services and payment services, provide a description of the identified sources of operational risks and a description of the procedures, systems and controls adopted by the Applicant to manage those risks related to those services, including when those services are provided by a third party | [Document Reference] |
|  |
| 4.11 Risks Related to Outsourcing of Operational Functions |
| 4.11.1 | Where the Applicant intends to rely on a third party for the performance of operational functions, provide a description of the identified sources of operational risks and a description of the procedures, systems and controls adopted by the Applicant to manage those operational risks | [Document Reference] |
|  |
| 4.12 Any Other Operational Risk(s) (where applicable) |
| 4.12.1 | Provide a description of any other identified source(s) of operational risks and a description of the procedures, systems and controls adopted by the Applicant to manage those operational risks | [Document Reference] |
|  |
| 4.13 Business Continuity Plan |
| 4.13.1 | Provide a description of the measures and procedures to ensure, in the event of failure of the Applicant, the continuity of the provision of critical services related to existing investments and sound administration of agreements between the Applicant and its clients, including, where applicable, provisions for the continued servicing of outstanding loans, client notification and handover of asset safekeeping arrangements | [Document Reference] |
|  |
| 4.14 Conflicts of Interest of Project Owners |
| 4.14.1 | Article 8(2) of Regulation (EU) 2020/1503 provides that Crowdfunding Service Providers shall not accept as project owners in relation to the crowdfunding services offered on their crowdfunding platform any of the following: * 1. their shareholders holding 20%, or more, of share capital or voting rights;
	2. their managers or employees;
	3. any natural or legal person linked to those shareholders, managers or employees by control as defined in point (35)(b) of Article 4(1) of Directive 2014/65/EU
 |
|  | Provide a description of the internal rules that the Applicant has set up to identify and manage conflicts of interest, including internal rules to prevent persons referred to in Article 8(2) of Regulation (EU) 2020/1503 from acting as project owners in relation to the crowdfunding services offered on the crowdfunding platform of the Applicant  | [Document Reference] |
|  |
| 4.15 Outsourcing Arrangements |
| 4.15.1 | Provide a description of: |
|  | 1. the operational functions that the Applicant plans to outsource, including cloud outsourcing
 | [Document Reference] |
|  | 1. the third parties to whom the operational functions will be outsourced (where available), including the indication of their location and a summary of the outsourcing arrangements in case the third party is located in a third country (where available)
 | [Document Reference] |
|  | 1. the internal arrangements and resources allocated to the control of the outsourced functions
 | [Document Reference] |
|  | 1. the service level agreements in place with the service providers
 | [Document Reference] |
|  |
| 4.16 Complaints Handling  |
| 4.16.1 | Provide a description of the procedures to handle complaints from clients adopted by the Applicant, including the timeframe within which a decision on the complaint will be notified to potential complainants, as provided in the Commission Delegated Regulation (EU) adopted in accordance with Article 7(5) of Regulation EU 2020/1503  | [Document Reference] |
|  |
| 4.17 Information on Payment Services |
| 4.17.1 | Confirm whether the Applicant intends to provide payment services  | [Yes / No] |
| 4.17.2 | If “Yes” to question 4.17.1 above, confirm whether the payment services will be provided by the following means: |  |
|  | 1. the Applicant itself
 | [Yes / No] |
|  | 1. an authorised third party
 | [Yes / No] |
|  | 1. through arrangement in accordance with Article 10(5) of Regulation (EU) 2020/1503
 | [Yes / No] |
| 4.17.3 | If “Yes” to question 4.17.2 (a) above, provide information on the relevant authorisation as payment service provider in accordance with Directive 2015/2366 | [Document Reference] |
| 4.17.4 | If “Yes” to question 4.17.2 (b) above, indicate the name of the third party and the Applicant shall submit a copy of the preliminary agreement with the third party | [Document Reference] |
| 4.17.5 | If “Yes” to question 4.17.2 (c) above, provide a description of such arrangements | [Document Reference] |
| 4.17.6 | Provide a description of the procedures and systems established by which the funds from the investors will be sent to the project owner and by which the investors will receive the remuneration of the capital invested | [Document Reference] |
|  |
| 4.18 Key Investor Information Sheet Procedures |
| 4.18.1 | Provide a description of the procedures adopted to verify the completeness, correctness and clarity of the information contained in the key investment information sheet | [Document Reference] |
|  |
| 4.19 Non-Sophisticated Investor Limits  |
| 4.19.1 | Provide a description of the procedures adopted by the Applicant: |
|  | 1. to carry out the assessment whether and which crowdfunding services offered are appropriate, including details on information requested to non-sophisticated investors about their experience, investment objectives, financial situation and basic understanding of risks involved in investing in general and in investing in the types of investments offered on the crowdfunding platform, referred to in Article 21, paragraphs 1 and 2, of Regulation (EU) 2020/1503
 | [Document Reference] |
|  | 1. to carry out the simulation required to prospective non-sophisticated investors of their ability to bear loss, referred to in Article 21, paragraph 5, of Regulation (EU) 2020/1503
 | [Document Reference] |
|  | 1. to provide the information referred to in Article 21, paragraph 4, of Regulation (EU) 2020/1503
 | [Document Reference] |
| 4.19.2 | Provide a description of the procedures adopted by the Applicant on investment limits for non-sophisticated investors, including the description of the content of the specific risk warning and the arrangements to acquire from the investor the explicit consent | [Document Reference] |
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| 4.20 Online Annual Return and Industry Funding Levy  |

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| 4.20.1 | Confirm whether the Applicant has ever been authorised by the Central Bank or whether any person associated with the application was previously a Director or Sole Trader or Partner or PCF role holder in an entity authorised by the Central Bank | [Yes/No] |
|  | If yes to question 4.20.1 above, confirm that: |
| 4.20.2 | All relevant contributions due under the Industry Funding Levy were discharged in full by the relevant entity during the period in which person associated with the application held such a role with the entity | [Ye s/ No / N/A] |
| 4.20.3 | All ONR Returns were up to date and submitted as required by the relevant entity during the period in which the person associated with the application held such a role with the entity | [Yes / No/ N/A] |
| 4.20.4 | Confirm that the Applicant is aware that if it is granted an authorisation by the Central Bank it will be legally obliged to make an annual contribution to the Industry Funding LevyFurther details in respect of the Industry Funding Levy can be found at www.centralbank.ie/regulation/how-we-regulate/fees-levies/industry-funding-levy | [Yes/No] |

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| **PART 5 – Qualifying Shareholders****All Applicants must complete all sections set out below** |

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| 5.1 Ownership Structure |
| 5.1.1 | Provide an ownership structure chart of the Applicant showing the position of shareholders who directly or indirectly hold 20% or more of the share capital or voting rights | [Document Reference] |
| 5.1.2 | **For each Natural Person who directly or indirectly holds 20% or more of the share capital or voting rights, provide the following:** |  |
|  | 1. The full first name(s) and surname(s)
 | [Document Reference] |
|  | 1. Date and place of birth
 | [Document Reference] |
|  | 1. National ID number (ID or passport) in case of natural persons
 | [Document Reference] |
|  | 1. Domicile
 | [Document Reference] |
|  | 1. Amount of the share capital or voting rights held by the person in absolute value and in percentage terms; in case of indirect shareholder, the amount shall refer to the intermediate holder
 | [Document Reference] |
|  | 1. Name and contact details of the person through which the share capital or voting rights are held (where indirect holding)
 | [Document Reference] |
|  | 1. Official certificate or other equivalent document in accordance with national law proving the absence of criminal records
 | [Document Reference] |
|  | 1. information on criminal investigations and/or proceedings, as well as relevant civil and administrative cases, in respect of infringements of national rules in the fields of commercial law, insolvency law, financial services law, anti-money laundering law, fraud law or professional liability obligations, notably through an official certificate (if and so far as it is available from the relevant Member State or third country) or through another equivalent document. In the event of the existence of civil and/or administrative sanctions in respect of the abovementioned fields, a detailed description thereof shall be provided. For ongoing investigations or proceedings, the information may be provided through a declaration of honour
 | [Document Reference] |
|  | 1. Information on refusal of registration, authorisation, membership or licence to carry out trade, business or a profession; or the withdrawal, revocation or termination of such a registration, authorisation, membership or licence; or expulsion by a regulatory or government body or a professional body or association. Information on any ongoing procedure related to the foregoing shall also be provided
 | [Document Reference] |
|  | 1. Information on dismissal for employment, or a position of trust, fiduciary relationship, or similar situation, and a description of the reasons for such dismissal
 | [Document Reference] |
|  | 1. Information on whether an assessment of the good repute of the shareholder has already been (or is being) conducted by another competent authority or any other authority under other financial legislation, including the name of that authority and, where applicable, the date and outcome of its assessment
 | [Document Reference] |
| 5.1.3 | **For each Legal Person who directly or indirectly hold 20% or more of the share capital or voting rights, provide the following:** |  |
|  | 1. The legal name and legal form
 | [Document Reference] |
|  | 1. Registered address
 | [Document Reference] |
|  | 1. National ID/registration number
 | [Document Reference] |
|  | 1. Amount of the share capital or voting rights held by the person in absolute value and in percentage terms; in case of indirect shareholder, the amount shall refer to the intermediate holder
 | [Document Reference] |
|  | 1. Name and contact details of the person through which the share capital or voting rights are held (where indirect holding)
 | [Document Reference] |
|  | 1. Official certificate or other equivalent document in accordance with national law proving the absence of criminal records
 | [Document Reference] |
|  | 1. information on criminal investigations and/or proceedings, as well as relevant civil and administrative cases, in respect of infringements of national rules in the fields of commercial law, insolvency law, financial services law, anti-money laundering law, fraud law or professional liability obligations, notably through an official certificate (if and so far as it is available from the relevant Member State or third country) or through another equivalent document. In the event of the existence of civil and/or administrative sanctions in respect of the abovementioned fields, a detailed description thereof shall be provided. For ongoing investigations or proceedings, the information may be provided through a declaration of honour
 | [Document Reference] |
|  | 1. Information on refusal of registration, authorisation, membership or licence to carry out trade, business or a profession; or the withdrawal, revocation or termination of such a registration, authorisation, membership or licence; or expulsion by a regulatory or government body or a professional body or association. Information on any ongoing procedure related to the foregoing shall also be provided
 | [Document Reference] |
|  | 1. Information on dismissal for employment, or a position of trust, fiduciary relationship, or similar situation, and description of the reasons for such dismissal
 | [Document Reference] |
|  | 1. Information on whether an assessment of the good repute of the shareholder has already been (or is being) conducted by another competent authority or any other authority under other financial legislation, including the name of that authority and, where applicable, the date and outcome of its assessment
 | [Document Reference] |
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| 5.1.4 | **For each Legal Person who directly or indirectly hold 20% or more of the share capital or voting rights, provide the following with respect to each member of the management body and other persons effectively directing the business:** |  |
|  | 1. A complete list of members of the management body and of persons who effectively direct its business, their name, date and place of birth, domicile, their national identification number where available
 | [Document Reference] |
|  | 1. Official certificate or other equivalent document in accordance with national law proving the absence of criminal records
 | [Document Reference] |
|  | 1. Information on criminal investigations and/or proceedings, as well as relevant civil and administrative cases, in respect of infringements of national rules in the fields of commercial law, insolvency law, financial services law, anti-money laundering law, fraud law or professional liability obligations, notably through an official certificate (if and so far as it is available from the relevant Member State or third country) or through another equivalent document. In the event of the existence of civil and/or administrative sanctions in respect of the abovementioned fields, a detailed description thereof shall be provided. For ongoing investigations or proceedings, the information may be provided through a declaration of honour
 | [Document Reference] |
|  | 1. Information on refusal of registration, authorisation, membership or licence to carry out trade, business or a profession; or the withdrawal, revocation or termination of such a registration, authorisation, membership or licence; or expulsion by a regulatory or government body or a professional body or association. Information on any ongoing procedure related to the foregoing shall also be provided
 | [Document Reference] |
|  | 1. Information on dismissal for employment, or a position of trust, fiduciary relationship, or similar situation, and description of the reasons for such dismissal
 | [Document Reference] |
|  | 1. Information on whether an assessment of the good repute of the shareholder has already been (or is being) conducted by another competent authority or any other authority under other financial legislation, including the name of that authority and, where applicable, the date and outcome of its assessment
 | [Document Reference] |
| 5.1.5 | Provide the following information on whether the Applicant is: |  |
|  | 1. a subsidiary of a Crowdfunding Service Provider authorised in another Member State
 | [Document Reference] |
|  | 1. a subsidiary of the parent undertaking of a Crowdfunding Service Provider that is authorised in another Member State
 | [Document Reference] |
|  | 1. controlled by the same natural or legal persons who control a Crowdfunding Service Provider authorised in another Member State
 | [Document Reference] |

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| **PART 6 - Declaration****All Applicants must complete the Declaration set out below** |

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| Select ‘Yes’/’No’, as appropriate, in the table below to confirm the legislation under which the Applicant is seeking authorisation. Where brackets ([ ]) are included below, amend the text therein, as appropriate.  |
| **The Declaration below must be signed by two directors of the Applicant.**  |
|  |
| **Legislation under which the Applicant is seeking authorisation** | **Yes/No** |
| Regulation (EU) 2020/1503 of the European Parliament and of the Council of 7 October 2020 on European crowdfunding service providers for business and amending Regulation (EU) 2017/1129 and Directive (EU)2019/1937 | [Yes/No] |
|  |
| [***Insert Applicant’s legal name***] applies for authorisation under the above legislation on the basis of the information provided with this Application Form, and any additional information provided to the Central Bank in the course of the application process. |
| [***I/We***] acknowledge that the Central Bank may disclose information in the performance of its statutory functions or otherwise as may be specifically authorised by law. |
| [***I/We***] warrant that [***I/We***] have truthfully and fully answered the relevant questions in this Application Form and disclosed any other information which might reasonably be considered relevant for the purpose of this Application Form. |
| [***I/We***] warrant that the structure/content of this Application Form has not been altered or amended in any manner (other than to complete responses and/or add additional rows to complete responses to the questions set out in this Application Form). |
| [***I am/We are***] aware that it may be grounds for refusal of this application and/or grounds for revocation of an authorisation granted on foot of this application and/or grounds for the Central Bank to commence an Administrative Sanctions Procedure against both [***myself/ourselves***] and/or the proposing entity for me/us to knowingly or recklessly: |
| 1. Provide false or misleading information and/or to make a false or misleading statement (which it is acknowledged may include the withholding of relevant information) in this Application Form;
 |
| 1. Fail to inform and/or withhold from the Central Bank details of any material change in circumstances/new information which is relevant and/or material to this Application Form.
 |
| [***I/We***] warrant that [***I/We***] will promptly notify the Central Bank of any changes in the information [***I/We***] have provided and supply any other relevant information which may come to light in the period during which this Application Form is being considered and, this application is approved, thereafter. |
| [***I/We***] warrant that [***I/We***] are authorised to submit this Application Form seeking authorisation under the above legislation.

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| Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Entity: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**PRINT NAM**E: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Entity: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**PRINT NAM**E: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| For and on behalf of **[*Insert* A*pplicant’s legal name*]** |
| Dated: [DD / MM / YYYY] |

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| **Appendix 1****Attestation to be completed by the Applicant** |

The Board of Directors of the Applicant must provide an Attestation on the headed paper of the Applicant and signed by two members of the Board of Directors of the Applicant, confirming on behalf of the Applicant, that:* The Application and supporting information is submitted in accordance with Article 12 of Regulation 2020/1503 and complies in full with Regulation 2020/1503;
* The Applicant has the necessary prudential safeguards (own funds or insurance policy) in place as at date of application and evidence of same has been provided in the Application;
* Where the Applicant proposes to utilise the services of a third party (deposit taker or custodian (in the context of investment instruments)), all third party providers are authorised in accordance with Directive 2013/36/EC (Credit Institutions) or Directive 2014/65/EC (MIFID Firms) (ref: Article 10 of Regulation 2020/1503);
* The third party providing safeguarding services on behalf of the Applicant confirms it holds assets in safekeeping in line with the regulatory regime applicable in their respective jurisdiction. Moreover, the Applicant must confirm it will promptly report any irregularities or concerns it may have concerning its delegated activities to the Central Bank; and
* The Key Investor Information Sheet will comply with the requirements of Article 23 of Regulation 2020/1503.
 |

1. Regulation (EU) 2020/1503 of the European Parliament and of the Countil of 7 October 2020 on European crowdfunding service providers for business, and amending Regulation (EU) 2017/1129 and Directive (EU) 2019/1937. [↑](#footnote-ref-1)
2. The person (i.e. the legal person) making an application to the Central Bank seeking authorisation as a Crowdfunding Service Provider. [↑](#footnote-ref-2)
3. A searchable format is any format where the text of the document can be searched. [↑](#footnote-ref-3)
4. Where the applicant proposes a third party to accept service of correspondence in respect of the application, the contact details of a director or senior manager of the applicant must also be provided as all correspondence in respect of the application will also be issued directly to the applicant by the Central Bank. [↑](#footnote-ref-4)
5. Each of the individuals within the applicant named in response to question 2.8 a) and b) above must be a director or senior manager of the applicant. [↑](#footnote-ref-5)
6. The Central Bank **will not** liaise solely with a third party in relation to an application. All correspondence in respect of an application will also be sent by the Central Bank directly to the director or senior manager of the applicant named in response to question 2.8 a) above. [↑](#footnote-ref-6)