

**Notification Form for E-Money Institutions who intend using Distributors in the State**

**Under Regulations 20(1) of the European Communities (Electronic Money) Regulations 2011 (as amended)**

**January 2019**

**IMPORTANT INFORMATION TO BE READ BEFORE COMPLETING THIS NOTIFICATION FORM**

**Terms used in this Notification Form:**

**Applicant** – the firm submitting this Notification Form advising the Central Bank that it is seeking to appoint a distributor, to provide services on its behalf, in the State i.e. its home Member State

**Central Bank** – Central Bank of Ireland

**EBA** – European Banking Authority

**EBA Guidelines –** EBA Guidelinesunder Directive (EU) 2015/2366 on the information to be provided for the authorisation of payment institutions and e-money institutions

**IQ** – Individual Questionnaire

**BACKGROUND INFORMATION**

This Notification Form applies to e-money Institutions wishing to provide electronic money services in the State (i.e., its home Member State), using distributors.

Regulation 26 of the European Communities (Electronic Money) Regulations 2011 (as amended) sets out the procedure for an application to exercise the right of establishment and the freedom to provide services by an e-money institution.  This can be done either through the establishment of branch offices or by the engagement of agents or distributors in other Member States or through the free provision of services on a cross border basis (i.e. without establishing a permanent presence).

**This Notification Form is to be used by an applicant wishing to appoint a distributor, to provide services on its behalf, in its Home Member State (i.e., in Ireland).**

**NOTES ON COMPLETION**

1. **Please do not complete this notification form until you have read and are familiar with:**
2. The European Communities (Electronic Money) Regulations 2011 (as amended), including Regulation 20(1) & (2);
3. The European Union (Payment Services) Regulations 2018;
4. [Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L2366&from=EN) on Payment Services in the Internal Market.
5. **This Notification Form must be completed by the applicant in typed format and submitted by email to the Central Bank at least 2 months in advance of any proposed appointment of a distributor. Application documentation should be submitted by email to** paymentservicessupervision@centralbank.ie**. The use of unsecured email is not recommended for sensitive or confidential material.**
6. The applicant must answer all questions asked and provide all information or documentation requested before the application can be considered. In the event that a question does not apply, please write ‘**not applicable’** or ‘**none’** as appropriate and provide an explanation as to why this is considered to be the case. Do not leave any blank spaces. **Incomplete applications will be returned to the applicant who will be advised that the application does not contain sufficient material to be progressed to the assessment phase of the application process.**
7. Where an applicant is required to provide ‘confirmation’, a tick (‘✓’) placed in the relevant box will be taken as a confirmation.
8. If insufficient space has been provided for a reply 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. Please ensure that any sheets are clearly marked with the name of the applicant and referenced to the appropriate question.
9. Any questions that have a ‘**YES’** and a ‘**NO’** box should be completed by the applicant accordingly.
10. Further information or clarification may be requested from the applicant (having regard to the replies furnished with its application) for the purpose of considering and assessing an application.
11. The Central Bank may process personal data provided by you 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).

**Table 1**

|  |  |  |
| --- | --- | --- |
|  | **Information to be provided by Applicant** | **Response Provided by Applicant** |
| A) | Name of e-money institution |  |
| B) | Central Bank of Ireland reference No. |  |
| C) | Date of Receipt by the Central Bank of Ireland |  |
| D) | Type of application | ☐ First application☐ Change to previous application☐ Additional agents☐ Agent deactivation |
| E) | Contact person within the e-money institution  |  |
| F) | Email address of the above contact person |  |
| G) | Telephone number of the above contact person |  |
| H) | Name and address of the distributor  |   |
|  | Distributor details: a. **If legal person**: 1. Name
2. Registered Address(es)
3. Telephone number
4. Email
5. Name, place and date of birth of legal representative

b. **If natural person**: 1. Name

 1. Registered Business Address(es)
2. Telephone number
3. Email
 |   |
| I) |

|  |  |
| --- | --- |
| Electronic money services to be provided by the distributor |  |

 |  ☐ Distribution  ☐ Redemption of electronic money |
| J) | Description of the internal control mechanisms that will be used by the e-money institution/distributor in order to comply with the obligations in relation to the prevention of money laundering and terrorist financing under the relevant Irish and EU legislation.  |  |
| K) | In case of outsourcing of operational functions of e-money services: 1. Name and address of the entity to which operational functions are to be outsourced
2. b. Contact details (email and telephone number) of a contact person within the entity to which operational functions are to be outsourced
3. Type and exhaustive description of the operational functions outsourced
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| **Declaration** |

**[Insert full legal name of applicant]** applies for the registration of [**insert full legal name of proposed distributor(s)]** as a distributor under Regulations 20(1) of the European Communities (Electronic Money) Regulations 2011 (as amended), on the basis of information supplied with this application and any additional information supplied 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 acknowledge that the applicant’s anti-money laundering and countering the finance of terrorism (AML/CFT) controls have been formulated to comply in full with the relevant Irish and EU legislation and that we shall review and amend these controls in due course and on an on-going basis to ensure they comply with all relevant legislation and applicable codes of practice.

I/We warrant that I/we have truthfully and fully answered the relevant questions in this Notification Form and disclosed any other information which might reasonably be considered relevant for the purpose of the application.

I/We warrant that I/we will promptly notify the Central Bank of any changes in the information we have provided and supply any other relevant information which may come to light in the period during which the application is being considered and, where the application is accepted, thereafter.

I/We warrant that I/we am/are authorised to make this application for registration on behalf of **[*insert full legal name of applicant*].**

|  |  |
| --- | --- |
| **For and on behalf of:** | **[insert full legal name of applicant]** |
| **Name (Printed):****Title:****Signature:****Date:** |  |
| **Name (Printed):****Title:****Signature:****Date:** |  |
| ***(Please print name of the applicant. At least two directors, including the Chief Executive/Managing Director must sign the Declaration above. Original signatures are required.)*** |

**Provisions in this document should not be deleted nor amended in any manner. Applicants should note that it is an offence under the European Union (Payment Services) Regulations 2018 and the European Communities (Electronic Money) Regulations 2011 (as amended) to provide false or misleading information in relation to: (i) obtaining an authorisation to operate as respectively a payment institution or an e-money institution, or (ii) an approval, waiver or permission from the Central Bank concerning the operation of respectively a payment institution or an e-money institution.**

**T +353 1 224 4784 www.centralbank.ie paymentservicessupervision@centralbank.ie**

