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| **Notification form for third country investment firms who solely offer their services to or perform activities with professional clients[[1]](#footnote-1) or eligible counterparties** |

This form can be used by firms from Australia, the United States and Switzerland that are regulated in their home country for offering investment services.

Please upload this form with your application.

After registration the investment firm will be regulated by the AFM. For more information we refer you to the information on our website.

## GENERAL INFORMATION

**1 Investment firm**

|  |  |  |
| --- | --- | --- |
| 1.1 Name investment firm |  |  |
| 1.2 Address |  |  |
| 1.3 Postal code and place of residence |  |  |
| 1.4 Country |  |  |
| 1.5 P.O. Box |  |  |
| 1.6 Postal code of P.O. Box  |  |  |
| 1.7 Telephone number |  |  |
| 1.8 Telefax number |  |  |
| 1.9 Email address |  |  |

|  |  |  |
| --- | --- | --- |
| 1.10 Website |  |  |
| 1.11 Contact details for the application (name/department, phone and email address) |  |  |
| 1.12 Contact details for the firm after registration (name/department, phone and email address) |  |  |

**2.1 Investment services or activities of the firm in the Netherlands**

* the performance of activities in the course of a profession or business focused on reception and transmission of orders in relation to financial instruments;
* the performance of activities in the course of a profession or business focused on execution of orders on behalf of clients;
* portfolio management;
* the performance of activities in the course of a profession or business focused on investment advice about financial instruments;
* the performance of activities in the course of a profession or business focused on placing of financial instruments as meant in chapter 5.1 on a firm commitment basis;
* the performance of activities in the course of a profession or business focused on placing of financial instruments as meant in chapter 5.1 without a firm commitment basis.
* the performance of activities in the course of a profession or business focused on trading for own account**[[2]](#footnote-2)**

**2.2 Ancillary services in the Netherlands**

* 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;
* 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;
* Advice to undertakings on capital structure, industrial strategy and related matters and advice and services relating to mergers and the purchase of undertakings;
* Foreign exchange services where these are connected to the provision of investment services;
* Investment research and financial analysis or other forms of general recommendation relating to transactions in financial instruments;
* Services related to underwriting;
* 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.

**2.3 Financial Instruments that the firm uses in the Netherlands**

* Transferable securities;
* Money-market instruments;
* Units in collective investment undertakings;
* 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;
* 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;
* Options, futures, swaps, and any other derivative contracts relating to commodities that can be physically settled provided that they are traded on a regulated market, an MTF, or an OTF, except for wholesale energy products traded on an OTF that must be physically settled;
* Options, futures, swaps, forwards and any other derivative contracts relating to commodities, that can be physically settled not otherwise mentioned in the previous paragraph and not being for commercial purposes, which have the characteristics of other derivative financial instruments;
* Derivative instruments for the transfer of credit risk;
* Financial contracts for differences;
* 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;
* Emission allowances consisting of any units recognised for compliance with the requirements of Directive 2014/65.

**3 Regulator**

|  |  |
| --- | --- |
| 3.1 Name and address home state regulator |  |
| 3.2 Which investment services are regulated by the home state regulator (see answers paragraph 2: a, b, c, d, e and f) and/or trading for own account? |  |
| 3.3 Registration number home state regulator (if applicable) |  |
| 3.4 Name and address additional home state regulator (if applicable) |  |
| 3.5 Which investment services are regulated by the additional home regulator (see answers paragraph 2: a, b, c, d, e and f)? |  |
| 3.6 Registration number additional home regulator (if applicable) |  |

**4 Additional information**

A declaration from the home regulator as meant in section 10, subsection 1 or 2 of the Exemption Regulation Act on Financial Supervision or a reference to a public register of the home state regulator must be submitted with the application form.

**5 Signature**

The undersigned declare(s) having answered the questions in this application form completely and truthfully.

Place Date

Name Signature

Name Signature

One of the undersigned needs to be a director of the Investment Firm.

1. As referred to in annex II, part I of MiFID II. [↑](#footnote-ref-1)
2. This box should generally only be ticked in addition to one of the boxes above. It is mostly intended to identify firms which deal on own account and perform or provide one of the services or activities above. Firms who deal on own account only may generally rely on the exemption laid down in article 10a of the Exemption Regulation Financial Supervision Act which does not require a notification. [↑](#footnote-ref-2)