

L. 196(I)/2012  
Consolidated with  
L. 109(I)/2013  
L. 117(I)/2014  
L. 142(I)/2015

**UNOFFICIAL CONSOLIDATION OF LAW L. 196(I)/2012 OF 21<sup>st</sup> DECEMBER 2012,  
109(I)/2013 OF 9<sup>th</sup> SEPTEMBER 2013, 117(I)/2014 OF 25<sup>th</sup> JULY 2014 AND  
142(I)/2015 OF 9<sup>th</sup> OCTOBER 2015**

**THE LAW REGULATING COMPANIES PROVIDING ADMINISTRATIVE SERVICES  
AND RELATED MATTERS OF 2012**

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**LEGISLATION FOR THE REGULATION OF COMPANIES PROVIDING  
ADMINISTRATIVE SERVICES AND RELATED MATTERS**

Preamble	For the purposes of regulating the professional activities provided in the context of administrating private companies by other companies
	The House of Representatives votes as follows:
<b>PART I – INTRODUCTORY PROVISIONS</b>	
Short title 109(1) of 2012 196(I) of 2013	1. This Law shall be referred to as the Law Regulating Companies Providing Administrative Services and Related Matters of 2012.
Interpretation	2. In this Law, unless otherwise provided in the text-
	“authorisation” means the approval and registration of the licensed person in the Register maintained by the Commission;
	“licensed person” means the company which holds an authorisation under this Law;
	“eligible persons” mean the exempted persons who are regulated by their respective Competent Authorities and the licensed persons;
	“administrative services” mean the services regulated by this Law and are defined in article 4;
69(I) of 1992 20(I) of 2012	“trust” means the written legal arrangement where the settlor transfers trust property to one or more trustees/commissioners who will hold it for the benefit of one or more persons/beneficiaries and includes an international trust, as defined in the International Trust Law.
	“trustee” or “commissioner” means a person to whom particular property has been transferred or has been granted according to the provisions of the trust deed or the trust agreement, who will hold it for the benefit of one or more of other persons/beneficiaries;

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109(I) of 2013	“Trust Registers” means the registers of trusts established and maintained by the Commission, the Cyprus Bar Association and the Institute of Certified Public Accountants of Cyprus (ICPAC), as applicable, under article 25A;
	“settlor” means a person who transfers or in any other way provides, property to a trust;
	“exempted person”, means:
42 of 1961 20 of 1963 46 of 1970 40 of 1975 55 of 1978 71 of 1981 92 of 1983 98 of 1984 17 of 1985 52 of 1985 9 of 1989 175 of 1991 212 of 1991 9(I) of 1993 56(I) of 1993 83(I) of 1994 76(I) of 1995 103(I) of 1996 79(I) of 2000 31(I) of 2001 41(I) of 2002 180(I) of 2002 117(I) of 2003 130(I) of 2003 199(I) of 2004 264(I) of 2004 21(I) of 2005 65(I) of 2005 124(I) of 2005 158(I) of 2005 175(I) of 2006 117(I) of 2007 103(I) of 2008	(a) (i) a lawyer and or a limited liability company as defined in the Advocates Law,  (ii) a general partnership or limited partnership whose general partners are lawyers or a limited liability company and  (iii) a subsidiary company, owned directly or indirectly, by any of the above,

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109(I) of 2008 11(I) of 2009 130(I) of 2009 4(I) of 2010 65(I) of 2010 14(I) of 2011 144(I) of 2011 116(I) of 2012	
188(I) of 2007 58(I) of 2010 80(I) of 2012	which is regulated by the Board of the Cyprus Bar Association in its capacity as Competent Authority in the framework of the Prevention and Suppression of Money Laundering and Terrorist Financing Law.
	(b) (i) a member of the Institute of Certified Public Accountants of Cyprus (ICPAC)
	(ii) a general or limited partnership or a limited liability company whose majority of general partners and directors are members of ICPAC, and
	(iii) a subsidiary company, owned directly or indirectly, by any of the above,
	which is regulated by the Board of ICPAC in its capacity as Competent Authority in the framework of the Prevention and Suppression of Money Laundering and Terrorist Financing Law.
144(I) of 2007 106(I) of 2009 141(I) of 2012 154(I) of 2012	“investment services” means any of the services and activities, respectively, specified in Part I of the Third Appendix of the Investment Services and Activities and Regulated Markets Law, relating to any of the financial instruments listed in Part III of the Third Appendix of the said Law;
73(I) of 2009 5(I) of 2012	“Securities and Exchange Commission” or “Commission” means the legal entity of public law as defined by the Cyprus Securities and Exchange Commission Law;

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	"Investment Firm" or "IF" has the meaning attributed to this term by article 2 of the Investment Services and Activities and Regulated Markets Law;
	"Competent Authorities" means the Authorities defined in article 59 of the Prevention and Suppression of Money Laundering and Terrorist Financing Law
Cap. 113. 9 of 1968 76 of 1977 17 of 1979 105 of 1985 198 of 1986 19 of 1990 46(I) of 1992 96(I) of 1992 41(I) of 1994 15(I) of 1995 21(I) of 1997 82(I) of 1999 149(I) of 1999 2(I) of 2000 135(I) of 2000 151(I) of 2000 76(I) of 2001 70(I) of 2003 167(I) of 2003 92(I) of 2004 24(I) of 2005 129(I) of 2005 130(I) of 2005 98(I) of 2006 124(I) of 2006 70(I) of 2007 71(I) of 2007 131(I) of 2007 186(I) of 2007 87(I) of 2008 41(I) of 2009 49(I) of 2009 99(I) of 2009	"company" means a company established under Company Law;

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42(I) of 2010 60(I) of 2010 88(I) of 2010 53(I) of 2011 117(I) of 2011 145(I) of 2011 157(I) of 2011 198(I) of 2011 64(I) of 2012 98(I) of 2012	
78(I) of 2012	“Management Company” has the meaning attributed to this term by article 2 of the Open Ended Undertakings of Collective Investments Law;
	“Variable Capital Investment Company” has the meaning attributed to this term by article 6 of the Open Ended Undertakings of Collective Investments Law;
Cap 116 77 of 1977 54(I) of 2011 146(I) of 2011	“limited partnership” has the meaning attributed to this term by the Partnerships and Business Names Law;
	“depository” has the meaning attributed to this term by article 2 of the Open Ended Undertakings in Collective Investments Law;
Official Journal of the EU: L 193, 18.7.1983, p.1	“subsidiary company” means a subsidiary company as defined in articles 2 and 148 of the Company Law, as well as having the meaning attributed to the term “subsidiary undertaking” by Articles 1 and 2 of Directive 83/349/EEC of the Council of 13 <sup>th</sup> June 1983 based on Article 54 paragraph 3 point (f) of the treaty for consolidated accounts, and includes every subsidiary of a subsidiary undertaking of an ultimate parent undertaking;
	“private company” has the meaning attributed to this term by article 29 of the Company Law;
	“Cyprus Investment Firm” or “CIF” has the meaning attributed to this term by article 2 of the Investment Services and Activities and Regulated Markets Law;

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Official Gazette Annex II(I): 25.2.2009 3.4.2009	“compliance officer” means a compliance officer as defined in paragraph (a) of paragraph (1) of article 69 of the Prevention and Suppression of Money Laundering and Terrorist Financing Law and paragraph 2 of Directive DI144-2007-08 of the Commission for the Prevention of Money Laundering and Terrorist Financing
	"parent company" means the parent company within the meaning of articles 2 and 148 of Company Law, as well as having the meaning attributed to the term “parent undertaking” by Articles 1 and 2 of Directive 83/349/EEC on consolidated accounts;
	“Register” means the Register established and upheld according to paragraphs (1) to (5) of article 25;
	“Unit” means the Unit for the Prevention of Money Laundering established under the Prevention and Suppression of Money Laundering and Terrorist Financing Law;
	“Law” means this Law and the Directives issued pursuant to this law;
	“Directive DI144-2007-08” means the Directive of the Commission for the Prevention of Money Laundering and Terrorist Financing;
	“Directives” mean the Commission’s Directives of regulatory content, which are issued pursuant to this Law and are published in the Official Gazette of the Republic;
	“general partnership” has the meaning attributed to this term by the Partnerships and Business Names Law;
	“client” means every person to whom administrative services are provided;
	“credit institution” means a bank and or a cooperative credit institution;
	“beneficial owner” means the beneficial owner as defined in article 2

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	of the Prevention and Suppression of Money Laundering and Terrorist Financing Law;
	"persons who effectively manage the business" means the members of the licensed person's board of directors and its senior management;
	"regulated market" means a regulated market as defined by article 2 of the Investment Services and Activities and Regulated Markets Law;
	"director" means a person occupying the position of director in a company or who has the power to effectively exercise the same powers as those exercised by a director in a company, and includes a person on whose instructions a director or directors usually act;
22 of 1985 68 of 1987 190 of 1989 8 of 1992 22(I) of 1992 140(I) of 1999 140(I) of 2000 171(I) of 2000 8(I) of 2001 123(I) of 2003 124(I) of 2003 144(I) of 2003 5(I) of 2004 170(I) of 2004 230(I) of 2004 23(I) of 2005 49(I) of 2005 76(I) of 2005 29(I) of 2007 37(I) of 2007 177(I) of 2007 104(I) of 2009 124(I) of 2009 85(I) of 2010 118(I) of 2011 130(I) of 2012	"cooperative society" has the meaning attributed to the term by article 2 of the Cooperative Societies Law

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66(I) of 1997 74(I) of 1999 94(I) of 2000 119(I) of 2003 4(I) of 2004 151(I) of 2004 231(I) of 2004 235(I) of 2004 20(I) of 2005 80(I) of 2008 100(I) of 2009 123(I) of 2009 27(I) of 2011 104(I) of 2011 107(I) of 2012	«bank» has the meaning attributed to this term by article 2 of the Banking Law;
	“financial instruments” mean the instruments defined in article 2 of the Investment Services and Activities and Regulated Markets Law;
Scope of Application	3. (1) This Law applies to persons providing administrative services to or from the Republic.
	(2) The following are exempted from the scope of application of this Law-
	(a) exempted persons and
	(b) CIF and credit institutions who provide administrative services in the course of their business,
	which are regulated by their respective Competent Authorities under the Prevention and Suppression of Money Laundering and Terrorist Financing Law:
	It is provided that natural persons employed by the above are exempted from the provisions of this Law only when they provide administrative services in the course of exercising the work assigned to them by their employer.
	(3) The persons referred to in paragraph (2) may, if and they so wish, choose to submit an application for authorisation from the Commission; In such a case, these persons are regulated by the

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	Commission and are obliged to abide by the provisions of this Law.
208(I) of 2014 117(I) of 2014	(4) Management Companies and Variable Capital Investment Companies who provide administrative services in the course of their business under the Open Ended Undertakings in Collective Investments Law, are also exempted from the scope of application of this Law as well as the occupational retirement benefit funds which are under the supervision of the Registrar of Occupational Retirement Benefit Funds in accordance with the Establishment, Activities and Supervision of Occupational Retirement Benefit Funds Law of 2012.
	(5) A legal person exclusively owned by a licensed person and not a person exempted from the scope of application of the Law, is not subject to the provisions of this Law; The responsibility for actions undertaken by the said legal person under this Law is borne by the licensed person; In such cases the licensed person should notify immediately, and without delay, the Commission of the existence of such legal persons.
	(6) The provision of administrative services, whether this is provided by an employee of a licensed person or by a third person following outsourcing under article 17 of this Law, is considered as provision of administrative services by the actual licensed person.
109(I) of 2013	(7) With reference to the provision of the services of management and administration of trusts by eligible persons and or persons who are exempted from the scope of application of this Law, including the persons referred to in paragraph (3) of article 4, any person providing these services must identify and verify the identity of the beneficial owners of the trust. This should include accurate and updated information on the following categories, where and if these are applicable: <ul style="list-style-type: none"> <li>(a) Trustees,</li> <li>(b) Settlers,</li> <li>(c) Beneficiaries or information on the class of beneficiaries including the beneficiaries to whom any distributions have</li> </ul>

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	<p>been made pursuant to the trust,</p> <p>(d) Protector, where applicable,</p> <p>(e) Investment advisor, accountant, tax consultant, where applicable,</p> <p>(f) The activities of the trust,</p> <p>(g) Any other person who exercises effective control over the trust.</p> <p>The person providing the services of management and administration of trusts must keep this information in the Republic of Cyprus and make them available for disclosure to and inspection by the relevant Competent Authority, at all times.</p>
	<b>PART II: REGULATION OF ADMINISTRATIVE SERVICES</b>
Administrative Services	4. (1) The services and activities described below are considered to be administrative services -
117(I) of 2014	(a) The management or administration of trusts including, without limitation, the undertaking or provision of trustee (commissioner), wherever these are set up or established, or the management or investment or marketing of the assets of a trust.
142(I) of 2015	<i>(Deleted)</i>
	(b) The undertaking or provision of the service of managing companies, including, but not limited, to the management or the administration of companies, general or limited partnerships, or other organisations with or without separate legal personality, wherever these may be registered or established, and the provision of the following services:-
	(i) providing directors for legal persons;
	(ii) providing a secretary, or assistant secretary of legal persons;
	(iii) holding the share capital of legal persons and registering the holder in the respective registers of shareholders on behalf of

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	third persons;
	(iv) provision of registered office address and or the official mailing address and or electronic address of companies;
	(v) provision of general or limited partners in partnerships;
	(vi) provision of other similar services, or in conjunction with the services described above, in relation to other legal persons or organisations, with or without separate legal personality;
	(vii) opening or managing bank accounts;
	(viii) safe keeping of financial instruments on behalf of clients, including acting as depositary, as defined in Annex III, Part II, paragraph 1 of the Investments Services and Activities and Regulated Markets Law, and other related services, unless this is provided as an ancillary service by an IF in the framework of the Investment Services and Activities and Regulated Markets Law:
	It is provided that the power to register companies, remains exclusively with lawyers as provided in the Advocates Law.
	(2) In case any of the administrative services are services that need a license according to the Investment Services and Activities and Regulated Markets or the Open Ended Undertakings in Collective Investments Law or other law, the provider of the these services is obliged to obtain a license according to the respective applicable law and not this Law.
109(I) of 2013	(3) Subject to the provisions of paragraph (7) of article 3, paragraph (2) of article 5 and paragraph (2) of article 23, the provision of administrative services by natural persons in the following cases does not require authorisation provided that these will not be advertised or used to attract clients nor offered or provided to persons other than the ones referred to in this paragraph:
	(a) undertaking director duties -

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	(i) in a company whose securities are admitted to trading on a regulated market;
	(ii) in a company who is regulated by a Competent Authority and according to that Competent Authority's regulatory framework is obliged to appoint independent non-executive directors;
	(iii) in a company where the Republic of Cyprus or any public body, authority or organisation holds the majority of its shares;
	(iv) in a company who is rightfully owned by at least twenty five per cent (25%)- (a) by the person providing the relevant services and/or his/her spouse and/or members of his/her family and/or the spouse's family, up to fourth degree of relation or (b) by a company or companies wholly owned by the person providing the relevant services and/or his/her spouse and/or members of his/her family up to fourth degree of relation or (c) by a trust, where, either the person providing the relevant services and/or his/her spouse and/or any person with whom the person providing the relevant services and/or his/her spouse has a family relationship up to fourth degree of relation, are the sole beneficiaries;
	(v) in a company who is the sole employer of the person providing the services or a company who is a member of a group of companies where the employer is also a member;
	(vi) in a company who is a subsidiary of a company described in subparagraphs (a)(i) to (v) above;
	(vii) in less than ten (10) companies not counting companies referred to in subparagraphs (a)(i)-(vi) above and provided that the relevant person or persons do not jointly control the board of the relevant company.

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	(b) undertaking secretary duties in a company, by a natural person resident in Cyprus, in cases where-
	(i) at least fifty per cent (50%) of the shares in the company are owned:
	(a) by the person providing the relevant services and/or his/her spouse and/or members of his/her family and/or the spouse's family, up to fourth degree of relation or
	(b) by a company or companies wholly owned by the person providing the relevant services and/or his/her spouse and/or members of his/her family up to fourth degree of relation or
	(c) by a trust governed by Cyprus law, where, either the person providing the relevant services and/or his/her spouse and/or any person with whom the person providing the relevant services and/or his/her spouse has a family relationship up to fourth degree of relation, are the sole beneficiaries;
	(ii) subparagraphs (i)(a)-(c) above are applicable and all the shareholders of the relevant company are natural persons residents of Cyprus, the threshold of fifty per cent (50%) referred to in the introductory sentence of subparagraph (i) above, is reduced to twenty five per cent (25%);
	(iii) the company is the sole employer of the person providing the services or a company who is a member of a group of companies where the employer is also a member;
	(iv) the company is a subsidiary of a company described in subparagraphs (b)(i)-(iii) above;
	(c) the provision of trustee services when these are provided towards a trust where the person providing the administrative services is a settlor or where all the beneficiaries of the trust are himself and or his/her spouse and/or his/her family members and/or his/her spouse's family members, up to fourth degree of relation or
	(d) the undertaking of trustee duties in a trust created under a will of

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	a natural person.
117(I) of 2014	(e) the management of bank accounts of companies that meet the criteria of subparagraph (a)(i) to (vi) above
117(I) of 2014	<p>(4) Subject to the provisions of paragraph (7) of article 3, paragraph (2) of article 5 and paragraph (2) of article 23, the provision of administrative services by companies in the following cases, does not require authorisation provided that these will not be advertised or used to attract clients nor offered or provided to persons other than the ones referred to in this paragraph:</p> <p>(a) The provision of administrative services exclusively for their parent undertakings, for their subsidiaries or for other subsidiaries of their parent undertakings provided that the said company has as a secretary either an eligible person or a natural person resident of Cyprus coming within the provisions of section 4(3)(b) above;</p> <p>(b) The provision of trustee services when these are provided towards a trust where all of the following conditions are met:</p> <p>(i) Such company is owned exclusively by one natural person and/or his/her spouse and/or his/her family members and/or his/her spouse's family members, up to forth degree of relation;</p> <p>(ii) all the beneficiaries of the trust are the natural person referred to in paragraph (i) above and/or his/her spouse and/or his/her family members and/or his/her spouse's family members, up to forth degree of relation;</p> <p>(iii) the company has as a secretary either an eligible person or a natural person resident of Cyprus coming within the provisions of section 4(3)(b) above.</p>
117(I) of 2014	(5) The provision of the services referred to in section 4(1)(b)(iii) and/or (viii) by a legal person, where all of the following conditions are met, does not require authorisation:

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	<p>(i) The relevant services are provided by a legal person which is registered in a jurisdiction other than the Republic and is regulated in its home jurisdiction in relation to the provision of the relevant services.</p> <p>(ii) There is a cooperation agreement between the supervisory authority in the home jurisdiction of the legal person providing the relevant services and Cyprus</p>
Prohibition of exercising administrative services without authorisation	5. (1) Subject to the exemptions of this Law, only eligible persons may provide administrative services:
	It is provided that natural persons employed by eligible persons are exempted from the provisions of this Law only when they provide administrative services in the course of exercising the work assigned to them by their employer.
	(2) With regards to the services of trustee, the trustee is obliged to make sure that, at all times, a trust subject to Cyprus Law has at least one trustee who is a Cyprus resident:
	It is provided that in cases of trusts who operate at the date of entry into force of this Law, the trustee must comply with the provisions of this paragraph within six months.
<b>PART III - CONDITIONS FOR GRANTING AUTHORISATION</b>	
<b>Chapter A - Conditions for the granting of authorisation</b>	
Head offices	6. The head offices of the licensed person must be located in the Republic:
	It is provided that a license granted under this Law allows the licensed persons to provide administrative services, for which they have obtained a license, in the Republic and abroad, provided that the respective legislation abroad does not forbid them to do so.
Persons who	7. (1) The persons who effectively manage the business of the

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effectively manage the business of the licensed person	applicant or the licensed person shall be of sufficiently good reputation and sufficiently experienced, and hold sufficient academic or professional qualifications as to ensure the sound and prudent management of the licensed person.
	(2) The management of the licensed person must be undertaken by at least two persons meeting the requirements laid down in paragraph (1).
	(3) The Commission may reject an application for authorisation, if it is not satisfied that the persons who will effectively manage the business of the applicant are of sufficiently good reputation and sufficiently experienced, or if there are grounds for believing that their presence in the management poses a threat to its sound and prudent management.
	(4) The Commission retains the right, at any time following the authorisation, either to oppose any appointment, or change of appointment of a person who will effectively manage the business, or request from the licensed person additional documents or information or recommend amendments; The licensed person must comply with any demand and or recommendation by the Commission.
Licensed persons' shareholders	8.- (1) The Commission shall not authorise the provision of administrative services, until it has been informed of the identity of the shareholders, whether direct or indirect, and the beneficial owners of the applicant irrespective if they are natural or legal persons:
	It is provided that with regards to legal persons, the applicant or the licensed person must provide information of the identity of the natural persons managing them as well as that of their shareholders, reaching up until the final natural persons.
	(2) The Commission may reject the application to grant an authorisation if, taking into account the need to ensure the sound and prudent management of the company, it is not satisfied as to the

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	suitability of the direct and/or indirect shareholders and beneficial owners.
	(3) The Commission retains the right, at any time following the authorisation, either to object to any participation, or change of shareholder, or request from the licensed person additional documents or information or recommend amendments if it has reasons to doubt the suitability of direct and or indirect shareholders and beneficial owners. The licensed person must comply with any demand and or recommendation by the Commission.
Persons employed by a licensed person	9. (1) The licensed person must make sure that the persons it employs, are of sufficiently good repute and have the necessary skills, knowledge and expertise for performing their assigned duties.
117(l) of 2014	(2) The licensed person must employ an internal legal advisor or maintain a regular business relation with an external lawyer on an annual basis.
117(l) of 2014	(3) The licensed person must employ a compliance officer.
	(4) The appointment of the compliance officer must have the prior approval of the Commission taking into account his/her experience, skills and good repute.
<b>Chapter B Application for granting authorisation, application for the extension or amendment of an authorisation</b>	
Submission of application for granting authorisation	10. (1) A company wishing to obtain a license for the provision of administrative services submits a relevant application, duly completed, to the Commission.
	(2) The relevant form for the application is issued by the Commission and is available on its website.
	(3) The application is signed by the members of the board of the company and is accompanied by:-

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	(a) The specially formulated questionnaire, issued by the Commission and available on its website, completed and submitted by the directors and the persons who effectively manage the company, if different from the directors, the shareholders and, if applicable, the beneficial owners and the compliance officer.
	(b) Signed confirmation by the members of the board, by which they confirm that they have undertaken every possible diligence to ensure that the information contained in the application, as well as the accompanying documents, is true, correct and complete.
	(c) In cases of natural persons a criminal record certificate and certificate or confirmation of non-bankruptcy, by any independent and reliable source:
	It is provided that where the certificate of non-bankruptcy cannot be issued by a government body, a confirmation by a credit institution in the Republic or abroad may be provided; The said confirmation must confirm that the person it refers to maintains a bank account in the credit institution and is consistent with his/her obligations.
	For the purposes of this paragraph, “natural persons” are deemed to be the members of the board, the persons who effectively manage the company, the compliance officer, the shareholders and, where applicable, the beneficial owners.
	(d) The memorandum and articles of association of the company as well as all the relevant documents disclosing the members of the board, the shareholders and the beneficial owners, if applicable, as well as the registered office and certificate of good standing.
	It is provided that where the certificate of good standing cannot be issued by a government body, a confirmation by a credit institution in the Republic or abroad may be provided; In such a case, the said confirmation must confirm that the company it refers to maintains a bank account in the credit institution and is consistent with its obligations.

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	(e) The submission fee for the application, as provided for in article 32.
	(4) When receiving and examining the application and at any given time, the Commission may demand the submission of any additional information or documents, deemed necessary and helpful in the evaluation of the application.
	(5) The application is considered duly completed only if it includes all the relevant information and documents, as well as the submission fee requested by the Commission under this Law.
	(6) The Commission grants an authorisation only if satisfied that all the necessary fees, information, forms and documents submitted, establish that the applicant complies with the provisions of this Law.
	(7) The responsibility for the correctness, completeness and accuracy of the application for the granting of an authorisation as well as for the information and documents that shall support the application, rests on the members of the board of directors of the applicant, who sign the application.
	(8) The Commission may, by way of Directive, define the content of the application and the information to be provided through it, as well as any other relevant matter.
Transitional provisions for persons providing administrative services	11. (1) Subject to the exemptions of this Law, a person who at the entry into force of the Law was providing administrative services, may continue to provide the said services in the Republic and register in the Register, provided that:
	(a) Within two months from the entry into force of the Law the said person notifies to the Commission of:
	(i) Contact details, name, shareholders, directors and summary report of activities,
	(ii) the intention to submit, or not, an application for

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	authorisation according to the Law.
	(b) Within four months from the date of submission of the notification provided in subparagraph (a), submits to the Commission an application, as defined in article 10, along with audited accounts of the immediate two previous years, where possible.
	(c) Complies immediately with the provisions of this Law.
	(2) The persons referred to in paragraph (1), may, in case they don't submit a notification as defined in paragraph (1), continue to exercise such functions for a period of six months following the entry into force of this Law; With the expiration of the six month deadline, the said persons cease to be entitled to provide administrative services.
	(3) A person providing administrative services at the entry into force of the this Law and who has notified the Commission of its intention to submit an application as well as the subsequent filing of an application, according to this article, may continue to provide administrative services unless its application is rejected by the Commission in which case the provisions of paragraph (4) apply.
	(4) In case the Commission rejects the application of a company for authorisation, the said company is not registered in the Register and must cease to provide administrative services within six months from the notification of the Commission's rejection; At the expiration of the six month period the company must settle its obligations resulting from the provision of the said services towards third persons.
Granting of authorisation	12. (1) The Commission while examining an application submitted according to article 10 has the power, within four months from the date of receiving a duly completed application, to inform in writing the applicant company of its decision-
	(a) to forbid the provision of administrative services or (b) to approve, with or without conditions, the application and grant an authorisation by registering it on the Register.
	(2) The Commission while examining an application submitted

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	according to article 11 has the power, within a time period not exceeding twenty four (24) months from receiving a duly completed application, to inform in writing the applicant of its decision-
	(a) to forbid the continuation of provision of administrative services or (b) approve, with or without conditions, the application and grant an authorisation by registering it on the Register.
	(3) The Commission may, at its absolute discretion, extend the deadline for notifying its decision according to paragraphs (1) and (2), without the application to be considered approved.
	(4) The Commission does not grant an authorisation if not fully convinced that the company, established in the Republic and applying for the authorisation, satisfies all the requirements provided in this Law and the Directives issued pursuant to this Law.
	(5) The applicant company must provide all the information, as defined in the Law, which are necessary in order to convince the Commission that the applicant has taken, at the time of granting the authorisation, all the necessary measures to fulfill the Law's requirements.
	(6) Subject to the provisions of paragraph (5), the licensed person is allowed to provide only the administrative services recorded in the Register.
Application for extension or amendment of authorisation	13. (1) Where the licensed person wishes the extension of its license to additional administrative services not provided in the authorisation granted or wishes the amendment of its authorisation regarding any documents or information, then it submits, in advance, a notification to the Commission, accompanied by any relevant information, details and forms as provided in this Law.
	(2) The Commission does not approve the cases referred to in paragraph (1) but retains the right, at any time, either to oppose any extension or amendment of the authorisation or request from the licensed person additional documents or information or indicate

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	amendments. The licensed person must comply with any demand and/or indication made by the Commission.
	(3) Notwithstanding the provisions of paragraph (2), the licensed person which at any stage offers, intends to offer or ceases to offer, the administrative service provided in subparagraph (a) of paragraph (1) of article 4 must immediately and explicitly inform the Commission.
	(4) The Commission must update the Register in respect of any amendments that take place according to this article, within five (5) working days from the date of notification of the amendments.
<b>PART IV – WITHDRAWAL, SUSPENSION AND LAPSE OF AUTHORISATION</b>	
Withdrawal of authorisation	14. (1) The Commission may withdraw an authorisation, in case it ascertains that -
	(a) the licensed person does not comply, or violates, any provision of this Law, or the Prevention and Suppression of Money Laundering and Terrorist Financing Law or Directive DI144-2007-08; and/or
	(b) the licensed person has obtained the authorisation on the basis of false or misleading details or has submitted or notified or otherwise publicised in any way false or misleading information, details or documents; and/or
	(c) the interests of the licensed person's clients are not met or are threatened because of the manner that the licensed person provides the administrative services, or for any other reason.
	(2) Where an authorisation is withdrawn, the Commission permanently deletes the licensed person from the Register.
	(3) The company whose authorisation has been withdrawn, ceases immediately to provide administrative services and has to settle its obligations arising as a result of the services or/and the activities that is no longer allowed to provide or perform, within a period of three (3)

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	months from the date the Commission's decision has been notified to it.
	(4) A company, whose authorisation has been withdrawn, remains under the supervision of the Commission until the Commission is satisfied that the said company has completely complied with the provisions of this Law.
Suspension of authorisation	15. (1) The Commission may suspend a licensed person's authorisation in the following cases-
	(a) Simultaneously and immediately with the beginning of an authorisation withdrawal proceeding as laid down in article 14, if, at its absolute discretion the continuation of operation by the licensed person, until the point in time that the Commission will reach a decision as to whether to withdraw or not the authorisation, may endanger its clients' interests.
	(b) When there are suspicions for an alleged violation of this Law or the Prevention and Suppression of Money Laundering and Terrorist Financing Law or Directive DI144-2007-08 which may endanger the clients' interests and in cases where the charges or annual fees, as per article 32 have not been paid or have not been paid within the deadline set by the Directive issued pursuant to article 32; In this case, the decision to suspend the authorisation is immediate and without prior notification to the licensed person and may be taken by the Chairman or/and the Vice-Chairman of the Commission, who shall inform the Commission at its next meeting.
	(2) When the conditions of subparagraph (b) of paragraph (1) take place, the Commission may set a reasonable deadline of not more than three (3) months from the date of notification of the suspension of the authorisation, for compliance with the provisions of this Law or the Prevention and Suppression of Money Laundering and Terrorist Financing Law or Directive DI144-2007-08.
	(3) The licensed person must, within the deadline set by the Commission in paragraph (2), inform the Commission of its

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	compliance with the provisions of this Law or the Prevention and Suppression of Money Laundering and Terrorist Financing Law or Directive DI144-2007-08. Where the Commission-
	(a) Is satisfied that the licensed person has complied with the above, it withdraws the suspension of the authorisation, and reinstates its registration on the Register, or
	(b) is not satisfied that the licensed person has complied with the above, it automatically extends the suspension of the authorisation and commences proceedings to withdraw it; the licensed person's authorisation will remain suspended until the Commission decides as to whether to withdraw or not the relevant authorisation.
	(4) In case the licensed person does not inform the Commission within the set deadline of paragraph (2) with regards to its compliance with the provisions of this Law, the Commission automatically applies the procedure laid down in subparagraph (b) of paragraph (3).
	(5) The licensed person is not allowed to provide administrative services when its authorisation is suspended.
Actions leading to the automatic lapse of the authorisation	16. (1) An authorisation for the provision of administrative services lapses in cases where the licensed person expressly waives the authorisation for the provision of administrative services.
	(2) In case the licensed person expressly waives the authorisation for the provision of administrative services, the Commission immediately lapses its authorisation and permanently deletes it, from the Register without prior notification to the licensed person.
	(3) The company whose authorisation has lapsed, ceases immediately to provide administrative services and has to settle its obligations arising as a result of the services or/and the activities that it no longer provides, within a period of three (3) months from the date its decision for waiver has been notified to the Commission.

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	(4) A company, whose authorisation has lapsed, remains under the supervision of the Commission until the Commission is satisfied that the said company has completely complied with any of its outstanding obligations.
<b>PART V – ORGANISATIONAL REQUIREMENTS, GENERAL AND CONTINUOUS OBLIGATIONS</b>	
<b>Chapter A Organisational requirements</b>	
Outsourcing	17. (1) When the licensed person outsources to third parties the provision of administrative services, it must ensure the provision of a continuous and satisfactory service to its clients and the execution of administrative services in a continuous and satisfactory basis.
	(2) Any sort of outsourcing may be assigned to persons in the Republic. Such delegation must take place in a way that it does not impede the Commission’s ability to regulate the direct compliance of the licensed person with all its obligations.
	(3) The licensed person outsourcing to external bodies or third persons the provision of administrative services, continues to bear full liability for the fulfillment of all the obligations borne according to this Law, the Prevention and Suppression of Money Laundering and Terrorist Financing Law and Directive DI144-2007-08.
	(4) Notwithstanding the provisions of this Law, the liability of the compliance officer cannot be transferred.
Safekeeping of clients’ financial instruments	18. For the purpose of safekeeping the clients’ rights in relation to their financial instruments, the licensed person must maintain the necessary records and accounts, in order to be in a position, at all times and without delay, to separate the assets held in a clients’ account from the assets held in any other clients’ account, as well as from its own assets.
Safekeeping of clients’ funds	19. (1) For the purpose of safekeeping the clients’ rights in relation to their funds, the licensed person must take all necessary measures to

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	ensure that the clients' funds deposited, according to article 20, are held in a separate account or accounts from other accounts used for the possession of the licensed person's funds.
	(2) The licensed person must maintain the necessary records and accounts in order to be in a position, at all times and without delay, to separate the funds held on behalf of a client from the funds held on behalf of any other client.
Deposit of clients' funds	20. As soon as it receives clients' funds, a licensed person is obliged to immediately deposit them, without any delay, to one or more accounts named "clients' money" which are opened in a credit institution licensed either in the Republic or abroad.
Use of clients' financial instruments and funds	21. (1) In case the licensed person holds financial instruments of clients, it is obliged to take every possible measure to protect the ownership rights of the clients, especially in case of bankruptcy; It is forbidden for the licensed person to use the clients' financial instruments for its own account.
	(2) In case the licensed person, holds client's funds, is obliged to take every possible measure to protect the clients' interests; It is forbidden for the licensed person to use in any way clients' funds for its own account.
Keeping financial accounts	22. The licensed person is obliged to prepare within four (4) months from the end of the financial year, financial accounts that provide its true and fair picture and are in accordance with the applicable accounting standards and rules. The said financial accounts must be audited by an auditor and accompanied by a signed copy of its report; The said financial accounts are kept at the head offices of the licensed person and are available to the Commission, upon request.
<b>Chapter B General and continuous obligations</b>	
Continuous obligations of a licensed person	23. (1) The licensed persons registered on the Register, must at all times comply with the conditions under which authorisation was granted, this Law, the Prevention and Suppression of Money

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	Laundering and Terrorist Financing Law and Directive DI144-2007-08.
	(2) Persons providing administrative services according to the provisions of paragraph (3) of article 4 must at all times comply with the Prevention and Suppression of Money Laundering and Terrorist Financing Law when exercising the above services.
General obligations for the accurate submission of information and documents  109(I) of 2013	24. (1) Any person, including a licensed person or a person providing services pursuant to paragraph (3) of article 4, under an obligation pursuant to this Law to submit or notify to the Commission, any information, data, documents or forms, either at the request of the Commission or not, must ensure their correctness, completeness and accuracy.
	(2) The provision to the Commission of false, or misleading information or data or documents or forms, or the withholding of material information, in addition to constituting a violation subject to an administrative fine as stated in article 27, it also constitutes a criminal offence punishable pursuant to article 26.
<b>PART VI – KEEPING AND PUBLICATION OF REGISTER</b>	
Keeping and Publication of the Register	25. (1) The Commission establishes and keeps a Register that is freely accessible by the public, where those licensed persons are registered.
117(I) of 2014	2) When granting an authorisation, the Commission provides a Register number to every licensed person and registers its details, the administrative services provided, the names of its fully owned subsidiaries which offer administrative services according to section 3(5), the names of its employees who offer administrative services according to sections 3(2) and 5(1) and their work address, the name and communication information of the compliance officer, as well as any other information deemed necessary, to the Register kept according to the provisions of this article.  It is provided that all Competent Authorities must maintain respective

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	registers containing the information corresponding to the above.
	(3) Subject to the provisions of paragraph (4), the Commission ensures the up to date keeping of the Register.
	(4) The Commission may specify, by means of a Directive, every relevant matter regarding the procedure of keeping, updating, registering or deleting licensed persons as well as any other relevant matter concerning the Register.
	(5) The Commission publishes the Register on its website, or in any other way it decides.
	(6) The Commission posts in a prominent position on its website the link to access the respective registers maintained by the Competent Authorities of eligible persons.
Establishing and Keeping Trust Registers  109(I) of 2013	25A. (1) The Commission, the Cyprus Bar Association and the Institute of Certified Public Accountants of Cyprus (ICPAC) each establishes and keeps a Trust Register as provided for under paragraphs (2), (3) and (4) below.
	It is provided that the Competent Authorities may exchange information with each other for the purpose of carrying out their duties under this Law and the Law on the Prevention and Suppression of Money Laundering and Terrorist Financing Law.
	(2) The Cyprus Bar Association establishes and keeps a Trust Register with respect to each trust governed by Cyprus law and where one (1) of its trustees is an exempted person resident of Cyprus who is supervised by the Cyprus Bar Association in its capacity as a Competent Authority.
	(3) The Institute of Certified Public Accountants of Cyprus (ICPAC) establishes and keeps a Trust Register with respect to every trust governed by Cyprus law and where one (1) of its trustees is an exempted person resident of Cyprus who is supervised by the Institute of Certified Public Accountants of Cyprus in its capacity as a

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	Competent Authority.
	(4) The Commission establishes and keeps a Register of Trusts with respect to every trust governed by Cyprus law which does not fall under the provisions of paragraphs (2) and (3) above.
	(5) A trust is kept in the Trust Registers for as long as it is governed by Cyprus Law.
	(6) The Trust Registers:  (a) are not available to the public but shall be available for inspection by the Competent Authorities.  (b) Contain the following information: (i) the name of the trust, (ii) the name and full address of every trustee at all relevant times, (iii) the date of establishment of the trust, (iv) the date of any change in the law governing the trust and (v) the date of termination of the trust.
	(7) Each trustee, resident of Cyprus, of a trust governed by Cyprus law must, within fifteen (15) days from the establishment of the trust or the adoption of Cyprus law as the applicable law governing the trust, as applicable, notify the Competent Authority that keeps the relevant Trust Register of the information specified in paragraph (6) above.
	(8) In case of a change in the information specified in subparagraphs (i) and (ii) of paragraph 6 (b) above, any trustee, resident of Cyprus, of a trust governed by Cyprus law must, within fifteen (15) days of such change, notify the Competent Authority that keeps the relevant Trust Register of the said change.
	(9) In case of a change of the law governing the trusts that are registered in the Trust Registers to a law other than Cyprus law or in case of a termination of the trust which is in the Trust Registers, every trustee, resident of Cyprus, of the said trust must, within fifteen

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	(15) days of the advent of the relevant event, notify the relevant Competent Authority that maintains the Trust Register of the said change. In such a case, the relevant Trust Register will indicate that the trust has been terminated or the law governing it has changed and these information on the trust will be kept for five (5) years in the relevant Trust Register.
	(10) With respect to trusts governed by Cyprus law which exist at the date that this Law enters into force, the trustee who is a resident of Cyprus shall have a deadline of six (6) months to comply with the provisions of this article.
<b>PART VII – CRIMINAL AND CIVIL LIABILITY, ADMINISTRATIVE SANCTIONS AND REGULATORY COMPETENCY OF THE SECURITIES AND EXCHANGE COMMISSION</b>	
Criminal offence 109(I) of 2013	26. (1) A person who is in violation of or does not comply with article 5 and or article 24 and or article 25A, is guilty of a criminal offence, punishable, in the event of conviction, by a term of imprisonment not exceeding five (5) years or by a fine, not exceeding three hundred and fifty thousand euro (€350.000) or both.
	(2) Where the offence of paragraph (1) is committed by a legal person, the criminal liability also rests, besides the legal person, on any member of the board of directors, of the managerial, supervisory or auditory bodies where it is established that he has consented, or is party. to the offence.
	(3) Persons who, as stated in paragraph (2), are criminally liable for the offences carried out by a legal person, are held liable together and or separately with the legal person, for every damage caused to third parties by the act or omission comprising the offence.
	(4) Unless provided otherwise by any other law, a violation or omission to comply with the provisions of this Law by a person providing administrative services will not affect the validity of his acts or actions that took place within the course of providing the relevant administrative services.

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Administrative sanctions	27. (1) In case of a violation of the provisions of this Law or and the Directives issued pursuant to this Law or the Prevention and Suppression of Money Laundering and Terrorist Financing Law and Directive DI144-2007-08, by any person, the Commission, irrespective of any criminal liability, may impose to the violator an administrative fine not exceeding five hundred thousand euro (€500.000) and, in case of remission of the violation, an administrative fine not exceeding one million euro (€1.100.000), depending on the gravity of the violation.
	(2) Where a person has obtained a gain by violating this Law or the Prevention and Suppression of Money Laundering and Terrorist Financing Law and Directive DI144-2007-08, which gain exceeds the sum of the administrative fines provided in paragraph (1), the Commission may impose an administrative fine of up to double the amount the said person gained by the violation.
	(3) Without prejudice to paragraphs (1) and (2), the Commission may impose an administrative fine-
	(a) to a legal person; or and
	(b) to a director, or a person who effectively manages the business or a compliance officer, in case that is established that the violation is due to its own fault, wilful omission or negligence.
Collection of administrative fine	28. (1) Administrative fines imposed in accordance with the provisions of this Law shall be calculated as revenue to the Treasury of the Republic.
	(2) In case of failure to pay the administrative fine, measures shall be taken to collect the fine as provided in the Cyprus Securities and Exchange Commission Law.
Civil liability	29. (1) Any person who violates this Law or the Directives issued pursuant to this Law, must compensate any person who suffers damage or loss of profit or both, which has arisen due to his act or omission in violation of the obligations emanating from this Law or

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	the Directives issued pursuant to this Law.
	(2) Criminal liability or liability of administrative nature does not relieve the offender from any civil liability.
Competent Authority and powers	30. (1) The Commission is responsible to ensure the supervision and application of the provisions of this Law, as well as imposing administrative sanctions, and exercises its powers-
	(a) directly,
	(b) in collaboration with other authorities or persons, or
	(c) under its responsibility, through the assignment of powers to these persons.
	(2) The Commission undertakes the investigation of administrative violations either on its own initiative or following a submitted complaint.
	(3) The provisions of the Cyprus Securities and Exchange Commission Law, concerning the supervisory competency of the Commission, its power to collect information, conduct investigations and inspections, to impose administrative sanctions, cooperate with competent authorities in the Republic and abroad and generally all the competencies, powers, responsibilities and duties, apply mutatis mutandis.
	(4) The Commission, while examining any applications filed, may demand orally or in writing any data and information.
	(5) Irrespective of the provisions of any other law, any person to whom a notice by the Commission for collection of information, inspection or investigation is addressed, shall be bound to comply immediately and provide any requested information timely, fully and accurately.
	(6) Notwithstanding the provisions of any other law, in case of refusal to provide access to information, records, books, accounts as well as other documents and data stored in computers, during an

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	investigation or inspection, the Commission may proceed with the immediate confiscation of the relevant information, records, books, accounts and other documents and data and the electronic data storing and transfer medium.
	It is provided that the Commission must return anything confiscated under the provisions of this paragraph to its holder, as soon as the purpose of its confiscation is fulfilled and in any case within forty-five days from the day of confiscation.
	(7) In addition to the above, the Commission submits to the Unit any information, or reports any suspicion, that may arise when exercising its powers according to this Law, which may involve violations of the Prevention and Suppression of Money Laundering and Terrorist Financing Law.
	(8) (a) Where the Law refers to any obligation of informing, submitting, notifying or filing any documents or information to the Commission, the Commission has the power and authority to accept these in electronic form.  (b) The Commission may determine by way of a Directive the documents / information it will accept in electronic form, or in electronic and printed form, as well as the procedure and the way of submission of these documents:
	It is provided that, whenever the Commission requests the submission of documents in electronic and printed form, the responsibility for the consistency and compatibility of the documents submitted lies with the person who, according to this Law, is obliged to submit the documents to the Commission.
	(c) The Commission may determine, in the Directive provided in this paragraph, further details for the aforementioned procedure.
Power to issue Directives	31. (1) Without prejudice to the provisions of this Law which provide for the issue of Directives, the Commission may issue Directives for the regulation of any other matter in this Law, which needs, or is

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	susceptible to, determination.
	(2) The compliance with the Directives issued by the Commission pursuant to this Law is obligatory to those applied.
<b>PART VIII – CHARGES AND ANNUAL FEES</b>	
Charges and fees	32. (1) For the purposes of application of this Law, charges and fees shall be paid, the amount of which shall be defined by way of Directive issued by the Commission.
	(2) The charges and fees as defined in paragraph (1) shall be calculated as revenue of the Commission and in case of non-payment, court measures are taken for their collection, in addition to any other measures defined in this Law, in which case the amount due is collected as a civil debt.

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