

Η πιο κάτω ανακοίνωση επανεκδίδεται ως Εγκύκλιος Ε014 για σκοπούς ορθής αρχειοθέτησης

ANNOUNCEMENT

The Cyprus Securities and Exchange Commission (the ‘Commission’) wishes to inform all interested parties who have already applied for an ASP authorisation under article 11 of the ASP Law, that it will be introducing a new ‘fast track’ examination scheme (the ‘Scheme’) to speed up the examination of the big number of ASP applications before the Commission and to comfort ASPs eagerness to get their authorisation.

It is noted that the Scheme **ONLY** applies to ASPs that have submitted their application in accordance with article 11 of the Law. It does **NOT** apply to newly set up companies which have already applied or will apply under article 10 of the ASP Law.

On the Scheme procedure to be followed the Commission notes that:

1. In order to participate in the Scheme, the applicant ASP will have to pay the additional fee of €500, part of which¹ will be paid to the employee of the Commission that will examine the application as these applications will be examined during non-working hours.
2. All interested ASPs are kindly requested to notify their interest via email **ONLY** to Mrs. Andri Petrou at apetrou@cysec.gov.cy stating their application name and number and that they are willing to participate in the Scheme.
3. There is no deadline for the notification of interest, but the Commission will follow a first come first served list.
4. Applicants **MUST NOT PAY ANY FEE** at the point of notification of their interest.
5. When an employee of the Commission will be available to commence the examination of the application, the Commission will contact the applicants to confirm if they are still interested in participating in the Scheme and if they are, then – and only then – they will be asked to pay the €500 fee.

¹ It must be noted that any amounts payable to the employees of the Commission are subject to reductions in accordance with the relevant Laws and Regulations of the Republic.

6. The applications of the participants in the Scheme will be examined by CySEC personnel from all departments, who will be internally trained for this purpose. The examination will take place **in non-office** hours. Approximately 20 employees of the Commission will be participating in the Scheme.
7. It must be noted that the authorisation procedure for ASPs will continue as normal by the Authorisations Department of the Commission and the applicants that will not participate in the Scheme will remain in the application queue and will continue to be examined by CySEC officers of the Authorisations Department. It must be noted that the first 33 applications have already been assigned and it is therefore recommended that the next twenty applicants do not participate in the scheme.
8. For your information it is noted that the total number of hours for the examination/completion of an application varies roughly from 25-40 depending on the volume/size/complexity of an application and the cooperation and immediate response of the applicant.
9. Provided that the applicant is immediate and accurate in its response the anticipated time to approve an application is 5-7 weeks. The indicative timetable for the examination of an application is as below and your contribution is crucial in order to make it work.

TIMETABLE:

Actions	Hours	Deadlines
A) <u>Commission</u> – Preliminary examination of the application, assessment of information provided and first letter to ASP for clarifications or missing/inadequate information	8 hours	3-5 days depending if the application has been allocated on a work day or over a weekend
B) <u>ASP</u> – Deadline to reply to the letter above and submit requested information/documents		2 weeks
C) <u>Commission</u> – 2 nd and final evaluation based on the information/documents submitted in both the application and B) above and drafting of a second letter OR email for more	12 hours	One week

information (where needed)		
D) <u>ASP</u> – Deadline to submit subsequent information on Commissions 2 nd letter.		One week
E) Commission – Finalisation of examination of Application, submission of memo to the Commissions Board for approval/rejection of the application. Letter to ASP on the Commission's decision.	10 - 13 hours	Two weeks

10. Delays in meeting the above deadlines by the applicants will not be assessed as delays on behalf of the Commission. Delays on behalf of an employee will be evaluated by the Commission as each employee will be reporting its exact timetable to the Commission. The Commission commits that its employees will be strict and punctual with their deadlines and expects the same from ASPs.

Nicosia, January 27, 2014