
TO : **Administrative Services Providers ('ASPs')**
FROM : **Cyprus Securities and Exchange Commission**
DATE : **April 7, 2023**
CIRCULAR No : **C564**
FILE No : **E.K. 02.03.001, E.K. 01.03.004 and E.K. 01.13.001.002.002**
SUBJECT : **Risk Based Supervision Framework ('The RBS-F') – Electronic submission of information for the year 2022 (Form RBSF-ASP).**

The present Circular is issued pursuant to section 25(1)(c)(ii) & (iii) of the Cyprus Securities and Exchange Commission Law of 2009, as amended ('the CySEC Law').

The Cyprus Securities and Exchange Commission ('the CySEC') wishes to inform the Administrative Service Providers ('the ASPs') about the following:

1. Information requested by CySEC

- 1.1. A new version of the Form **RBSF-ASP Version 6** ('the Form'), found in the [Appendix](#), is now issued and its scope is the collection of various statistical information. This Form is issued on an annual basis. CySEC will use this information, for the purposes of conducting statistical analyses, risk management and other purposes.
- 1.2. The Form must be completed and **successfully submitted** to CySEC, by **all ASPs that were authorised by December 31, 2022**. In this respect, ASPs that were authorised by December 31, 2022, but have not made use of their authorisation must also submit the Form.
- 1.3. The Form must be successfully submitted electronically via the CySEC's Transaction Reporting System ('TRS') **by 15:00 hrs, Friday, May 12, 2023, at the latest**.
- 1.4. The steps that ASPs will have to follow, for the successful submission of the Form to the TRS, can be found [here](#). Upon submission, the ASPs are responsible to ensure that they have received a **feedback file**, i.e. an official submission confirmation, dispatched by the TRS in the Outgoing directory.

- 1.5.** The feedback file will either contain a NO ERROR indication or, in case that an error(s) has occurred during submission, the description of that error(s). In case of any errors detected during submission of the Form, the ASPs must review the Form and ensure that all errors are addressed and corrected, before they digitally sign (only applicable for the Excel Files) and re-submit the Form. **The Form is regarded as being successfully submitted to CySEC only when a NO ERROR indication feedback file is received, within the deadlines set in point 1.3. above.**
- 1.6.** CySEC emphasises the importance of meeting the deadline of **15:00 hrs, Friday, May 12, 2023.**
- 1.7. Failure to promptly and duly comply with the above will bear the administrative penalties of section 37(5) of the CySEC Law.**

2. Additional Information Requested

Below are listed the amendments to the Form.

2.1. Section E - Products, Services and Transactions

Two questions and one part of this Section, have been amended, as follows:

- i. **Question 2.6:** From the remaining of your customers (answer in 2.5), please enter the total number of customers whose bank account(s) in their name is/are kept with a credit institution operating and licensed in an EEA country and/or in third country, which is categorised by the Obligated Entity as lower risk after taking into account the Joint Guidelines defined in CySEC's AML/CFT Directive and the Appendix II of the AML/CFT Law.
- ii. **Question 2.7:** Please enter the total number of customers whose bank account(s) in their name is/are kept EXCLUSIVELY with a credit institution operating and licensed in a third country, which is not categorised by the Obligated Entity as lower risk after taking into account the Joint Guidelines defined in CySEC's AML/CFT Directive and the Appendix II of the Law (i.e. not included in questions 2.5 and 2.6).
- iii. **Part 3.3:** Within the new version of the Form, the questions 3.3.1 and 3.3.2 of this Part, request the total Inflows and Outflows of **High Risk Customers** in their bank accounts during the reporting period, respectively, instead of the total Inflows and Outflows of Customers in their bank accounts during the reporting period, as it was in the previous version of the Form.

3. General Comments for the Form

- 3.1.** The Form will be available **only** in the **English language.**

- 3.2. Reporting entities are required to report data in **Euro**, rounded to the nearest unit.
- 3.3. Please always ensure that you have the latest version of the Form, i.e. **Version 6**.
- 3.4. Instructions on the completion of the Form can be found in the 'Instructions' Worksheet of the Form.
- 3.5. **Before submitting the Form, please ensure that all validation tests that are contained in the Form (Sections A, B, C, D, E, F, G, H, I, J, K, L) at the bottom of the page and Validation Tests Worksheet are TRUE (Green Colour).**

4. Method of creating, signing and submitting the Form to the CySEC

After populating the required Excel fields in the Form, ASPs should name their Excel file in accordance with the following naming convention:

Username_yyyyymmdd_RBSF-ASP

The information below explains the naming convention:

- (1) **Username** – is the username of the TRS credentials, which should already be in the possession of the ASPs that have previously submitted any electronic file to the TRS system. This codification should be entered in capital letters.
For ASPs that have not previously requested the TRS credentials they can do so by referring [here](#) where further information are provided about the TRS.
- (2) **yyyymmdd** – this denotes the end of the reporting period of the Form. In this case, the Form should have a 20221231 format. Future forms will have different reporting periods.
- (3) **RBSF-ASP** – this is the coding of the Form RBSF-ASP that it remains unchanged and should be inserted exactly as it appears.
- (4) **The Excel® must be of 2007 version and onwards.** Excel will add the extension .xlsx as soon as it is saved. This extension should not under any circumstances be inserted manually.

5. Support

5.1. Queries on how to complete the fields

Should you have any queries on the completion of Form RBSF-ASP, please submit them **only** in writing, any day **PRIOR to Friday, April 21, 2023**, by sending an email to the address riskstatistics.asps@cysec.gov.cy.

5.2. Technical Queries on digitally signing and submitting the Form

For technical matters on digitally signing and submitting the Form, the ASPs are advised to frequently visit the CySEC's specified [section](#). For further clarifications, the ASPs are asked to use the electronic address information.technology@cysec.gov.cy .

All email communication with CySEC should include, in the subject, the ASPs full name and the TRS coding.

Yours sincerely,

Dr George Theocharides
Chairman, Cyprus Securities and Exchange Commission