

DECREE

of 13 May 2011

on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers

as amended by Decree No. 31/2014 Coll.
as amended by Decree No. 233/2014 Coll.

Pursuant to Article 142 of Act No. 284/2009 Coll., on the Payment System, as amended by Act No. 139/2011 Coll., (hereinafter the “Act”) the Czech National Bank stipulates the following regarding the implementation of Article 9(3), Article 11(2), Article 17(4), Article 18(6), Article 20(4), Article 23(3), Article 26(4), Article 29(2), Article 37(3), Article 39(2), Article 47(3), Article 48(4), Article 52a(5), Article 52b(4), Article 52c(6), Article 52e(4), Article 52h(4), Article 52j(4), Article 52m(2), Article 54(3) and Article 56(2) of the Act:

PART ONE

GENERAL PROVISIONS

Article 1

Subject matter

- This Decree incorporates relevant regulations of the European Union¹⁾ and regulates
- a) the specimen forms and the content of annexes for
 1. applications for authorisation to perform activities of a payment institution;
 2. applications for entry into the register of small-scale payment service providers;
 3. applications for authorisation to perform activities of an electronic money institution;
 4. applications for entry into the register of small-scale electronic money issuers;
 5. notifications of intention to acquire, increase, forfeit or decrease a qualified holding in an electronic money institution or intention to control or cease controlling an electronic money institution;
 6. notifications of intention of a payment institution and electronic money institution to provide payment services through an agent, to charge another person with the performance of some activities and to perform activities in a host Member State;
 7. notifications of changes to information given in an application for authorisation to perform activities of a payment institution or electronic money institution;
 8. notifications of changes to information given in an application for entry into the register of small-scale payment services providers or into the register of small-scale electronic money issuers;
 - b) the manner of compliance with the requirements for the system of governance of a payment institution and an electronic money institution;

¹⁾ Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC.

Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC.

- c) rules for the calculation of the capital and the calculation of the capital adequacy of a payment institution and an electronic money institution, including the individual methods that can be applied in the calculation of capital adequacy; and
- d) assets into which a payment institution, electronic money institution, small-scale payment services provider and small-scale electronic money issuer may invest funds entrusted for the performance of a payment transaction (hereinafter the “investment limitations”).

Article 2 Definitions

For the purposes of this Decree

- a) “certificate of integrity issued by the foreign country” shall mean a document analogous to an extract from the Criminal Register not more than three months
 - 1. of which a natural person is a citizen as well as by any foreign country in which the natural person resided for an unbroken period of more than six months during the last three years;
 - 2. in which a legal person has or, during the last three years had, its registered offices, as well as by the foreign country in which a legal person has or, during the last three years had a branch, if the body of laws of that country regulate the criminal liability of legal persons;
- b) “business licence certificate” shall mean a complete extract, or other document, from the register of entrepreneurs or other register pursuant to another legal rule²⁾, or from similar registers of foreign countries, containing information valid at the time of submission of the application or notification, including information on any proposal for entry into a relevant register submitted but not effected as of the date of submission of the application or notification, and a document demonstrating authorisation for the performance of other activities, if issued pursuant to a different legal rule³⁾, or other analogous document issued by the relevant body of a foreign country;
- c) **“financial institution” shall mean financial institution²³⁾ pursuant to Regulation (EU) No. 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No. 648/2012 (hereinafter the “Regulation”);**
- d) “financial statements” shall mean
 - 1. the annual reports and financial statements either for the last three accounting periods or for the period during which the person has been carrying on business if the latter period is shorter than three accounting periods; where the person belongs to a consolidated group, the consolidated annual reports and financial statements for the same period shall be also submitted; if, pursuant to another legal rule⁴⁾ the financial statements must be verified by an auditor, the audited financial statements shall be submitted;
 - 2. documents on income, assets and liabilities for the last three years and on assets and liabilities, in the case of a natural person;

²⁾ For example, Act No. 513/1991 Coll., the Commercial Code, as amended, Act No. 15/1998 Coll., on Supervision in the Capital Market Area and on the Amendment of Other Acts, Act No. 455/1991 Coll., on Trade and Entrepreneurial Activities (the Trades Licensing Act), as amended, Act No. 252/1997 Coll., on Agriculture, as amended.

³⁾ For example Act No. 256/2004 Coll., on Capital Market Business, as amended.

²³⁾ **Article 4(1) (26) of the Regulation.**

⁴⁾ Act No. 563/1991 Coll., on Accounting, as amended.

- e) “hybrid institution” shall mean a payment institution or electronic money institution that also carries on business activities other than those for which authorisation pursuant to the Act is required;
- f) “information about persons having close links” shall mean a list of persons having close links with the applicant, a description of the group’s structure and of the way the group is interlinked, including a graphical representation of relations between individual persons having close links, including a statement of whether the laws of the state in which the group has close links impedes the exercise of supervision by the Czech National Bank; in the case of persons having close links with the applicant, details about such persons referred to in (m) and the subject of activities of individual persons having close links shall also be given;
- g) “information system” shall mean a functional unit ensuring the acquisition, processing, transfer, sharing and storage of information in any form, including relevant technical equipment;
- h) “institution” shall mean
 1. a bank or a foreign bank;
 2. a credit union;
 3. an investment firm that satisfies the conditions laid down in Article 8a(1), (2) or (3) of Act No. 256/2004 Coll., the Capital Market Undertakings Act, as amended;
- i) “capital investment” shall mean a participating security, ownership interest, membership interest or similar asset, or any liability whose repayment is bound by the condition of subordination⁵⁾;
- j) **“business plan” shall mean an actually intended business plan of the applicant for the first three accounting periods, prepared in the format of financial statements pursuant to the act that regulates accounting⁶⁾, supported by realistic economic calculations together with notes containing**
 - 1. the applicant’s intentions regarding the extent and volume of the payment services to be provided or of the electronic money to be issued and of other activities pursuant to the Act to be performed, and a description of the planned method of achieving such intentions, including a characteristic of the target group of clients and of the applicant’s commercial network;**
 - 2. the basic foundations and assumptions on which the plan is based, and a justification of the coherence between the plan’s quantitative data and the achievability of the planned results of activities;**
- k) a decision on bankruptcy shall mean a decision on bankruptcy pursuant to the Act on Insolvency and its Resolution⁷⁾, or an analogous decision pursuant to another legal rule or a legal rule of a foreign country;
- l) “strategic plan” shall mean a plan to acquire or increase a qualifying holding or to become a controlling person, which shall include information about
 1. the period for which the qualifying holding is to be held or for which the person is to be the controlling person;
 2. the expected change in the size of the qualifying holding in the short and long terms;
 3. the expected degree of involvement in the strategic management of the electronic money institution;
 4. any support to be provided to the electronic money institution by means of additional own capital where necessary for the development or maintenance of the business;

⁵⁾ Article 34 of the Act No. 190/2004 Coll., on Bonds, as amended.

⁶⁾ Article 18 of the Act on Accounting.

⁷⁾ For example Act No. 182/2006 Coll., on Insolvency and its Resolution (the Insolvency Act), as amended.

5. an agreement with other members of the electronic money institution; and
 6. the development of the activities of the electronic money institution in relation to the existing business plan, the profit distribution or loss settlement policy, the method of funding further development, the system of governance and any changes in staffing and strategic development; this shall not apply where the qualifying holding does not exceed 20%;
- m) “details about a person” shall mean
1. in the case of a legal person, its commercial name, or designation, registered office and identification number if assigned;
 2. in the case of a natural person, the name(s) and surname, birth identification number, date of birth if a birth identification number has not been assigned, and residence address, stating the street, house number, municipality, part of municipality, postcode and state; in the case of an entrepreneur registered in the Commercial Register, also his commercial name, place of business and identification number if assigned;
- n) “details about professional experience” shall mean
1. information about the type of professional experience;
 2. identification of the person with which the professional experience is or has been obtained;
 3. a job description and a description of activities performed;
 4. specification of the period of time for which activities referred to in (3) were performed;
 5. consent to the performance of a job required by other legal rules if such consent is necessary;
- o) “details about education” shall mean
1. the name and category or type of educational institution, study programme, specialisation of the study programme, duration of the study programme, manner and date of completion of the studies and, where applicable, academic degrees awarded; and
 2. a list of courses, internships and fellowships relevant to the activities of the payment institution or electronic money institution, stating the year in which they were taken, their specialisation and duration and, where applicable, degrees awarded.

PART TWO

LICENCE, REGISTRATION, NOTIFICATION AND ENTRY

Heading I

Payment institution

Application for authorisation to perform activities of a payment institution

(Regarding Article 9(3) of the Act)

Article 3

(1) The application for authorisation to perform activities of a payment institution shall be submitted on a form, the specimen of which is given in Annex 1 hereto. The application shall include the annexes referred to in paragraphs 2 to 5.

(2) **The annexes containing basic information about the applicant shall consist of:**
a) a business licence certificate;

- b) a document on the source of the initial capital and of any other financial resources, and on the extent to which the registered capital was paid up, unless this information is clear from the business licence certificate;
- c) financial statements; and
- d) a list of petitions to have a resolution of the applicant's supreme body declared invalid, in respect of which a court action was not closed with final and conclusive effect as of the date of application, if such petitions have been filed and if such petitions might have a significant effect on the future operation of the applicant.

(3) The annexes containing information relating to required activities of a payment institution shall consist of:

- a) a business plan;
- b) a description of the system of governance to the extent pursuant to Article 18(1) to (5) of the Act and pursuant to this Decree;
- c) the selected method of protecting funds entrusted for the purpose of conducting a payment transaction; depending on the selected method of protection pursuant to Article 20(1) or (2) of the Act, procedures to ensure keeping of proper and separate records of such entrusted funds and their placement in a separate account, and rules for the investments of funds, or a draft insurance policy or contract regulating another comparable guarantee, together with a confirmation of the person pursuant to Article 20(3) of the Act that this contract will be made if the authorisation to perform activities of a payment institution is issued;
- d) a description of the method of performing individual payment services pursuant to Article 8(1) of the Act and of related activities, which the applicant intends to provide, taking the applicant's individual conditions into account, particularly a description of the treatment of cash and cashless funds, the course of a payment transaction, including the receipt and execution of payment orders, the issuance of payment instruments and the provision of credits;
- e) a description of the personnel, organisational and technical arrangements for individual activities, always including the envisaged number of employees in the relevant organisational departments, a description of the information system, accounting and financial reporting system, and if the applicant intends to use agents, also a description of their activities and control;
- f) a description of the subject, scope and method of performing other business activities, if the payment institution performs business activities other than activities whose performance requires an authorisation pursuant to the Act; and
- g) a proposal for the approach to be applied by the payment institution in calculating capital adequacy, including a justification of the proposed approach, the data used for capital adequacy calculations and the capital adequacy calculations pursuant to all the approaches, structured as a report on the capital of a payment institution regulated by the decree governing disclosure of information to the Czech National Bank²⁰⁾.

(4) The annexes containing information about the senior officers of the applicant shall consist of:

- a) the questionnaire given in Annex 2 hereto, completed for each senior officer;
- b) details about the professional experience and details about the education of each senior officer that actually manages activities in the area of the provision of payment services; and
- c) the certificate of integrity issued by a foreign country for each senior officer.

(5) The annexes containing information about persons holding a qualifying holding in the applicant and about persons having close links with the applicant shall consist of:

- a) a list of persons holding a qualifying holding in the applicant and of persons that hold a qualifying holding in the applicant by acting in concert with another person, including a graphical representation of the relations between such persons, with the details about such persons, stating the share in the applicant or other form of holding in the applicant; in the case of persons acting in concert, also the fact based on which the acting in concert occurs and the questionnaire listed in Annex 3 hereto, completed for each person listed;
- b) **a list of senior officers of the legal entity referred to in letter a), and the questionnaire given in Annex 2 hereto, completed for each person listed, with the exception of the basic information specified in part A of this annex;**
- c) the certificate of integrity issued by a foreign country for each person pursuant to letter a) and for each person who is the statutory body or member of the statutory body of each person pursuant to letter a);
- d) the business licence certificate of each person pursuant to letter a);
- e) the financial statements of each person pursuant to letter a);
- f) information about persons having close links with the applicant; and
- g) **a description of the fact based on which the person pursuant to letter a) becomes the person controlling⁸⁾ the applicant, if the applicant is to become controlled.**

(6) If the person with a qualified holding in the applicant pursuant to paragraph 5 a) is an institution, financial institution or other person carrying out activities on a financial market with its registered office in a Member State, and this person is subject to supervision by the relevant body in the Member State in which it has its registered office, which assessed the trustworthiness of the persons that make up its statutory body or are members of its statutory body, the applicant shall submit for such person

- a) the annex pursuant to paragraph 5 d) and, if that person becomes the person controlling the applicant¹⁾, also the annex pursuant to paragraph 5 g); and
- b) the statement from the body that performs supervision over the institution, financial institution or other person carrying out activities on a financial market, stating that it is not aware that the person with a qualified holding in the applicant is not trustworthy.

(7) If the person with a qualified holding in the applicant pursuant to paragraph 5 a) is a person with a qualified holding in an institution, financial institution or other person performing activities on a financial market with its registered office in a Member State, and this institution, financial institution or other person performing activities on a financial market is subject to supervision by the relevant body in the Member State in which it has its registered office, which evaluated the trustworthiness of the person with a qualified holding, the applicant shall submit

- a) the annex pursuant to paragraph 5 d) for the person with a qualified holding in the applicant, and if that person becomes the person controlling the applicant¹⁾, also the annex pursuant to paragraph 5 g); and
- b) the statement from the body that performs supervision over the institution, financial institution or other person carrying out activities on a financial market, stating that it is not aware that the person with a qualified holding in the applicant is not trustworthy.

⁸⁾ **Articles 74 to 77, Act No. 90/2012 Coll., on Business Corporations**

Article 4

(1) An applicant that intends to provide payment services through an agent shall, in addition to the information referred to in Article 3, submit information about

- a) the system of governance in respect of compliance with obligations relating to combating money laundering and terrorist financing as applied by the agent;
- b) the manner of verifying compliance of the agent's activities with the applicable legal rules and with the payment institution's authorisation to carry on business, including the manner of verifying the quality of the payment services provided by the agent;
- c) the manner and frequency of the provision of documents by the agent in order to perform the information duty of the payment institution to the Czech National Bank;
- d) the manner of training of the agent in order to ensure the provision of payment services of the required quality and compliance with the applicable legal rules;
- e) the criteria for assessing trustworthiness, professional competence and sufficient experience of an agent who is a natural person and of the director senior officer of an agent that is a legal person, including a list of documents that the payment institution will require from the agent for these purposes;
- f) the manner of on-going assessment of trustworthiness, professional competence and sufficient experience of each person pursuant to letter e);
- g) the manner of maintaining, recording and updating the details about each person pursuant to letter e).

(2) The applicant shall also submit a draft model agreement between the payment institution and the agent.

Heading II

Small-scale payment service providers

Article 5

Application for entry into the register of small-scale payment services providers

(Regarding Article 37(3) of the Act)

(1) The application for entry into the register of small-scale payment service providers shall be submitted on a form, the specimen of which is given in Annex 4 hereto. The application shall include the annexes referred to in paragraphs 2 to 4.

(2) The annex containing basic information about the applicant is the business licence certificate.

(3) The annexes containing information about the applicant, if a natural person, and the director shall consist of:

- a) the certificate of integrity issued by a foreign country for the applicant and each senior officer; and
- b) the questionnaire pursuant to Annex 12 hereto for each senior officer.

(4) The annexes containing information relating to required activities of a small-scale payment service provider shall consist of:

- a) a business plan in which the applicant will also evaluate compliance with the limits laid down in Article 36(2) of the Act, where a plan for the first 12 months of performance of required activities suffices;**

- b) a description of the method of performing individual payment services pursuant to Article 8(1) of the Act and of related activities, which the applicant intends to provide, taking the applicant's individual conditions into account, particularly a description of the treatment of cash and cashless funds, the course of a payment transaction, including the receipt and execution of payment orders, the issuance of payment instruments and the provision of credits; and**
- c) the selected method of protecting funds entrusted for the purpose of conducting a payment transaction; depending on the selected method of protection pursuant to Article 20(1) or (2) of the Act, procedures to ensure keeping of proper and separate records of such entrusted funds and their placement in a separate account, and rules for the investments of funds, or a draft insurance policy or contract regulating another comparable guarantee, together with a confirmation of the person pursuant to Article 20(3) of the Act that this contract will be made if the applicant is entered into the register of small-scale payment service providers.**

Heading III

Electronic money institution

Article 6

Application for authorisation to perform activities of an electronic money institution

(Regarding Article 47(3) of the Act)

(1) The application for authorisation to perform activities of an electronic money institution shall be submitted on a form, the specimen of which is given in Annex 5 hereto. The application shall include the annexes referred to in paragraphs 2 to 5.

(2) **The annexes containing basic information about the applicant shall consist of:**

- a) a business licence certificate;**
- b) a document on the source of the initial capital and of any other financial resources, and on the extent to which the registered capital was paid up, unless this information is clear from the business licence certificate;**
- c) financial statements; and**
- d) a list of petitions to have a resolution of the applicant's supreme body declared invalid, in respect of which a court action was not closed with final and conclusive effect as of the date of application, if such petitions have been filed and if such petitions might have a significant effect on the future operation of the applicant.**

(3) **The annexes containing information relating to required activities of an electronic money institution shall consist of:**

- a) a business plan;**
- b) a description of the system of governance to the extent pursuant to Article 52c(1) to (5) of the Act and pursuant to this Decree;**
- c) the selected method of protecting funds pursuant to Article 52e(1) or (2) of the Act, if funds against the receipt of which electronic money is to be issued or funds entrusted for the purpose of conducting a payment transaction that is not related to electronic money are concerned; depending on the selected method of protection, procedures to ensure keeping of proper and separate records of such entrusted funds and their placement in a separate account, and rules for the investments of funds, or a draft insurance policy or contract regulating another comparable guarantee, together with a confirmation of the person pursuant to Article 52e(3) of the Act that this contract**

will be made if the authorisation to perform activities of an electronic money institution is issued;

- d) a description of the method of performing individual activities pursuant to Article 46(2) of the Act and of related activities, which the applicant intends to provide, taking the applicant's individual conditions into account, particularly a description of the issuance and retention of electronic money and of the execution of payment transactions in it, including its redemption, the treatment of cash and cashless funds, the course of a payment transaction, including the receipt and execution of payment orders, the issuance of payment instruments and the provision of credits;
- e) a description of the personnel, organisational and technical arrangements for individual activities, always including the envisaged number of employees in the relevant organisational departments, a description of the information system, accounting and financial reporting system, and if the applicant intends to use agents, also a description of their activities and control;
- f) a description of the subject, scope and method of performing other business activities, if the electronic money institution performs business activities other than activities whose performance requires an authorisation pursuant to the Act; and
- g) a proposal for the approach to be applied by the electronic money institution in calculating the capital requirement to cover the risks associated with the provision of payment services that are not related to electronic money, including a justification of the proposed approach, the data used for capital adequacy calculations and the capital adequacy calculations pursuant to all the approaches, structured as a report on the capital of an electronic money institution regulated by the decree governing disclosure of information to the Czech National Bank²⁰.

(4) The annexes containing information about the senior officers of the applicant shall consist of:

- a) the questionnaire pursuant to Annex 2 hereto, completed for each senior officer;
- b) details about the professional experience and details about the education of each senior officer who shall actually manage activities in the area of issuing electronic money and in the area of providing payment services; and
- c) the certificate of integrity issued by a foreign country for each senior officer.

(5) The annexes containing information about persons with a qualified holding in the applicant and persons having close links with the applicant shall consist of:

- a) a list of persons holding a qualifying holding in the applicant and of persons that hold a qualifying holding in the applicant by acting in concert with another person, including a graphical representation of the relations between such persons, with details about such persons, indicating the size of the interest in the applicant and/or other form of participation in the applicant and, for persons acting in concert, also the fact that forms the basis for such acting in concert, and the questionnaire pursuant to Annex 3 hereto, completed for each person given in this list;
- b) **a list of senior officers of the legal entity referred to in letter a), and the questionnaire given in Annex 2 hereto, completed for each person listed, with the exception of the basic information specified in part A of this annex;**
- c) the certificate of integrity issued by a foreign country for each person given in letter a) and for each person that is the statutory body or member of the statutory body of each person pursuant to letter a);
- d) the business licence certificate for each person pursuant to letter a);
- e) the financial statements for each person pursuant to letter a);

- f) information about persons having close links with the applicant and
- g) **a description of the fact based on which the person pursuant to letter a) becomes the person controlling⁸⁾ the applicant, if the applicant is to become controlled.**

(6) If the person with a qualified holding in the applicant pursuant to paragraph 5 a) is a person which is an institution, financial institution or other person carrying out activities on a financial market with its registered office in a Member State, and this person is subject to supervision by the relevant body in the Member State in which it has its registered office, which assessed the trustworthiness of the persons that make up its statutory body or are members of its statutory body, the applicant shall submit for such person

- a) the annex pursuant to paragraph 5 d), and if that person becomes the person controlling the applicant, also the annex pursuant to paragraph 5 g); and
- b) the statement from the body performing supervision over the person with a qualified holding in the applicant in the country in which it has its registered office, stating that it is not aware that the person with a qualified holding in the applicant is not trustworthy.

(7) If the person with a qualified holding in the applicant pursuant to paragraph 5 a) is a person which has a qualified holding in an institution, financial institution or other person carrying out activities on a financial market with registered office in a Member State, and this institution, financial institution or other person carrying out activities on a financial market is subject to supervision by the relevant body in the Member State in which it has its registered office, which assessed the trustworthiness of the person with a qualified holding, the applicant shall submit

- a) the annex pursuant to paragraph 5 d) for the person with a qualified holding in the applicant, and if that person becomes the person controlling the applicant, also the annex pursuant to paragraph 5 g); and
- b) the statement from the body that performs supervision over the institution, financial institution or other person carrying out activities on a financial market, stating that it is not aware that the person with a qualified holding in the applicant is not trustworthy.

Article 7

Notification of an intention to acquire or increase a qualified holding in an electronic money institution, or of an intention to control an electronic money institution (Regarding Article 52b(4) of the Act)

(1) Notification of an intention to acquire or increase a qualified holding in an electronic money institution, or of an intention to control an electronic money institution, shall be submitted on a form, the specimen of which is given in Annex 6 hereto. The notification shall include the annexes pursuant to paragraph 2.

(2) The annexes containing basic information about the person intending to acquire or increase a qualified holding in an electronic money institution, or about the person intending to control an electronic money institution (hereinafter the “reporting person”), and further information connected with this intention shall consist of:

- a) **a business licence certificate;**
- b) **a document on the source of the financial resources from which the acquisition or increase of a qualified holding is being covered;**
- c) **financial statements;**
- d) **information about persons having close links;**

- e) a description of relations between the reporting person and the electronic money institution in which the reporting person intends to acquire or increase a qualified holding or which the reporting person intends to control, and of relations between the reporting person and persons having a special relation⁹⁾ to the electronic money institution, but at least with respect to persons that are senior officers or members of the supervisory board of the electronic money institution;
- f) a list of senior officers, if the reporting person is a legal entity, and a certificate of integrity issued by the foreign country for each person listed, and the questionnaire given in Annex 2 hereto completed for each person listed, with the exception of the basic information specified in part A of this annex;
- g) a list of persons that have, will acquire or increase a qualified holding in the electronic money institution, or of persons that will control the electronic money institution, by acting in concert with the reporting person, with details about such persons, with a specification of the extent of the share or other form of holding in the electronic money institution, and a description of the fact based on which the acting in concert occurs;
- h) a strategic plan;
- i) a certificate of integrity issued by the foreign country of the reporting person;
- j) the questionnaire pursuant to Annex 3 hereto, completed by the reporting person; and
- k) a description of the fact based on which the reporting person becomes the person controlling⁸⁾ the electronic money institution, and a document on the source of the financial resources that are to be used to purchase the share of a partner that is not the controlling person.

Article 8 is cancelled

Article 9

Special provisions regarding the notification of an intention to acquire or increase a qualified holding in an electronic money institution, or of an intention to control an electronic money institution

(1) If the person reporting an intention to acquire or increase a qualified holding in an electronic money institution, or an intention to control an electronic money institution, is a person to which the Czech National Bank, within the past 5 years

- a) has granted consent to the acquisition or increase of a qualified holding in an electronic money institution, or consent to control an electronic money institution; or
- b) has not expressed its disagreement on the basis of a submitted notification of an intention to acquire or increase a qualified holding in an electronic money institution, or of an intention to control an electronic money institution;

it shall submit the notification on a form, the specimen of which is given in Annex 6 hereto, and together with the notification shall submit those annexes pursuant to Article 7(2) in respect of which a change has occurred, and a statement to the effect that the other information and materials submitted to the Czech National Bank in the previous application for consent or in the previous notification of intention remain unchanged.

(2) If the person reporting an intention to acquire or increase a qualified holding in an electronic money institution, or an intention to control an electronic money institution, is a legal entity which is an institution, a financial institution or another person performing activities on the financial market and having its registered office in a

Member State and which is subject to supervision by the relevant authority in the country where it has its registered office, it shall submit the notification on a form, the specimen of which is given in Annex 6 hereto, and together with the notification shall submit

- a) a business licence certificate;**
- b) a strategic plan;**
- c) a document on the source of the financial resources from which the acquisition or increase of a qualified holding is being covered;**
- d) a statement from the supervisory authority to the effect that it is not aware that the reporting person would not be trustworthy; and**
- e) a description of the fact based on which the reporting person becomes the person controlling⁸⁾ the electronic money institution, and a document on the source of the financial resources that are to be used to purchase the share of a partner that is not the controlling person.**

(3) If the person reporting an intention to acquire or increase a qualified holding in an electronic money institution, or an intention to control an electronic money institution, is a person which has a qualified holding in an institution, in a financial institution or in another person performing activities on the financial market and having its registered office in a Member State and which is subject to supervision by the relevant authority in the Member State where it has its registered office, which supervisory authority assessed the reporting person's trustworthiness, the reporting person shall submit the notification on a form, the specimen of which is given in Annex 6 hereto, and together with the notification shall submit the annexes pursuant to letters a), b) and e) of paragraph 2, as well as

- a) a statement from the authority conducting supervision over the institution, financial institution or other person performing activities on the financial market, to the effect that it is not aware that the reporting person would not be trustworthy; and**
- b) a document on the source of the financial resources from which the acquisition or increase of a qualified holding is being covered, if a direct share in the electronic money institution is concerned.**

Article 10

Notification of intention to forfeit or reduce a qualified holding in an electronic money institution or intention to cease controlling an electronic money institution

(Regarding Article 52b(4) of the Act)

Notification of an intention to forfeit or reduce a qualified holding in an electronic money institution or an intention to cease controlling an electronic money institution shall be submitted on a form, the specimen of which is given in Annex 11 hereto.

Heading IV
Small-scale electronic money issuer

Article 11

Application for entry into the register of small-scale electronic money issuers

(Regarding Article 54(3) of the Act)

(1) An application for entry into the register of small-scale electronic money issuers shall be submitted on a form, the specimen of which is given in Annex 7 hereto. The application shall include the annexes pursuant to paragraphs 2 to 4.

(2) The annex containing basic information about the applicant is the business licence certificate.

(3) The annexes containing information about the director shall consist of

- a) the certificate of integrity issued by a foreign country for each senior officer; and
- b) the questionnaire pursuant to Annex 12 hereto for each senior officer.

(4) The annexes containing information relating to required activities of a small-scale electronic money issuer shall consist of:

- a) **a business plan in which the applicant will also evaluate compliance with the limits laid down in Article 53(2) of the Act or, as the case may be, with the limits laid down in Article 53(3) of the Act, where a plan for the first 12 months of performance of required activities suffices;**
- b) **a description of the method of performing individual activities pursuant to Article 46(2) of the Act and of related activities, which the applicant intends to provide, taking the applicant's individual conditions into account, particularly a description of the issuance and retention of electronic money and of the execution of payment transactions in it, including its redemption, the treatment of cash and cashless funds, the course of a payment transaction, including the receipt and execution of payment orders, the issuance of payment instruments and the provision of credits; and**
- c) **the selected method of protecting funds pursuant to Article 52e(1) or (2) of the Act, if funds against the receipt of which electronic money is to be issued or funds entrusted for the purpose of conducting a payment transaction that is not related to electronic money are concerned; depending on the selected method of protection, procedures to ensure keeping of proper and separate records of such entrusted funds and their placement in a separate account, and rules for the investments of funds, or a draft insurance policy or contract regulating another comparable guarantee, together with a confirmation of the person pursuant to Article 52e(3) of the Act that this contract will be made if the applicant is entered into the register of small-scale electronic money issuers.**

PART THREE

SOME CONDITIONS GOVERNING THE PURSUIT OF BUSINESS

Heading I
Requirements for the system of governance

Part 1
System of governance of a payment institution
(Regarding Article 18(6) of the Act)

Preconditions for sound system of governance
Article 12

(1) The payment institution shall configure the control system so that it covers all its activities and, in the case of a hybrid institution, all the activities referred to in Article 8 of the Act. The control system of a payment institution shall always include a system of internal rules and procedures to prevent money laundering and financing of terrorism.

(2) The payment institution shall use appropriate resources, systems and processes and take into account developments in the environment in which it carries on business.

(3) The payment institution shall ensure that the control system is commensurate with the scope, nature and complexity of its activities, and shall always ensure

- a) constant compliance with the conditions under which the payment institution was granted authorisation to carry on business and with other stipulated requirements and rules;
- b) proper and prudent performance of its activities and effective implementation of its business strategy; and
- c) that sufficient and reliable information is used for decision-making and the performance of the other activities of the payment institution.

Article 13

(1) The payment institution shall ensure that the control system also fulfils the stipulated functions when activities are performed through agents or other persons (hereinafter “outsourcing”).

(2) The payment institution shall configure the control system so that the arrangement of outsourcing does not restrict compliance of the activities subject to outsourcing with the legal rules, the payment institution’s ability to control the activities, the fulfilment of information duties to the Czech National Bank, the execution of supervision, including the examination of facts subject to supervision at the outsourcing provider, and the auditing of financial statements and other verifications stipulated by the legal rules.

(3) The payment institution shall ensure that the outsourcing contract, including any amendments thereto, is concluded in a manner that enables its content to be covered and the persons that concluded it to be identified.

Article 14

(1) The payment institution shall provably incorporate the requirements for the control system and the procedures for their implementation into the strategies, organisational rules, plans and other internally set principles and procedures of the payment institution (hereinafter the “internal rules”).

(2) The payment institution shall set a procedure for the adoption and amendment of internal rules and ensure that the internal rules and procedures applied are regularly reviewed and revised where necessary.

(3) The payment institution shall ensure that all employees are familiarised with the internal rules to the necessary extent and act in accordance with them.

(4) In order to fulfil the conditions for sound system of governance, the payment institution shall incorporate into the internal rules selected recognised and tested principles and procedures issued by recognised persons and used in analogous activities (hereinafter “recognised principle”) and apply them consistently. The payment institution shall regularly verify whether the recognised standards selected and applied by it are still suitable and commensurate with the nature, scope and complexity of its activities and eliminate any shortcomings detected.

(5) The control system of the payment institution shall ensure that powers to approve and sign documents within the activities of the payment institution are clearly defined and all relevant approval and decision-making processes and control activities, including related responsibilities, powers and internal rules, can be recorded, stored and retrieved.

Article 15

(1) The board of directors or other body or person with similar competence (hereinafter the “management body”) shall ensure that a functional and effective control system for the payment institution is created and shall be responsible for the systematic maintenance and application thereof.

(2) The management body shall ensure that a business strategy is set, such strategy to include controllable objectives and principles for the fulfilment of the strategy, including the elaboration of procedures for the implementation of the strategy and the day-to-day management of the performance of the activities of the payment institution.

(3) The management body shall ensure that a functional and effective organisational structure is set and maintained, such structure to include the separation of conflicting activities and the prevention of potential conflicts of interests.

(4) The management body shall ensure that a functional and effective information system is created and maintained, such system to include a system of internal reports and statistical record-keeping systems so that it provides reliable and sufficient information.

Article 16

(1) The management body shall ensure that human resources management principles are set for the recruitment, remuneration, appraisal and motivation of employees; the principles shall include a requirement that all activities be performed by qualified staff with the necessary knowledge and experience.

(2) The management body shall ensure that clearly formulated ethical principles and assumed models of behaviour and actions of employees in line with these principles are set and enforced.

(3) The management body shall ensure that all employees understand their role in the control system and are actively engaged in this system.

(4) The management body shall ensure that such manners and methods of management are applied that will prevent undesirable policies, in particular the prioritising of short-term results and targets that do not accord with the business strategy, a remuneration scheme that is overly dependent on short-term performance and other inappropriate stimuli, or that is not sufficiently transparent, and other policies that allow or might allow the misuse of resources or the concealment of poor performance.

Article 17

(1) The management body shall approve and regularly assess the business strategy, organisational arrangements, risk management strategy, capital and capital adequacy strategy, information system development strategy, internal control system principles and security principles, including the security principles for the information system.

(2) The management body shall approve new products, activities and systems that are of key importance to the payment institution and the system of limits the payment institution will use to manage risks, unless the management body delegates these powers to committees.

(3) The management body shall approve material, organisational, personal and other aspects of ensuring risk management, compliance (Article 26) and internal auditing, including the subject and goals of its activities. The management body shall approve the plans for the activities of the internal audit.

(4) The management body shall review, in a timely manner, regular reports and extraordinary findings submitted to it above all by the relevant management levels as part of the performance of risk management, compliance and internal auditing, by the statutory auditor¹¹⁾ or by an auditing company¹²⁾ (hereinafter the “auditor”) or the competent supervisory authorities. On the basis of these reviews the management body shall take appropriate measures, which shall be implemented at the earliest opportunity.

(5) The management body shall evaluate the overall functionality and effectiveness of the control system at least once a year and ensure that steps are taken to remedy any shortcomings found.

Article 18

(1) The control system of the payment institution shall enable the timely identification of conflicts of interest and areas where they might occur and contain appropriate processes for minimising conflicts of interest and separating conflicting activities.

(2) Bodies, employees, units and committees, where established, shall be assigned responsibilities and powers at all management and organisational levels so that potential conflicts of interest are sufficiently prevented.

(3) The control system of the payment institution shall be configured so as to ensure an appropriate degree of independence and prevention of conflicts of interest in the performance of control activities.

¹¹⁾ Article 2 c) of Act No. 93/2009 Coll., on Auditors and on Amendment to Certain Other Acts (the Act on Auditors).

¹²⁾ Article 2 d) of the Act on Auditors.

(4) The areas of conflict of interest and the areas of potential occurrence thereof shall be subject to independent examination.

Article 19

(1) The payment institution shall ensure that the relevant bodies, employees, units and committees, where established, have access to reliable and sufficient information for their decision-making and other specified activities.

- (2) The payment institution shall ensure that the management body is always informed
- a) immediately in cases where the liquidity situation of the payment institution is changing significantly for the worse;
 - b) without undue delay of all facts that could significantly change the liquidity situation of the payment institution for the worse, including the effects of changes in the internal or external environment; and
 - c) without undue delay of all cases of the exceeding of limits endangering compliance with the accepted level of risk undertaken.

(3) The payment institution shall ensure that the members of the management body and other relevant persons within the payment institution have systematic access to information

- a) on compliance with the requirements laid down in the legal rules and internal rules, including compliance with the capital adequacy rules and investment restriction rules; and
- b) on any significant differences found in the payment institution's processes compared to the requirements laid down in the legal rules and internal rules.

Article 20

The payment institution shall ensure that its promotional, marketing and other communications and information for the public are always objective and clear and not misleading.

Article 21

(1) The system of the payment institution for the creation, checking and transmission of information to the Czech National Bank is created and maintained so as to provide information in a timely, reliable and complete manner.

(2) The control system of the payment institution shall include internal control mechanisms ensuring the correctness and completeness of all calculations, data, statements and other information submitted to the Czech National Bank. The processes applied to the creation, checking and transmission of information to the Czech National Bank, including the submission of statements, shall be retraceable.

Risk management system

Article 22

(1) The payment institution shall ensure the systematic management of the risks associated with its activities, including outsourced activities.

(2) The payment institution shall identify and manage the risks associated with new products, activities and systems, and shall ensure that the identification of risks enables any new risks to be revealed.

(3) The control system of the payment institution shall be configured so as to provide an undistorted picture of the degree of risk taken.

(4) The control system of the payment institution shall take into account and ensure the systematic management of all significant risks to which the payment institution is or may be exposed with regard to the nature, scope and complexity of its activities. The management of risks shall take into account internal and external factors, including the payment institution's future business strategy.

Article 23

(1) As part of its risk management strategy, the payment institution shall specify the following in particular

- a) internal definitions of the significant risks to which the payment institution is or may be exposed;
- b) principles of management of individual risks;
- c) the accepted level of risk undertaken; and
- d) principles for drafting and changing a contingency plan for the event of a liquidity crisis and for ensuring the renewability and continuity of the payment institution's activities in the case of emergencies.

(2) The control system shall include specific processes for the implementation of the risk management strategy.

(3) Within the risk management system, the payment institution shall specify control activities, including verification of compliance with the specified processes and limits for risk management.

Article 24

(1) The control system of the payment institution shall be configured so as to ensure that the payment institution maintains adequate capital to cover the risks it is or may be exposed to. The strategy and processes for risk management and the strategy and processes for maintenance of capital to cover risks shall be integrated and interconnected.

(2) If the overall level of risk undertaken is not sufficiently covered by capital even when the effect of internal control mechanisms (the overall risk profile) is taken into account, the payment institution shall adopt appropriate remedial measures.

Internal control system

Article 25

The control system of the payment institution shall include principles and processes for internal control, which shall form part of its routine, usually day-to-day, activities. The internal control system of the payment institution shall always include

- a) appropriate control mechanisms for individual activities, including accounting and physical controls;
- b) top level review;

- c) a compliance function;
- d) an internal audit function; and
- e) monitoring and evaluation of the functionality and effectiveness of the control system and its elements.

Article 26

(1) The control system of the payment institution shall include compliance function principles and processes aimed above all at ensuring

- a) compliance of the internal rules with the legal rules;
- b) mutual compliance between the internal rules; and
- c) compliance of activities with the legal rules and internal rules.

(2) The compliance principles and processes shall be integrated and interconnected.

Article 27

(1) The control system of the payment institution shall be configured so as to ensure an effective internal audit function.

(2) The internal audit shall always include independent examination of:

- a) compliance with the requirements and rules stipulated in the legal rules and internal rules;
- b) financial management, risk management, capital management and liquidity management;
- c) the completeness, conclusiveness, accuracy and reliability of the accounting;
- d) the sufficiency and reliability of the system of internal reports, information provided to the payment institution's bodies, accounting and statistical information and information for clients;
- e) the reliability and the system of creation, checking and submitting of statements and other information to the Czech National Bank; and
- f) the sufficiency and reliability of internal control mechanisms.

(3) The payment institution shall ensure that, in the performance of internal audit, the following activities are performed at all times:

- a) a risk analysis is prepared, at least once a year;**
- b) a strategic and periodic plan of internal audit is prepared;**
- c) a system is created and maintained for the monitoring of remedial measures imposed on the basis of internal audit findings; and**
- d) the functionality and effectiveness of the system of governance is evaluated, at least once a year.**

(4) The internal audit shall inform the payment institution's management body and supervisory body, where the payment institution has such a body, of its findings. In the event of a finding that could significantly and negatively impact the financial situation of the payment institution, it must call an extraordinary session of the supervisory body, if the payment institution has such a body.

Article 28

(1) The control system of the payment institution shall be configured so as to ensure the monitoring and evaluation of its functionality and effectiveness on a continuous basis and at all management and organisational levels.

(2) Control deficiencies, whether identified by top level review, by the internal audit or on the basis of other internal controls, by an auditor or in some other way, must be reported without undue delay to the appropriate management level and addressed swiftly.

(3) Significant deficiencies in the control system must be reported to the management body and the supervisory body, where the payment institution has such a body.

(4) The system for detecting and reporting deficiencies in the control system shall be configured so as to enable timely rectification of such deficiencies. The effectiveness of the remedial measures adopted shall be subsequently verified.

Part 2

Control system of an electronic money institution

(Regarding Article 52c (6 of the Act))

Article 29

Preconditions for sound system of governance

(1) The system of governance of the electronic money institution shall cover all its activities. The control system of the electronic money institution shall also always include a system of internal principles, rules and processes to prevent money laundering and financing of terrorism.

(2) To meet the requirements regarding the control system, the electronic money institution shall use appropriate resources, systems and processes and take into account developments in the environment in which it carries on business.

(3) To meet the other conditions for sound system of governance, the electronic money institution shall follow the procedures set out in Articles 12 to 21.

Article 30

Risk management system

The control system of the electronic money institution shall be configured so as to enable systematic management of risks. To meet the other requirements for the risk management system and processes, the electronic money institution shall follow the procedures set out in Articles 22 to 24.

Article 31

Internal control system

The electronic money institution shall create, maintain and apply principles and processes for internal control, which shall form part of its routine, usually day-to-day, activities. To meet the other requirements for the internal control system, the electronic money institution shall follow the procedures set out in Articles 25 to 28.

Heading II Capital adequacy

Part 1

Capital adequacy of a payment institution (Regarding Article 17(4) of the Act)

Article 32

Calculation of capital adequacy

For the calculation of the payment institution's capital adequacy, the capital shall be determined pursuant to Article 33 to 38 and the capital requirement to cover risks shall be determined pursuant to Article 39 to 43 using the method the payment institution is authorised to use.

Article 33

Definition of capital

(1) Subject to compliance with the limits laid down in Article 38, capital shall be determined as the sum of original capital and additional capital minus deductible items.

(2) Capital shall be derived from the payment institution's balance sheet. Items included in capital shall not be taken into account more than once and their amount must be determined net of any tax liabilities.

(3) Original capital must be at the payment institution's immediate and unrestricted disposal to cover losses from risks to which it is exposed.

(4) Capital shall not include any profits or losses due to fair value measurement of the payment institution's liabilities relating to changes in the payment institution's credit risk; these shall include profits or losses that are part of retained profit for previous periods, after-tax profit for the current period, profit for the current period recorded in the interim financial statement, accumulated losses for previous periods including the loss for the preceding accounting period, and losses for the current accounting period. Capital shall also exclude valuation changes from derivatives hedging cash flows.

(5) Where the payment institution belongs to the same group as another payment institution, institution, investment firm, insurance company or reinsurance company, capital shall exclude items or parts thereof that are included in the capital of such persons.

(6) Hybrid institutions shall not include in capital items or parts thereof that are used to perform activities other than those for which authorisation is required pursuant to the Act, while when performing such activities the hybrid institution shall maintain the level of capital laid down in other legal rules.¹³⁾

Article 34

Original capital

Original capital shall consist of paid-up registered capital:
a) minus acquired own shares¹⁴⁾, including items stemming from transactions in own shares, in particular forwards and options, decreasing the registered capital;
b) plus share premium, which shall include

¹³⁾ For example the Act on Capital Market Business.

¹⁴⁾ Article 61, the Commercial Code.

1. paid-up share premium relating to paid-up registered capital; and
 2. share premium stemming from transactions in own shares;
- c) plus reserve funds and retained profit, which shall be the sum of items 1 to 4 minus item 5:
1. mandatory reserve funds and risk funds;
 2. other funds created from profit distribution that can be used only to cover losses recorded in the payment institution's financial statement;
 3. retained profit from previous periods recorded in the payment institution's financial statement verified by an auditor and approved by its supreme body on the distribution whereof the supreme body has not decided and which has not been allocated to settlement shares;
 4. after-tax profit for the accounting period recorded in the payment institution's financial statements verified by an auditor, minus estimated profit share to be paid out and other expected payments from profit distribution;
 5. accumulated losses, including losses for the preceding accounting period;
- d) plus current profit as per the payment institution's interim financial statements verified by an auditor, minus the estimated profit share and other expected payments from profit distribution, if the payment institution announces to the Czech National Bank, at least 2 months in advance, its intention to include such profit in original capital, evidenced by the auditor's consent, justifies this and discusses it with the Czech National Bank;
- e) plus or minus valuation changes stemming from the consolidation of data on a foreign branch; where such valuation changes are negative they shall be subtracted;
- f) minus the loss for the current year;
- g) minus goodwill;
- h) minus intangible assets other than goodwill; and
- i) minus valuation changes from changes in the fair value of equity instruments included for accounting purposes in the portfolio of realisable financial instruments, where such valuation changes are negative.

Article 35

Additional capital

Additional capital shall consist of:

- a) subordinated debt; and
- b) valuation changes from changes in the fair value of equity instruments for which an active market exists and which are included for accounting purposes in the portfolio of realisable financial instruments, where such valuation changes are positive, while valuation changes shall be determined net of any deferred tax liabilities.

Article 36

Subordinated debt

For definition of subordinated debt, provisions on capital instruments and subordinated loans included in Tier 2 capital shall apply similarly¹⁵⁾ pursuant Regulation.

Article 37

Deductible items

Deductible items shall consist of:

- a) the value of capital investments in
 1. institutions;
 2. insurance companies, reinsurance companies, insurance holding companies or mixed-activity insurance holding companies; or

3. financial institutions,
where they exceed 10% of the registered capital of the persons in which they are invested,
- b) the sum of the values of capital investments in
1. institutions,;
 2. insurance companies, reinsurance companies, insurance holding companies or mixed-activity insurance holding companies; or
 3. financial institutions;
- in the amount that exceeds 10% of the capital before the deduction of the items in letter a) and items 1 to 3, where the individual capital investments represent up to and including 10% of the registered capital of the persons in which they are invested, and
- c) **the securitisation exposure value, which would receive the risk weight of 1250% pursuant to the Regulation¹⁶⁾.**

Article 38

Limits for capital items on an individual basis

(1) Additional capital may not be taken into account to an extent exceeding 50% of original capital.

(2) Without prejudice to paragraph 1, 50% of the deductible items shall be deducted from the original capital and 50% shall be deducted from the additional capital. If 50% of the deductible items exceeds the additional capital, an amount corresponding to this excess shall be deducted from original capital.

Article 39

Methods for calculating the capital requirement to cover risks

- (1) The methods for calculating the capital requirement shall be:
- a) the overhead-based method (hereinafter “Method A”);
 - b) the payment volume method (hereinafter “Method B”); or
 - c) the basic indicator method (hereinafter “Method C”).

(2) Hybrid institutions shall apply one of these methods only for activities under Article 8 of the Act.

Article 40

Method A

(1) The capital requirement determined using Method A shall equal 10% of the sum of the overheads for the immediately preceding accounting period; “overheads” shall mean

- a) costs of depreciation and amortisation of tangible and intangible assets and
- b) administrative costs¹⁷⁾ or consumption from operations, personnel costs and taxes and fees¹⁸⁾.

¹⁶⁾ Article 251, or Article 261 of the Regulation.

¹⁷⁾ Decree No. 501/2002 Coll., implementing certain provisions of Act No. 563/1991 Coll., on Accounting, as amended, for accounting units that are banks and other financial institutions, as amended.

¹⁸⁾ Decree No. 500/2002 Coll., implementing certain provisions of Act No. 563/1991 Coll., on Accounting, as amended, for accounting units that are entrepreneurs keeping accounts in a double-entry bookkeeping system, as amended.

(2) In the event of a significant change in the business of a payment institution that has determined its capital requirement using Method A since the immediately preceding accounting period, the Czech National Bank may allow a change in the calculation of the capital requirement where justified.

(3) A payment institution that started its activities during the current accounting period shall determine the capital requirement using Method A as 10% of the sum of the overheads as projected for the current accounting period, adjusted in accordance with the requirements of the Czech National Bank where applicable.

Article 41 **Method B**

(1) The capital requirement determined using Method B shall equal the product of the scaling factor defined in Article 43 and the amount designated as the sum of:

- a) 4% of the slice of payment volume up to the equivalent of EUR 5 million;
- b) 2.5% of the slice of payment volume above the equivalent of EUR 5 million and up to the equivalent of EUR 10 million;
- c) 1% of the slice of payment volume above the equivalent of EUR 10 million and up to the equivalent of EUR 100 million;
- d) 0.5% of the slice of payment volume above the equivalent of EUR 100 million and up to the equivalent of EUR 250 million; and
- e) 0.25% of the slice of payment volume above the equivalent of EUR 250 million.

(2) During the period from 31 December to 30 December of the following year the amounts in euros defined in paragraph 1 shall be converted to amounts in the Czech koruna at the exchange rate announced by the Czech National Bank as the last in October of the year in which the period starts.

(3) Payment volume shall represent one-twelfth of the total amount of payment transactions executed by the payment institution in the immediately preceding accounting period.

(4) Where a payment institution started its activities during the current accounting period, it shall determine the volume of payments on the basis of its plan, adjusted in accordance with the requirements of the Czech National Bank where applicable.

Article 42 **Method C**

(1) The capital requirement determined using Method C shall equal the product of the scaling factor pursuant to Article 43 and the amount designated as the sum of:

- a) 10% of the slice of the relevant indicator up to the equivalent of EUR 2.5 million;
 - b) 8% of the slice of the relevant indicator above the equivalent of EUR 2.5 million and up to the equivalent of EUR 5 million;
 - c) 6% of the slice of the relevant indicator above the equivalent of EUR 5 million and up to the equivalent of EUR 25 million;
 - d) 3% of the slice of the relevant indicator above the equivalent of EUR 25 million and up to the equivalent of EUR 50 million; and
-

e) 1.5% of the slice of the relevant indicator above the equivalent of EUR 50 million.

(2) The relevant indicator shall equal the sum of interest income, interest expenses, income from fees and commissions and other operating income, and the calculation shall be performed as follows:

- a) the relevant indicator shall be calculated on the basis of the twelve-monthly observations from data as of the end of the last twelve-month accounting period;
- b) each item shall be taken into account in the corresponding positive or negative value;
- c) extraordinary and irregular income shall not be included in the calculation of the relevant indicator; and
- d) expenditure on outsourcing rendered by an person subject to comparable supervision by a competent supervisory authority may be subtracted from the relevant indicator.

(3) Where a payment institution started its activities during the current accounting period, it shall determine the relevant indicator on the basis of its plan, adjusted in accordance with the requirements of the Czech National Bank where applicable.

(4) If the value of the relevant indicator pursuant to paragraph 2 is lower than 80 % of the average of the relevant indicator values for the past 3 accounting periods, 80 % of the average of the relevant indicator values for the past 3 accounting periods shall be used as the value of the relevant indicator for the purposes of determining the capital requirement pursuant to paragraph 1.

(5) During the period from 31 December to 30 December of the following year the amounts in euros defined in paragraph 1 shall be converted to amounts in the Czech koruna at the exchange rate announced by the Czech National Bank as the last in October of the year in which the period starts.

Article 43

Scaling factor

The scaling factor to be used when applying Method B or Method C shall be:

- a) 0.5 where the payment institution provides only the payment service listed in Article 3(1)(f) of the Act;
- b) 0.8 where the payment institution provides the payment service listed in Article 3(1)(g) of the Act; and
- c) 1 where the payment institution provides any of the payment services listed in Articles 3(1)(a) to (e) of the Act.

Part 2

Capital adequacy of an electronic money institution

(Regarding Article 52a(5) of the Act)

Article 44
Calculation of capital adequacy

For the calculation of the capital adequacy of an electronic money institution, the capital shall be stipulated pursuant to Article 45 and the capital requirement to cover risks as the sum of the capital requirements pursuant to Article 46 and 47.

Article 45
Calculation of capital

Articles 33 to 38 shall apply mutatis mutandis to the calculation of the capital of an electronic money institution.

Article 46
Calculation of the capital requirement to cover risks connected with issuing electronic money

(1) The capital requirement to cover risks connected with issuing electronic money shall equal 2% of the average amount of electronic money in circulation.

(2) Where it is not possible to establish what portion of funds submitted by the holder to the electronic money institution is designated for activities pursuant to Article 46(2 b) of the Act, the stipulation of the average amount of electronic money in circulation shall be based on such an amount of these funds that corresponds to a reliable estimate on the basis of data from the previous periods.

(3) If the electronic money institution has issued electronic money for a period of less than 6 calendar months, this capital requirement shall equal 2% of the average amount of electronic money in circulation determined on the basis of its business plan, or adjusted pursuant to the requirements of the Czech National Bank.

Article 47
Calculation of the capital requirement to cover risks connected with the provision of payment services that do not relate to electronic money

Article 39 to 43 apply analogously for the calculation of the capital requirement to cover risks connected with the provision of payment services that do not relate to electronic money.

Heading III
Investment limitations

Article 48
(Regarding Article 20(4) and Article 52e(4) of the Act)

The 'low risk assets' shall mean

- a) debt securities which would receive the risk weight up to 50 % under the Standardised Approach for credit risk pursuant to the regulation¹⁹⁾; and

¹⁹⁾ Article 336 (1), table No. 1 of the Regulation.

- b) debt securities issued by a standard fund²²⁾ which invests exclusively to the debt securities pursuant to letter a).

Heading IV

Some information and documents submitted to the Czech National Bank

Article 49

Notification of provision of payment services through an agent (Regarding Article 23(3) and Article 52h(4) of the Act)

(1) The payment institution shall submit notification of its intention to provide payment services through an agent providing payment services in the Czech Republic using a form, the specimen of which is given in Annex 8 hereto.

(2) Together with the notification referred to in paragraph 1, the payment institution shall submit:

- a) information about agents pursuant to the Act and the decree governing disclosure of information by payment institutions to the Czech National Bank²⁰⁾;
- b) copies of documents referred to in Article 4(1)(e) proving the trustworthiness, competence and sufficient experience of each agent who is a natural person and each senior officer of an agent that is a legal person, about whom information is submitted in accordance with letter a);
- c) a declaration, the specimen of which is given in Annex 8 hereto, that the system of governance of each agent about whom information is submitted in accordance with letter a) is suitable as regards fulfilment of duties connected with combating money laundering and terrorist financing.

(3) The documents referred to in paragraph 2(b) may be replaced by a declaration, the specimen of which is given in Annex 8 hereto, that the payment institution has verified the trustworthiness, competence and sufficient experience of each agent who is a natural person and each senior officer of an agent that is a legal person about whom information is submitted pursuant to paragraph 2(a) in accordance with the criteria for the evaluation of trustworthiness, competence and sufficient experience. If the Czech National Bank has any doubts about whether any of the persons about whom information is submitted pursuant to paragraph 2(a) is trustworthy, competent or sufficiently experienced, it shall call upon the payment institution to submit the documents referred to in paragraph 2(b). The payment institution shall submit the required documents to the Czech National Bank without undue delay and within 15 days of delivery of the call from the Czech National Bank.

(4) The payment institution shall submit the information and documents referred to in paragraphs 1 to 3 to the Czech National Bank in electronic form.

(5) If the payment institution intends to provide payment services through an agent in a host Member State, it shall follow the procedures set out in Article 53.

(6) The electronic money institution shall proceed when submitting a notification about the provision of payment services through an agent pursuant to paragraphs 1 to 5 analogously.

²²⁾ Article 94(1) of the Act No. 240/2013 Coll., on Management Companies and Investment Funds.

²⁰⁾ Decree No. 142./2011 Coll., on reporting by payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers to the CNB.

Article 50

Notification of the performance of some activities through another person

(Regarding Article 26(4) and Article 52j(4) of the Act)

(1) A payment institution which intends to delegate the performance of some activities relating to the provision of payment services to another person shall submit notification using a form, the specimen of which is given in Annex 9 hereto.

(2) Together with the notification, the payment institution shall submit a draft contract between the payment institution and the person to which the performance of the agreed activities is to be delegated.

(3) An electronic money institution which intends to delegate the performance of some operating activities relating to the issue of electronic money or the provision of payment services to another person shall proceed, in terms of the submission of notification, pursuant to paragraphs 1 and 2 analogously.

Notification of the performance of activities in a host Member State

Article 51

A payment institution intending to perform activities pursuant to Article 8 of the Act in a host Member State through a branch shall submit the notification on a form, the specimen of which is given in Annex 10 hereto, where the information specified in parts B and C of this form shall not be stated.

Article 52

A payment institution intending to perform activities pursuant to Article 8 of the Act in a host Member State without establishing a branch shall submit the notification on a form, the specimen of which is given in Annex 10 hereto, where the information specified in item 7 and in parts A to C of this form shall not be stated.

Article 53

A payment institution intending to perform activities pursuant to Article 8 of the Act in a host Member State through an agent shall submit the notification on a form, the specimen of which is given in Annex 10 hereto, where the information specified in item 7 and in part A of this form shall not be stated.

Article 54

An electronic money institution intending to commence performing activities given in Article 46(2) of the Act in a host Member State shall proceed, when submitting a notification pursuant to Article 51 to 53 analogously.

Notification of a change to information given in an application for authority to perform activities of a payment institution, to perform activities of an electronic money institution, in an application for entry into the register of small-scale payment services providers and of small-scale electronic money issuers

(Regarding Article 11(2), Article 48(4), Article 39(2) and Article 56(2) of the Act)

Article 55

(1) A payment institution shall submit notification of a change to information given in an application for authorisation to perform activities or its annexes on a form, the specimen of which is given in Annex 1 hereto. Such notification shall also include the documents and information pursuant to Article 3(2) to (7), which demonstrate these changes.

(2) In the event of a change to a person with a qualified holding in a payment institution or in the event of its control, and that person is an institution, financial institution or other person carrying out activities on a financial market with its registered office in a Member State and that person is subject to supervision in the country in which it has its registered office, the reporting person shall submit notification of a change to information given in an application for authorisation to perform activities of a payment institution or its annexes on a form, the specimen of which is given in Annex 1, and also

- a) information about the person pursuant to Article 2 m);
- b) the original business licence certificate;
- c) the original statement from the body that performs supervision over the person with a qualified holding in the reporting person, stating that it is not aware that the person with a qualified holding in the reporting person is not trustworthy;
- d) the contract⁸⁾, on the basis of which the person becomes the controlling person of the payment institution, if such a contract has been concluded, or the draft of such a contract.

(3) An electronic money institution, if the issue is not a notification to acquire or increase a qualified holding in an electronic money institution or to control it pursuant to Article 52b of the Act in connection with Article 7 and 8, shall submit a notification of a change to information given in an application for authorisation to perform activities of an electronic money institution or its annexes on a form, the specimen of which is given in Annex 5 hereto. The notification shall include documents and information pursuant to Article 6(2) to (7), which demonstrate such changes.

Article 56

(1) A small-scale payment services provider shall submit a notification of a change to information given in an application for entry into the register of small-scale payment services providers or its annexes pursuant to Article 5(2) to (4) on a form, the specimen of which is given in Annex 4 hereto. The notification shall include the documents that demonstrate such changes.

(2) A small-scale electronic money issuer shall submit a notification of a change to information given in an application for entry into the register of small-scale electronic money issuers or its annexes pursuant to Article 11(2) to (4) on a form, the specimen of which is given in Annex 7 hereto. The notification shall include the documents that demonstrate such changes.

PART FOUR

COMMON AND FINAL PROVISIONS

Article 57

Common provisions

(1) The Czech National Bank shall publish the specimen forms stipulated in this Decree in a manner allowing remote access.

(2) The authenticity of a signature on an application, notification and questionnaire must be authenticated.

(3) If a person acts through a representative, a power of attorney or other document proving the representative's authorisation shall be annexed to the application or notification. The authorising person's signature shall be authenticated.

(4) An authenticated copy may be submitted instead of the original document.

(5) If the nature of the matter does not allow an annex to the application or notification to be submitted or information to be given, and if this is not sufficiently evident from the application or notification, the applicant or reporting person shall state this fact in the application or notification together with the reasons why the annex cannot be submitted or the information cannot be given and shall substantiate such reasons appropriately.

(6) Instead of submitting the prescribed annex, the applicant or reporting person may refer to a precisely identified document which it submitted to the Czech National Bank during the past three years and which meets the requirements laid down herein.

(7) A foreign public document, which is an annex to an application or notification, need not be authenticated at a higher level (superlegalised) or feature an apostille in accordance with the applicable international treaty²¹⁾, if it was issued by a public authority of

a) a Member State, or

b) a foreign country with which the Czech National Bank has signed a memorandum of understanding; a list of such authorities shall be published by the Czech National Bank in a manner allowing remote access.

Article 58

Repealing provisions

Decree No. 374/2009 Coll., on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers, is repealed.

Article 59

Effect

This Decree shall take effect on the date of its promulgation.

Governor:

Ing. Singer, Ph.D., signed in his own hand

²¹⁾ Communication from the Ministry of Foreign Affairs No. 45/1999 Coll., on accession to the convention abolishing the requirement for legalisation of foreign public documents.

SPECIMEN

**Application for a licence for the activities of a payment institution
Notification of a change of information in the application for a licence for
the activities of a payment institution**

**I.
ADMINISTRATIVE AUTHORITY**

1. Name and address of the administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

**II.
SUBJECT OF APPLICATION**

2. Specification of the subject of the application

- application for a licence for the activities of a payment institution
- notification of a change of information in the application for a licence for the activities of a payment institution

**III.
APPLICANT^{a)}/NOTIFYING ENTITY**

3. Identification of the applicant/notifying entity

Commercial name, or name		
Identification number^{b)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail^{c)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

**IV.
ADDITIONAL INFORMATION RELATED TO THE SUBJECT OF THE
APPLICATION**

A. Capital and other financial sources

4a. Information about initial capital of the payment institution (CZK thousands)

Initial capital in total	
Of which	
Paid-up capital	
Paid-up share premium	
Mandatory reserve funds	
Other funds created from profit distribution, which can be used solely to cover a loss recorded in financial statements	
The difference between retained earnings given in the financial statement verified by an auditor and approved by a competent body of the payment institution, whose distribution has not been decided on by the competent body, and accumulated losses, including losses for previous years	

4b. Other financial sources

<input type="checkbox"/> YES	<input type="checkbox"/> NO
If so, please specify these sources.	

4c. Chosen approach to the calculation of the capital requirement

<input type="checkbox"/>	Approach based on overhead expenses (Approach A)
<input type="checkbox"/>	Approach based on the volume of payments (Approach B)
<input type="checkbox"/>	Basic indicator approach (Approach C)

B. Description of activities of the payment institution

5a. List of payment services pursuant to Article 3 of the Payment System Act

Name of activity	Entry/ Deletion	Expected date of commencing or terminating the activity (i.e. when a licence is

			granted or the scope of the licence is changed)
a) Service enabling cash to be placed on a payment account maintained by the provider.	<input type="checkbox"/>		
a) Service enabling cash withdrawals from a payment account maintained by the provider.	<input type="checkbox"/>		
Execution of transfers of funds initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary unless the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>		
Execution of transfers of funds from a payment account initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary where the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>		
Issuing and administering payment instruments and devices for accepting payment instruments.	<input type="checkbox"/>		
Transferring funds, where neither the payer nor the beneficiary use the payment account with the payer's provider (money remittance).	<input type="checkbox"/>		
Execution of a payment transaction by an electronic communication service provider where the consent of the payer to execute a payment transaction is given by means of an electronic communication device.	<input type="checkbox"/>		

5b. List of activities pursuant to Article 8(1)(b) and (c) of the Payment Systems Act

Name of activity

C. Senior officer of the payment institution

6. Basic identification of a senior officer of the payment institution

Name(s) and surname and maiden name	Birth identification number^{b)}/date of birth^{d)}	Place of birth (state, district, and town/city)	Nationality	Permanent address (street, house number, town/city, part of town/city, ZIP code and country)	Proposed office

D. Personal links of persons having qualifying holdings in the payment institution in other legal entities

7. Personal links of a person having a qualifying holding with other legal entities;

A natural person having a qualifying holding gives a list of current and previous memberships of statutory and supervisory bodies of other legal entities for the past ten years. A legal entity having a qualifying holding gives this list for its members of the statutory body.

a) Natural person having a qualifying holding

Name(s) and surname and maiden name of the natural persons having a qualifying holding	Identification of the legal entity to which the person referred to in Column 1 is personally linked (commercial name/name, identification number, registered address: street, house number, town/city, part of town/city, ZIP code and country)	Stating the office of the person referred to in Column 1 in the statutory or supervisory body of the legal entity referred to in Column 2 and stating the term of this office
1	2	3

b) Legal entity having a qualifying holding

Commercial name/name of the legal entity having a qualifying holding	Name(s) and surname of the natural person which is the statutory body or a member of the statutory body of the legal entity referred to in Column 1	Identification of the legal entity to which the person referred to in Column 2 is personally linked (commercial name/name, identification number, registered address: street, house number, town/city, part of town/city, ZIP code and country)	Stating the office of the person referred to in Column 2 in the statutory or supervisory body of the legal entity referred to in Column 3 and stating the term of this office
1	2	3	4

E. List of Annexes

8. List of the numbers of all annexes ^{e)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers

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V. DECLARATION

I hereby declare that the information stated in the application/notification, documents and annexes is truthful, up-to-date and complete.

VI. IDENTIFICATION OF OTHER PERSONS

This application is submitted by the applicant/notifying entity

9. Identification of the person acting on behalf of the applicant/notifying entity

Designation of office	
Name(s) and surname	
Date of birth	
Permanent address (street, house number, town/city, part of town/city ZIP code country)	
Mailing address ^{e)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code country)	

This application is submitted by the applicant's/notifying entity's representative

10. Identification of the person representing the applicant/notifying entity

Information about the representative ^{f)}	
Name(s) and surname / Commercial name, or name ^{g)}	
Date of birth	
Identification number	
Permanent/registered address (street, house number,	

town/city, part of town/city ZIP code, country)	
Mailing address ^{c)}, if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	

At

Date:

Signature:

- a) Entity to which the licence is to be granted.
- b) Where the number has been allocated.
- c) Article 19(3) of the Administrative Procedure Code.
- d) Give the date of birth where no birth index number has been allocated.
- e) The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.
- f) For example attorney, notary public or general representative.
- g) A legal entity shall also state the person through whom it is acting.

SPECIMEN

**Questionnaire
for assessing a senior officer of a payment institution, electronic money
institution and other persons**

I.

IDENTIFICATION OF THE PERSON AND OTHER INFORMATION

1. Identification of the person

Name(s) and surname			
Maiden name			
Birth index number^{a)}	Date of birth^{b)}		
Place of birth (state, district, and town/city)			
Nationality			

2. Stating the legal entity or a natural person, in which the person referred to in item 1 is holding or will hold the position of a senior officer and in which the person is a statutory body or a member of such statutory body

<input type="checkbox"/> payment institution <input type="checkbox"/> electronic money institution <input type="checkbox"/> other entity ^{c)}
For the other entity, give its commercial name, or name.

A. Basic information

3. Description of the position in the organisational structure of the entity referred to in item 2, proposed changes in its organisational structure, if any, including an organisational chart – this information may be submitted as an annex

--

4. Description of the tasks related to the position, including their expected authorisation and powers (duties, responsibility)^{d)}

--

B. Earlier applications

5. Information on earlier applications

Have you (or another person) applied in the past to a supervisory authority in the Czech Republic for prior consent to perform the duties of a senior officer?	
<input type="checkbox"/> YES	If so, please provide details.
<input type="checkbox"/> NO	

C. Other personal information

6. Other personal information

Is your competence to perform legal acts limited?		
<input type="checkbox"/> YES	If so, please provide details.	
<input type="checkbox"/> NO		
Have any circumstances occurred preventing you from carrying on a trade pursuant to the act governing trades?		
<input type="checkbox"/> YES	If so, please provide details.	
<input type="checkbox"/> NO		
What offices do you hold in parallel with the performance of the duties of a senior officer?		
<input type="checkbox"/> None	If you hold any other office in parallel, please provide the details required below:	
Designation of office		

D. Information on the person's trustworthiness

7. Information on decisions in criminal, administrative or similar proceedings

7.1 Have you been lawfully convicted of a criminal offence?	
<input type="checkbox"/> YES	If so, please provide details in brief and document this information with the relevant decision.
<input type="checkbox"/> NO	
7.2 Has a sanction exceeding CZK 20,000 or prohibition of activity, or another remedial measure or duty to pay damages, been imposed on you by a final decision in the last ten years for a misdemeanour or another administrative offence of violating a legal duty in connection with the performance of employment, office or business activity?	
<input type="checkbox"/> YES	If so, please provide details in brief.
<input type="checkbox"/> NO	
7.3 Have you performed duties as the statutory body or member of the statutory body of a legal entity, or a person authorised to act on behalf of a legal entity on the basis of another fact, or a person controlling a legal entity, at a time when a sanction for an administrative offence or a duty to pay damages was imposed on the legal entity by a final decision in connection with an activity on the financial market?	
<input type="checkbox"/> YES	If so, please provide details in brief.
<input type="checkbox"/> NO	

8. Information on criminal, administrative or similar proceedings not covered by item 7

8.1 Have you been prosecuted in the last ten years?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief and document this information with the accusation or indictment.
8.2 Have you been subject to administrative or similar proceedings for the violation of a duty relating to the performance of employment, office or business activity or in connection with a prohibition of activity, except proceedings for offences or similar proceedings for which only sanctions of up to CZK 20,000 may be imposed?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.

9. Information on a decision and commencement of civil proceedings or arbitration proceedings

9.1 State whether a decision in civil proceedings or arbitration proceedings concerning you was issued in the last ten years if such a decision relates to your activities on the financial market or may jeopardise your financial situation, or if such proceedings are under way and have yet to be concluded by a final decision.	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.
In the last ten years, have you been subject to a decision declaring insolvency without the insolvency proceeding being concluded by a decision declaring the debtor not insolvent?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details.

10. Other facts that may affect trustworthiness

10.1 In the last ten years, has a legal entity controlled by you been subject to a decision declaring insolvency without the insolvency proceeding being concluded by a decision declaring the debtor not insolvent?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide the commercial name of the legal entity, its identification number and other details.
10.2 Have you performed duties as the statutory body or member of the statutory or supervisory body of a legal entity, or a person authorised to act on behalf of a legal entity on the basis of another fact, for up to three years before a decision on the insolvency of the entity without the insolvency proceeding being concluded by a decision declaring the debtor not insolvent?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide the commercial name of the legal entity, its identification number and other details.
10.3 Have you ever had a business licence or other licence suspended or withdrawn, or has a court of law or administrative authority ever refused to grant its consent to your election, nomination or appointment to a position where such consent was a necessary condition for your election, nomination or appointment?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.

Information on the person's trustworthiness from the perspective of activity in professional chambers

Have you been debarred from a professional association or chamber, including a foreign one, in the last ten years?

<input type="checkbox"/> YES	If so, please provide details in brief.
<input type="checkbox"/> NO	
11.2 Have you performed the duties as the statutory body, member of the statutory or supervisory body of a legal entity or as a person authorised to act on behalf of a legal entity on the basis of another fact in the last ten years, at a time when the legal entity was debarred from a professional association or chamber, including a foreign one?	
<input type="checkbox"/> YES	If so, please provide details in brief.
<input type="checkbox"/> NO	

12. Information relating to a submission of the certificate of integrity issued by a foreign state

Have you stayed continuously outside the Czech Republic for a period exceeding 6 months in the past three years?	
<input type="checkbox"/> YES	If so, give the state(s) in which you stayed continuously for a period exceeding 6 months in the past three years and enclose originals of certificates of integrity issued by the foreign states to the application/notification. List of states concerned:
<input type="checkbox"/> NO	

13. Please state any other facts that could affect your trustworthiness and, where applicable, enclose relevant documents.

**II.
DECLARATION**

I hereby declare that the information stated in the application/notification and annexes is truthful, up-to-date and complete.

At	Date	Signature:
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- a) Where the number has been allocated.
- b) Give the date of birth where no birth index number has been allocated.
- c) E.g. a person having a qualifying holding in the applicant or notifying entity.
- d) This description may be replaced by an internal regulation governing the tasks related to the position to be held by the assessed person, including the authorisation and powers ensuing from that position.

SPECIMEN

Questionnaire
relating to the acquisition of or increase in a qualifying holding

I.

1. Basic information about the person having a qualifying holding

Name(s) and surname/commercial name, or name

2. Designation of a legal entity in which the qualifying holding is being acquired or increased

- | |
|---|
| <input type="checkbox"/> payment institution

<input type="checkbox"/> electronic money institution |
|---|

3. Questionnaire

3.1 Are you acquiring holdings in name and for your account?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If NO, please provide details.
3.2 Are you exercising or are you going to exercise the voting rights on behalf of a third party?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please state on behalf of what person.
3.3 Are you going to assign the voting rights to another person under an agreement or arrangement?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please state in favour of what person.
3.4 Has an agreement been concluded with a third party, under which you are a subsidiary? Has an agreement been concluded or is an agreement to be concluded, under which you are to become a subsidiary?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details.
Do you act in concert with another person, which owns holdings in the entity referred to in item 2 or to which the exercise of the voting right has been assigned or which can exercise a significant influence over the management of the entity referred to in item 2?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, please provide details of this other person and of the manner of acting in concert.

3.6 Do you have any monetary and other liabilities, which exceed 5% of your capital/assets or may have an effect of the same size?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please state: the contracting party, the amount of the liability, the date of creation of the liability, the duration of the liability, the maturity date of the liability including information about default in performance of such liabilities.

4. Information on decisions in criminal, administrative or similar proceedings

4.1 Have you been lawfully convicted of a criminal offence?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief and document this information with the relevant decision.
4.2 Has a sanction exceeding CZK 20,000 or prohibition of activity, or another remedial measure or duty to pay damages, been imposed on you by a final decision in the last ten years for a misdemeanour or another administrative offence of violating a legal duty in connection with the performance of employment, office or business activity?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.
4.3 Have you performed duties as the statutory body or member of the statutory body of a legal entity, or a person authorised to act on behalf of a legal entity on the basis of another fact, or a person controlling a legal entity, at a time when a sanction for an administrative offence or a duty to pay damages was imposed on the legal entity by a final decision in connection with an activity on the financial market?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.

5. Information on criminal, administrative or similar proceedings not covered by item 4

5.1 Have you been prosecuted in the last ten years?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief and document this information with the accusation or indictment.
5.2 Have you been subject to administrative or similar proceedings for the violation of a duty relating to the performance of employment, office or business activity or in connection with a prohibition of activity, except proceedings for offences or similar proceedings for which only sanctions of up to CZK 20,000 may be imposed?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.

6. Information on a decision and commencement of civil proceedings or arbitration proceedings

6.1 State whether a decision in civil proceedings or arbitration proceedings concerning you was issued in the last ten years if such a decision relates to your activities on the financial market or may jeopardise your financial situation, or if such proceedings are under way and have yet to be concluded by a final decision.	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.
6.2 In the last ten years, have you been subject to a decision declaring insolvency without the insolvency proceeding being concluded by a decision declaring the debtor not insolvent?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details.

7. Other facts that may affect trustworthiness

7.1 In the last ten years, has a legal entity controlled by you been subject to a decision declaring insolvency without the insolvency proceeding being concluded by a decision declaring the debtor not insolvent?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide the commercial name of the legal entity, its identification number and other details.
7.2 Have you performed duties as the statutory body or member of the statutory or supervisory body of a legal entity, or a person authorised to act on behalf of a legal entity on the basis of another fact, for up to three years before a decision on the insolvency without the insolvency proceeding being concluded by a decision declaring the debtor not insolvent?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide the commercial name of the legal entity, its identification number and other details.
7.3 Have you ever had a business licence or other licence suspended or withdrawn, or has a court of law or administrative authority ever refused to grant its consent to your election, nomination or appointment to a position where such consent was a necessary condition for your election, nomination or appointment?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.

8. Information on the person's trustworthiness from the perspective of activity in professional chambers

8.1 Have you been debarred from a professional association or chamber, including a foreign one, in the last ten years?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.
8.2 Have you performed the duties as the statutory body, member of the statutory or supervisory body of a legal entity or as a person authorised to act on behalf of a legal entity on the basis of another fact in the last ten years, at a time when the legal entity was debarred from a professional association or chamber, including a foreign one?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief.

9. Information relating to a submission of the certificate of integrity issued by a foreign state

a) for a natural person

Have you stayed continuously outside the Czech Republic for a period exceeding 6 months in the past three years?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, give the state(s) in which you stayed continuously for a period exceeding 6 months in the past three years and enclose originals of certificates of integrity issued by the foreign states to the application/notification. List of states concerned:

a) for a legal entity

Do you have or did you have an organisational unit outside the Czech Republic in the past three years?

<input type="checkbox"/> YES	If so, give the states concerned and enclose original documents of integrity issued by the foreign states to the application/notification.
<input type="checkbox"/> NO	List of states concerned:

10. Please state any other facts that could affect your trustworthiness and, where applicable, enclose relevant documents.

**II.
DECLARATION**

I hereby declare that the information stated in the application/notification, annexes and in this questionnaire is truthful, up-to-date and complete.

At

Date

Signature:

SPECIMEN

Application for entry in the register of small-scale payment service providers
Notification of a change of information in the application for entry in the register of small-scale payment service providers

I.
ADMINISTRATIVE AUTHORITY

1. Name of administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

II.
SUBJECT OF APPLICATION

2. Specification of the subject of the application

- application for entry in the register of small-scale payment service providers
- notification of a change of information in the application for entry in the register of small-scale payment service providers

III.
APPLICANT/NOTIFYING ENTITY

3. Identification of the applicant/notifying entity – natural person

Name(s) and surname	
Maiden name	
Birth identification number ^{a)}	
Date of birth ^{b)}	
Place of birth (state, district, and town/city)	
Identification number ^{a)}	
Telephone number	
Nationality	
Address of place of business (street, house number, town/city, part of town/city ZIP code, country)	

Mailing address, if different from the address of place of business (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{c)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

4. Identification of the applicant/notifying entity – legal entity

Commercial name, or name		
Identification number ^{a)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{c)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

IV.

ADDITIONAL INFORMATION RELATED TO THE SUBJECT OF THE APPLICATION

5. Description of activities of a small-scale payment service provider

5a. List of payment services pursuant to Article 3 of the Payment System Act

Name of activity	Entry/ deletion	Expected date of commencing or terminating the activity (i.e. in the case of entry in the register or change of registration)
a) Service enabling cash to be placed on a payment account maintained by the provider.	<input type="checkbox"/>	
b) Service enabling cash withdrawals from a payment account maintained by the provider.	<input type="checkbox"/>	
c) Execution of transfers of funds from a payment account initiated by	<input type="checkbox"/>	

1. the payer 2. the beneficiary, or 3. the payer through the beneficiary unless the transferred funds are granted as a loan to the user by the provider.			
d) Execution of transfers of funds from a payment account initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary where the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>		
e) Issuing and administering payment instruments and devices for accepting payment instruments.	<input type="checkbox"/>		
f) Transferring funds, where neither the payer nor the beneficiary use the payment account with the payer's provider (money remittance).	<input type="checkbox"/>		
g) Execution of a payment transaction by an electronic communication service provider where the consent of the payer to execute a payment transaction is given by means of an electronic communication device.	<input type="checkbox"/>		

5b. List of activities pursuant to Article 8(1)(b) and (c) of the Payment Systems Act

Name of activity

6. Basic identification of a senior officer of the small-scale payment service provider

Name(s) and surname and maiden name	Birth identification number ^a /date of birth ^b	Place of birth (state, district, and town/city)	Nationality	Permanent address (street, house number, town/city, part of town/city, ZIP code and country)	Proposed office

7. Additional information about the applicant/notifying entity

a) natural person

7.1 Is your competence to perform legal acts limited?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details.

7.2 Have you been lawfully convicted of a criminal offence?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details in brief and document this information with the relevant decision.
7.3 Have you been convicted for a property offence, an economic offence or an offence committed in relation to terrorist financing?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details.
7.4 Have any circumstances occurred preventing you from carrying on a trade pursuant to the act governing trades?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details.

b) legal entity

7.5 Have any circumstances occurred preventing you from carrying on a trade pursuant to the act governing trades?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, please provide details.

8. Information relating to the certificate of integrity issued by a foreign state submitted by the applicant/notifying entity – natural person

Have you stayed continuously outside the Czech Republic for a period exceeding 6 months in the past three years?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, state the state(s) in which you stayed continuously for a period exceeding 6 months in the past three years and enclose originals of certificates of integrity issued by foreign states to the application/notification. List of states concerned:

9. List of the numbers of all annexes ^{d)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers

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**V.
DECLARATION**

I hereby declare that the information stated in the application/notification, documents and annexes is truthful, up-to-date and complete.

**VI.
IDENTIFICATION OF OTHER PERSONS**

This application is submitted by the applicant/notifying entity

10. Identification of the person acting for the applicant/notifying entity

Designation of office		
Name(s) and surname		
Date of birth		
Permanent address (street, house number, town/city, part of town/city ZIP code country)		
Mailing address ^{e)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)		

This application is submitted by the applicant's/notifying entity's representative

11. Identification of the person representing the applicant/notifying entity

Information about the representative ^{e)}		
Name(s) and surname / Commercial name, or name ^{f)}		
Date of birth		
Identification number ^{d)}		
Permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)		
Mailing address ^{e)}, if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)		

At

Date

Signature:

- a) Where the number has been allocated.
- b) Give the date of birth where no birth index number has been allocated.
- c) Article 19(3) of the Administrative Procedure Code.
- d) The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.
- e) For example attorney, notary public or general representative.
- f) A legal entity shall also state the person through whom it is acting.

SPECIMEN

**Application for a licence for the activities of an electronic money institution
Notification of a change of information in the application for a licence for
the activities of an electronic money institution**

**I.
ADMINISTRATIVE AUTHORITY**

1. Name and address of the administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

**II.
SUBJECT OF APPLICATION**

2. Specification of the subject of the application

- application for a licence for the activities of an electronic money institution
- notification of a change of information in the application for a licence for the activities of an electronic money institution

**III.
APPLICANT ^{a)} / NOTIFYING ENTITY**

3. Identification of the applicant/notifying entity

Commercial name		
Identification number ^{b)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{c)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address	

**IV.
ADDITIONAL INFORMATION RELATED TO THE SUBJECT OF THE
APPLICATION**

A. Capital and other financial sources

4a. Information about initial capital of the electronic money institution (CZK thousands)

Initial capital in total	
Of which	
Paid-up capital	
Mandatory reserve funds	
Other funds created from profit distribution, which can be used solely to cover a loss recorded in financial statements	
The difference between retained earnings given in the financial statement verified by an auditor and approved by a competent body of the payment institution, whose distribution has not been decided on by the competent body, and accumulated losses, including losses for previous years	

4b. Other financial sources

<input type="checkbox"/> YES	<input type="checkbox"/> NO
If so, please specify these sources.	

4c. Chosen approach to the calculation of the capital requirement

<input type="checkbox"/> approach based on overhead expenses (Approach A)
<input type="checkbox"/> approach based on the volume of payments (Approach B)
<input type="checkbox"/> basic indicator approach (Approach C)

B. Description of activities of an electronic money institution

5a. List of activities pursuant to Article 46(2) of the Payment System Act

Name of activity	Entry/ deletion	Expected date of commencing or terminating the activity <small>(i.e. when a licence is</small>

			granted or the scope of the licence is changed)
a) Electronic money issuance.	<input type="checkbox"/>		
b) Provision of payment services relating to electronic money.	<input type="checkbox"/>		
c) Provision of payment services, which do not relate to electronic money, stated in the licence for the activities of an electronic money institution.	<input type="checkbox"/>		
d) Performance of activities associated with the activities listed in a) to c), including lending.	<input type="checkbox"/>		
e) Operation of a payment system, except a payment system with settlement finality.	<input type="checkbox"/>		

5b. List of other activities (where the electronic money institution wishes to provide payment services – Article 46(2))

5b1. Payment services pursuant to Article 3 of the Payment System Act

Name of activity	Entry/ deletion	Expected date of commencing or terminating the activity (i.e. when a licence is granted or the scope of the licence is changed)
a) Service enabling cash to be placed on a payment account maintained by the provider.	<input type="checkbox"/>	
b) Service enabling cash withdrawals from a payment account maintained by the provider.	<input type="checkbox"/>	
Execution of transfers of funds initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary unless the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>	
d) Execution of transfers of funds from a payment account initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary where the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>	
e) Issuing and administering payment instruments and devices for accepting payment instruments.	<input type="checkbox"/>	
f) Transferring funds, where neither the payer nor the beneficiary use the payment account with the payer's	<input type="checkbox"/>	

provider (money remittance).			
g) Execution of a payment transaction by an electronic communication service provider where the consent of the payer to execute a payment transaction is given by means of an electronic communication device.	<input type="checkbox"/>		

5b2. Article 46(2)(d) of the Payment System Act

Name of activity

C. Senior officer in an electronic money institution

6. Basic identification of a senior officer in an electronic money institution

Name(s) and surname and maiden name	Birth identification number^{b)}/date of birth^{d)}	Place of birth (state, district, and town/city)	Nationality	Permanent address (street, house number, town/city, part of town/city, ZIP code and country)	Proposed office

D. Personal links of persons having qualifying holdings in the electronic money institution in other legal entities

7. Personal links of a person having a qualifying holding with other legal entities;

A natural person having a qualifying holding gives a list of current and previous memberships of statutory and supervisory bodies of other legal entities for the past ten years. A legal entity having a qualifying holding gives this list for its members of the statutory body.

a) Natural person having a qualifying holding

Name(s) and surname and maiden name of the natural persons having a qualifying holding	Identification of the legal entity to which the person referred to in Column 1 is personally linked (commercial name/name, identification number, registered address: street, house number, town/city, part of town/city, ZIP code and country)	Stating the office of the person referred to in Column 1 in the statutory or supervisory body of the legal entity referred to in Column 2 and stating the term of this office
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1	2	3

b) Legal entity having a qualifying holding

1	2	3	4
Commercial name/name of the legal entity having a qualifying holding	Name(s) and surname of the natural person which is the statutory body or a member of the statutory body of the legal entity referred to in Column 1	Identification of the legal entity to which the person referred to in Column 2 is personally linked (commercial name/name, identification number, registered address: street, house number, town/city, part of town/city, ZIP code and country)	Stating the office of the person referred to in Column 2 in the statutory or supervisory body of the legal entity referred to in Column 3 and stating the term of this office

E. List of documents

8. List of the numbers of all annexes ^{e)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers.

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**V.
DECLARATION**

I hereby declare that the information stated in the application/notification, documents and annexes is truthful, up-to-date and complete.

**VI.
IDENTIFICATION OF OTHER PERSONS**

This application is submitted by the applicant/notifying entity

9. Identification of the person acting on behalf of the applicant/notifying entity

Designation of office	
Name(s) and surname	
Date of birth	
Permanent address (street, house number, town/city, part of town/city, ZIP code, country)	

Mailing address ^{c)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)	
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This application is submitted by the applicant's/notifying entity's representative

10. Identification of the person representing the applicant/notifying entity

Information about the representative ^{f)}	
Name(s) and surname / Commercial name, or name ^{g)}	
Date of birth	
Identification number ^{b)}	
Permanent/registered address (street, house number, town/city, part of town/city ZIP code country)	
Mailing address ^{c)}, if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	

At

Date

Signature:

- ^{a)} Entity to which the licence is to be granted.
- ^{b)} Where the number has been allocated.
- ^{c)} Article 19(3) of the Administrative Procedure Code.
Where the mailing address is different from the applicant's permanent address or any other address and where it is to be used in written communication with the CNB, please fill in this part of the form.
- ^{d)} Give the date of birth where no birth index number has been allocated.
- ^{e)} The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.
- ^{f)} For example attorney, notary public, general representative.
- ^{g)} A legal entity shall also state the person through whom it is acting.

SPECIMEN

**Notification of the intention to acquire or increase a qualifying holding in
an electronic money institution**
**Notification of the intention to take control of an electronic money
institution**

**I.
ADMINISTRATIVE AUTHORITY**

1. Name and address of the administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

**II.
SUBJECT OF APPLICATION**

2. Specification of the subject of the application

<input type="checkbox"/> notification of the intention to acquire or increase a qualifying holding in an electronic money institution
<input type="checkbox"/> notification of the intention to take control of an electronic money institution

**III.
NOTIFYING ENTITY**

3. Identification of the notifying entity – natural person

Name(s) and surname and maiden name					
Birth identification number ^{a)}/date of birth ^{b)}					
Telephone number					
Permanent address (street, house number, town/city, part of town/city ZIP code, country)					
Mailing address ^{c)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)					
Unless ruled out by law or the nature of the matter, do you wish to receive	<table style="width: 100%; text-align: center;"> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>
YES	NO				
<input type="checkbox"/>	<input type="checkbox"/>				

correspondence by e-mail ³⁾ ?		
	If so, please provide your e-mail address:	

4. Identification of the notifying entity – legal entity

Commercial name, or name		
Identification number ^{a)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{e)} ?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

IV.

ADDITIONAL INFORMATION RELATED TO THE SUBJECT OF THE APPLICATION

A. Information about the electronic money institution, in which the qualifying holding is to be acquired or increased, and about the amount of the holding

5. Information about the electronic money institution in which the qualifying holding is being acquired

Commercial name	
Identification number ^{a)}	
Registered address (street, house number, town/city, part of town/city ZIP code, country)	

6. Information about the existing, acquired and final size of the qualifying holding

The size of the qualifying holding as of the date of the application (in %)		The size of the qualifying holding to be acquired (in %)		The expected total size of the qualifying holding after approval (in %)	
Total of which		Total of which		Total of which	
Direct holding	Indirect holding	Direct holding	Indirect holding	Direct holding	Indirect holding

Where the notifying entities hold an indirect holding, they identify the person through which they hold the indirect holding, stating information as follows:

(commercial name, identification number, registered address: street, house number, town/city, part of town/city,

ZIP code and country)

B. Information about holdings being acquired

7. Identification of the person from which the holding is being acquired

Order	Name(s) and surname/ Commercial name, or name	Birth identification number ^{a)} /date of birth ^{b)} Identification number ^{a)}	Permanent/ registered address (street, house number, town/city, part of town/city, ZIP code and state)	Total size of the holding being acquired	Manner of acquisition of the holding	Assumed date of acquisition of the holding
1.						
2.						
3.						

Personal links of persons having qualifying holdings in the electronic money institution in other legal entities

8. Personal links of a person having a qualifying holding with other legal entities;

A natural person having a qualifying holding gives a list of current and previous memberships of statutory and supervisory bodies of other legal entities for the past ten years. A legal entity having a qualifying holding gives this list for its members of the statutory body.

a) Natural person having a qualifying holding

Name(s) and surname and maiden name of the natural persons having a qualifying holding	Identification of the legal entity to which the person referred to in Column 1 is personally linked (commercial name/name, identification number, registered address: street, house number, town/city, part of town/city, ZIP code and country)	Stating the office of the person referred to in Column 1 in the statutory or supervisory body of the legal entity referred to in Column 2 and stating the term of this office
1	2	3

b) Legal entity having a qualifying holding

Commercial name/name of the legal entity having a qualifying holding	Name(s) and surname of the natural person which is the statutory body or a member of the statutory body of the legal entity referred to in	Identification of the legal entity to which the person referred to in Column 2 is personally linked (commercial name/name, identification number, registered address: street, house number, town/city, part of town/city, ZIP code and country)	Stating the office of the person referred to in Column 2 in the statutory or supervisory body of the legal entity referred to in Column 3 and stating the term of this office

	Column 1		
1	2	3	4

D. List of documents

9. List of the numbers of all annexes ^{d)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers.

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**V.
DECLARATION**

I hereby declare that the information stated in the notification, documents and annexes is truthful, up-to-date and complete.

**VI.
IDENTIFICATION OF OTHER PERSONS**

This notification is submitted by the notifying entity

10. Identification of the person acting for the notifying entity

Designation of office	
Name(s) and surname	
Date of birth	
Permanent address (street, house number, town/city, part of town/city ZIP code, country)	
Mailing address ^{c)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)	

This notification is submitted by the notifying entity's representative

11. Identification of the person representing the notifying entity

Information about the representative^{e)}		
Name(s) and surname / Commercial name, or name^{f)}		
Date of birth		
Identification number^{a)}		
Permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)		
Mailing address^{c)}, if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)		

At

Date

Signature:

^{a)} Where the number has been allocated.

^{b)} Give the date of birth where no birth index number has been allocated.

^{c)} Article 19(3) of the Administrative Procedure Code.

Where the mailing address is different from the applicant's permanent address or any other address and where it is to be used in written communication with the CNB, please fill in this part of the form.

^{d)} The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.

^{e)} For example attorney, notary public or general representative.

^{f)} A legal entity shall also state the person through whom it is acting.

SPECIMEN

**Application for entry in the register of small-scale electronic money issuers
Notification of a change of information in the application for entry in the
register of small-scale electronic money issuers**

I.**ADMINISTRATIVE AUTHORITY****1. Name of administrative authority**

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

II.**SUBJECT OF APPLICATION****2. Specification of the subject of the application**

- application for entry in the register of small-scale electronic money issuers
- notification of a change of information in the application for entry in the register of small-scale electronic money issuers

III.**APPLICANT/NOTIFYING ENTITY****3. Identification of the applicant/notifying entity**

Commercial name, or name		
Identification number ^{a)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{b)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

**IV.
ADDITIONAL INFORMATION RELATED TO THE SUBJECT OF THE
APPLICATION**

4. Description of activities of a small-scale electronic money issuer

4a. List of activities pursuant to Articles 53(1) and 46(2) of the Payment System Act

Name of activity	Entry/ deletion	Expected date of commencing or terminating the activity <small>(i.e. when a licence is granted or the scope of the licence is changed)</small>
a) Electronic money issuance.	<input type="checkbox"/>	
b) Provision of payment services relating to electronic money.	<input type="checkbox"/>	
c) Provision of payment services, which do not relate to electronic money, stated in the licence for the activities of an electronic money institution.	<input type="checkbox"/>	
d) Performance of activities associated with the activities listed in a) to c), including lending	<input type="checkbox"/>	
e) Operation of a payment system, except a payment system with settlement finality.	<input type="checkbox"/>	

4b. List of other activities (where the electronic money issuer wishes to provide payment services – Article 46(2)(b) and (c) of the Payment System Act)

4b1. Payment services pursuant to Article 3 of the Payment System Act

Name of activity	Entry/ deletion	Expected date of commencing or terminating the activity <small>(i.e. when a licence is granted or the scope of the licence is changed)</small>
a) Service enabling cash to be placed on a payment account maintained by the provider.	<input type="checkbox"/>	
b) Service enabling cash withdrawals from a payment account maintained by the provider.	<input type="checkbox"/>	
c) Execution of transfers of funds from a payment account initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary unless the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>	

d) Execution of transfers of funds from a payment account initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary where the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>		
e) Issuing and administering payment instruments and devices for accepting payment instruments.	<input type="checkbox"/>		
f) Transferring funds, where neither the payer nor the beneficiary use the payment account with the payer's provider (money remittance).	<input type="checkbox"/>		
g) Execution of a payment transaction by an electronic communication service provider where the consent of the payer to execute a payment transaction is given by means of an electronic communication device.	<input type="checkbox"/>		

4b2. Article 46(2)(d) of the Payment System Act

Name of activity

5. Basic identification of a senior officer of the small-scale electronic money issuer

Name(s) and surname and maiden name	Birth identification number ^{a)} /date of birth ^{c)}	Place of birth (state, district, and town/city)	Nationality	Permanent address (street, house number, town/city, part of town/city, ZIP code and state)	Proposed office

6. Additional information about the applicant/notifying entity

Have any circumstances occurred preventing you from carrying on a trade pursuant to the act governing trades?	
<input type="checkbox"/> YES	If so, please provide details.
<input type="checkbox"/> NO	

7. List of the numbers of all annexes ^{d)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers

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**V.
DECLARATION**

I hereby declare that the information stated in the application/notification, documents and annexes is truthful, up-to-date and complete.

**VI.
IDENTIFICATION OF OTHER PERSONS**

This application is submitted by the applicant/notifying entity

8. Identification of the person acting for the applicant/notifying entity

Designation of office		
Name(s) and surname		
Date of birth		
Permanent address (street, house number, town/city, part of town/city ZIP code, country)		
Mailing address ^{b)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)		

This application is submitted by the applicant's/notifying entity's representative

9. Identification of the person representing the applicant/notifying entity

Information about the representative ^{e)}		
Name(s) and surname / Commercial name, or name ^{f)}		
Date of birth		
Identification number ^{a)}		
Permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)		

Mailing address ^{b)}, if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	
--	--

At

Date

Signature:

- a) Where the number has been allocated.
- b) Article 19(3) of the Administrative Procedure Code.
- c) Give the date of birth where no birth index number has been allocated.
- d) The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.
- e) For example attorney, notary public or general representative.
- f) A legal entity shall also state the person through whom it is acting.

SPECIMEN

Notification of providing payment services through a sales representative

I. ADMINISTRATIVE AUTHORITY

1. Name and address of the administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

II.

NOTIFYING ENTITY

2. Designation of the notifying entity

- payment institution

electronic money institution

3. Identification of the notifying entity

Commercial name, or name		
Identification number ^{a)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{b)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

III. DECLARATION

- a) on the verification of appropriateness of the sales representative’s control system from the point of view of compliance with anti-money-laundering and anti-terrorist-financing obligations, and
- b) on the verification of trustworthiness, professional qualifications and sufficient experience.

On behalf of the payment institution identified above, I declare that the notifying entity verified

- the appropriateness of the control system from the point of view of compliance with anti-money-laundering and anti-terrorist-financing obligations

and, in line with the notifying entity’s internal criteria for assessing trustworthiness, professional qualifications and sufficient experience,

- trustworthiness
- professional qualifications
- sufficient experience

of these persons:

4. Sales representative – natural person

Name(s) and surname	Date of birth	Identification number

5. Sales representative – legal entity

a) Identification of the sales representative

Commercial name, or name	Identification number

b) Identification of the senior officer of the sales representative

Name(s) and surname	Date of birth

IV.

6. List of the numbers of all annexes^{c)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers.

**V.
FINAL DECLARATION**

I hereby declare that the information stated in the notification and annexes is truthful, up-to-date and complete.

**VI.
IDENTIFICATION OF OTHER PERSONS**

This notification is submitted by the notifying entity

7. Identification of the person acting on behalf of the notifying entity

Designation of office		
Name(s) and surname		
Date of birth		
Permanent address (street, house number, town/city, part of town/city ZIP code, country)		
Mailing address ^{b)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)		

This notification is submitted by the notifying entity's representative

8. Identification of the person representing the notifying entity

Information about the representative ^{d)}		
Name(s) and surname / Commercial name, or name ^{e)}		
Date of birth		
Identification number ^{a)}		
Permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)		
Mailing address ^{b)}, if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)		

At

Date

Signature:

- a) Where the number has been allocated.
- b) Article 19(3) of the Administrative Procedure Code.
Where the mailing address is different from the applicant's permanent address or any other address and where it is to be used in written communication with the CNB, please fill in this part of the form.
- c) The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.
- d) For example attorney, notary public or general representative.
- e) A legal entity shall also state the person through whom it is acting.

SPECIMEN

Notification of the performance of some activities through another person

I.
ADMINISTRATIVE AUTHORITY

1. Name and address of the administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

II.
NOTIFYING ENTITY

2. Designation of the notifying entity

<input type="checkbox"/> payment institution <input type="checkbox"/> electronic money institution

3. Identification of the notifying entity

Commercial name, or name		
Identification number ^{a)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{b)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

III.
NOTIFICATION

4. Identification of a natural person entrusted with the performance of activities

Name(s) and surname		
Identification number ^{a)}		
Telephone number	E-mail:	
Address of place of business (street, house number,		

town/city, part of town/city ZIP code, country)	
Mailing address ^{b)}, if different from the address of place of business (street, house number, town/city, part of town/city ZIP code, country)	

5. Identification of a legal entity entrusted with the performance of activities

Commercial name, or name	
Identification number ^{a)}	
Telephone number	E-mail:
Registered address (street, house number, town/city, part of town/city ZIP code, country)	

6. List of activities to be provided through another person

7. List of the numbers of all annexes ^{c)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers.

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IV. DECLARATION

I hereby declare that the information stated in the notification and annexes is truthful, up-to-date and complete.

V. IDENTIFICATION OF OTHER PERSONS

This notification is submitted by the notifying entity

8. Identification of the person acting on behalf of the notifying entity

Designation of office	
Name(s) and surname	
Date of birth	

Permanent address (street, house number, town/city, part of town/city ZIP code, country)	
Mailing address ^{b)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)	

This notification is submitted by the notifying entity's representative

9. Identification of the person representing the notifying entity

Information about the representative ^{d)}	
Name(s) and surname / Commercial name, or name ^{e)}	
Date of birth	
Identification number ^{a)}	
Permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	
Mailing address ^{b)}, if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	

At

Date

Signature:

^{a)} Where the number has been allocated.

^{b)} Article 19(3) of the Administrative Procedure Code.

Where the mailing address is different from the applicant's permanent address or any other address and where it is to be used in written communication with the CNB, please fill in this part of the form.

^{c)} The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.

^{d)} For example attorney, notary public or general representative.

^{e)} A legal entity shall also state the person through whom it is acting.

SPECIMEN

Notification of the performance of activities in a host Member State

I. ADMINISTRATIVE AUTHORITY

1. Name and address of the administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

II. NOTIFYING ENTITY

2. Designation of the notifying entity

- payment institution
- electronic money institution

3. Identification of the notifying entity

Commercial name, or name		
Identification number ^{a)}		
Telephone number		
Registered address (street, house number, town/city, part of town/city ZIP code, country)		
Unless ruled out by law or the nature of the matter, do you wish to receive correspondence by e-mail ^{b)}?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	If so, please provide your e-mail address:	

III. SUBJECT OF THE NOTIFICATION

4. Notification of

- the performance of activities in a host Member State through a branch
- the performance of activities in a host Member State without establishing a branch
- the performance of activities in a host Member State through a sales representative – establishment
- the performance of activities in a host Member State through a sales representative – free provision of services

5. Basic identification of the head of the branch

Name(s) and surname and maiden name	Birth identification number ^a /date of birth ^c	Place of birth (state, district, and town/city)	Nationality	Permanent address (street, house number, town/city, part of town/city, ZIP code and country)

6. Basic identification of the sales representative in a host Member State - natural person

Name(s) and surname and maiden name	Birth identification number ^a /date of birth ^c	Place of birth (state, district, and town/city)	Nationality	Permanent/contact address (street, house number, town/city, part of town/city, ZIP code and country)

7. Basic identification of the sales representative in a host Member State – legal entity

Commercial name, or name				
Date of establishment				
Telephone number	E-mail:			
Registered address (street, house number, town/city, part of town/city, ZIP code and country)				

8. Identification of the person which is the statutory body or a member of the statutory body of the entity referred to in item 7

Name(s) and surname and maiden name	Birth identification number ^a /date of birth ^c	Place of birth (state, district, and town/city)	Nationality	Permanent address (street, house number, town/city, part of town/city, ZIP code and country)

9. Host Member State – operation of a branch or a sales representative

Name of state	Address of the branch/sales representative (where known at the time of submission of the notification)

10. Activities to be performed through a branch or a sales representative in the territory of the host Member State

a) List of payment services pursuant to Article 3 of the Payment System Act

Name of activity	Entry/ deletion	Expected date of commencing or terminating the activity (i.e. when a licence is granted or the scope of the licence is changed)
a) Service enabling cash to be placed on a payment account maintained by the provider.	<input type="checkbox"/>	
b) Service enabling cash withdrawals from a payment account maintained by the provider.	<input type="checkbox"/>	
c) Execution of transfers of funds initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary unless the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>	
d) Execution of transfers of funds from a payment account initiated by 1. the payer 2. the beneficiary, or 3. the payer through the beneficiary where the transferred funds are granted as a loan to the user by the provider.	<input type="checkbox"/>	
e) Issuing and administering payment instruments and devices for accepting payment instruments.	<input type="checkbox"/>	
f) Transferring funds, where neither the payer nor the beneficiary use the payment account with the payer's provider (money remittance).	<input type="checkbox"/>	
g) Execution of a payment transaction by an electronic communication service provider where the consent of the payer to execute a payment transaction is given by means of an electronic communication device.	<input type="checkbox"/>	

b) List of activities pursuant to Article 8(1)(b) and (c) of the Payment Systems Act

c) List of activities pursuant to Article 46(2) of the Payment System Act

11. List of the numbers of all annexes ^{d)}; for the individual annexes please state references to the relevant provisions of the Decree on the pursuit of business of payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers.

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**IV.
DECLARATION**

I hereby declare that the information stated in the notification and annexes is truthful, up-to-date and complete.

**V.
IDENTIFICATION OF OTHER PERSONS**

This notification is submitted by the notifying entity

12. Identification of the person acting on behalf of the notifying entity

Designation of office	
Name(s) and surname	
Date of birth	
Permanent address (street, house number, town/city, part of town/city ZIP code, country)	
Mailing address ^{b)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)	

This notification is submitted by the notifying entity's representative

13. Identification of the person representing the notifying entity

Information about the representative ^{e)}	
Name(s) and surname / Commercial name, or name ^{f)}	
Date of birth	
Identification number ^{a)}	
Permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	
Mailing address ^{b)} , if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	

At

Date

Signature:

^{a)} Where the number has been allocated.

^{b)} Article 19(3) of the Administrative Procedure Code.

Where the mailing address is different from the applicant's permanent address or any other address and where it is to be used in written communication with the CNB, please fill in this part of the form.

^{c)} Give the date of birth where no birth index number has been allocated.

^{d)} The annexes to the application must be numbered. The numbers of the annexes in the list must correspond to the numbering of the annexes.

^{e)} For example attorney, notary public or general representative.

^{f)} A legal entity shall also state the person through whom it is acting.

1. Description of the organisational structure of the branch

<p>The tasks of the individual departments and a description of these departments' links to the other departments of the branch and of the reporting person, the competence of these departments and the envisaged number of employees of the branch, and information on whether the reporting person is considering establishing more business outlets within the branch, the number of such business outlets, the envisaged extent and type of payment services to be provided by such business outlets, their position in the organisational structure of the branch, and their competence and manner of management.</p>	
<p>A definition of the decision-making competence of the branch, particularly the powers and responsibilities entrusted to it.</p>	
<p>Information on whether the branch intends to entrust a third party with the performance of activities (outsourcing).</p>	
<p>A detailed description of participation in the national or international payment system, if it is assumed that the branch</p>	

will participate in such systems.	
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2a. Description of the manner of management of the branch and of its position in the system of governance of the reporting person

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2b. Procedures adopted by the bank in the host Member State to secure the duties relating to measures against the legitimisation of the proceeds of crime and financing of terrorism

Procedures for identifying the client and the beneficial owner, and procedures for keeping, updating and retaining records.	
Procedures for identifying risk factors, and procedures applied vis-à-vis those clients in relation to whom a risk factor is identified.	
Procedures for detecting suspicious transactions that are subject to the notification requirement.	
Measures to be taken in respect of the staff's professional training and education in the field of measures against the legitimisation of the proceeds of crime and financing of terrorism.	

List of Agents

Agent – natural person

Name(s)	Surname	Birth number ^{a)} / Date of birth	Address of residence or, as the case may be, contact address (street name, street number(s), municipality, part of municipality, postcode and country)

Agent – legal entity

Firm or corporate name, Registered office address	Identification of the person who is the statutory body or a member of the statutory body of the legal entity			
	Name(s)	Surname	Birth number ^{a)} / Date of birth ^{c)}	Address of residence or, as the case may be, contact address (street name, street number(s), municipality, part of municipality, postcode and country)

I declare on behalf of the reporting person that, in respect of the aforementioned persons, the reporting person verified

- a) the appropriateness of their system of governance in terms of compliance with the duties relating to measures against the legitimisation of the proceeds of crime and financing of terrorism; and
- b) their trustworthiness, professional qualifications and sufficient experience in compliance with the internal criteria of the reporting person.

In (place)

On (date)

By:

1. Description of the organisational structure of the agent

A definition of the competence, particularly the powers and responsibilities of the agent.	
The number of employees of the agent.	
A detailed description of participation in the national or international payment system, if it is assumed that the agent will participate in such systems.	

2a. Description of the manner of control of the agent’s activities and of its position in the system of governance of the reporting person

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2b. Description of the control of the agent regarding the procedures adopted to secure the duties relating to measures against the legitimisation of the proceeds of crime and financing of terrorism

Procedures for identifying the client and the beneficial owner, and procedures for keeping, updating and retaining records.	
Procedures for identifying risk factors, and procedures applied vis-à-vis those clients in	

<p>relation to whom a risk factor is identified.</p>	
<p>Procedures for detecting suspicious transactions that are subject to the notification requirement.</p>	
<p>Measures to be taken in respect of the staff's professional training and education in the field of measures against the legitimisation of the proceeds of crime and financing of terrorism.</p>	

SPECIMEN

**Notification of the intention to reduce or dispose of a qualifying holding
Notification of the intention to cease to have control over an electronic
money institution**

**I.
ADMINISTRATIVE AUTHORITY**

1. Name and address of the administrative authority

Name of administrative authority	Czech National Bank
Registered office	Na Příkopě 28, Prague 1, ZIP code 115 03
Mail room	Senovážná 3, Prague 1, ZIP code 115 03

**II.
NOTIFYING ENTITY**

2. Identification of the electronic money institution

Commercial name, or name	
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**III.
SUBJECT OF THE NOTIFICATION**

3. Notification of the intention

<input type="checkbox"/> to dispose of a qualifying holding in an electronic money institution
<input type="checkbox"/> to reduce a qualifying holding in an electronic money institution below 50%, 30%, or 20%
<input type="checkbox"/> to cease to have control over an electronic money institution

1. Information about the holding

The size of the holding as of the date of the notification		The size of the holding being disposed of/reduced		The size of the holding after disposal/reduction	
%	abs. amount	%	abs. amount	%	abs. amount

5. Identification of a natural person acquiring the holding from the notifying entity (seller)/becoming a parent undertaking

Name(s) and surname including maiden	
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name	
Birth identification number ^{a)}/date of birth ^{b)}	
Permanent address (street, house number, town/city, part of town/city ZIP code, country)	
For an entrepreneur entered in the Commercial Register: Company name, or place of business, identification number	

6. Identification of a legal entity acquiring the holding from the notifying entity (seller)/becoming a parent undertaking

Commercial name, or name	
Identification number ^{a)}	
Registered address (street, house number, town/city, part of town/city ZIP code, country)	

**IV.
DECLARATION**

I hereby declare that the information stated in the notification is truthful, up-to-date and complete.

**V.
IDENTIFICATION OF OTHER PERSONS**

This notification is submitted by the notifying entity

7. Identification of the person acting on behalf of the notifying entity

Designation of office	
Name(s) and surname	
Date of birth	
Permanent address (street, house number, town/city, part of town/city ZIP code, country)	
Mailing address ^{c)}, if different from the permanent address (street, house number, town/city, part of town/city ZIP code, country)	

This notification is submitted by the notifying entity's representative

8. Identification of the person representing the notifying entity

Information about the representative ^{d)}	
Name(s) and surname / Commercial name, or name ^{e)}	
Date of birth	
Identification number ^{a)}	
Permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	
Mailing address ^{e)} , if different from the permanent/registered address (street, house number, town/city, part of town/city ZIP code, country)	

At

Date

Signature:

a) Where the number has been allocated.

b) Give the date of birth where no birth index number has been allocated.

c) Article 19(3) of the Administrative Procedure Code.

Where the mailing address is different from the applicant's permanent address or any other address and where it is to be used in written communication with the CNB, please fill in this part of the form.

d) For example attorney, notary public or general representative.

e) A legal entity shall also state the person through whom it is acting.

SPECIMEN

Questionnaire
for assessing a director of a small-scale payment service provider and a
small-scale electronic money issuer

I.
IDENTIFICATION OF THE PERSON AND INFORMATION TO ASSESS
INTEGRITY

1. Identification of the person

Name(s) and surname			
Maiden name			
Birth identification number ^{a)}	Date of birth ^{b)}		
Place of birth (state, district, and town/city)			
Nationality			

2. Stating a legal entity or a natural person in which the person referred to in item 1 performs or will hold the position of a senior officer

<input type="checkbox"/> small-scale payment service provider <input type="checkbox"/> small-scale electronic money issuer

Other personal information

3. Is your competence to perform legal acts limited?	
<input type="checkbox"/> YES	If so, please provide details.
<input type="checkbox"/> NO	

4. Have you been convicted for a property offence, an economic offence or an offence committed in relation to terrorist financing?	
<input type="checkbox"/> YES	If so, please provide details in brief and document this information with the relevant decision.
<input type="checkbox"/> NO	

5. Have you stayed continuously outside the Czech Republic for a period exceeding 6 months in the past three years?

YES

NO

If so, state the country/countries in which you stayed continuously for a period exceeding 6 months in the past three years and enclose originals of certificates of integrity issued by foreign states to the application/notification.
List of states concerned:

II. DECLARATION

I hereby declare that the information stated in the application/notification and in this annex is truthful, up-to-date and complete.

At

Date

Signature:

^{a)} Where the number has been allocated.

^{b)} Give the date of birth where no birth index number has been allocated.