

Application Registration as an

Account Information Service Provider

under Regulation 25 of the European Union (Payment Services) Regulations 2018

May 2018

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**NOTES ON COMPLETION**

**Please do not complete this application form until you have read and are familiar with:**

European Union (Payment Services) Regulations 2018 (PSR);

**and**

The [Guidance Note](http://centralbank.ie/docs/default-source/Regulation/industry-market-sectors/Electronic-Money-Institutions/Authorisation-Process/psd2-guidance-note.pdf?sfvrsn=10) on Completing an Application for Authorisation as a Payment Institution or Electronic Money Institution or for Registration as an Account Information Service Provider or a Small Electronic Money Institution under The European Union (Payment Services) Regulations 2018 and the European Communities (Electronic Money) Regulations 2011 (as amended).

1. All applications must be typed.
2. All references to the term ‘Guideline’ in this Application Form refers to the relevant Guideline in the ‘*EBA Guidelines under Directive (EU) 2015/2366 (PSD2) on the information to be provided for authorisation of payment institutions and e-money institutions and for the registration of account information service providers’* (EBA Guidelines). The Central Bank intends to comply with the EBA Guidelines and, therefore, requires applications for registration under the PSR to be submitted using this application form.
3. For each Guideline, the applicant must answer all questions asked and must provide any information or documentation requested. In the event that a question does not apply, the applicant must provide an explanation as to why it considers this to be the case.

Please note that if key information has been omitted from the application submission the applicant will be advised that the application does not contain sufficient material to proceed to the assessment phase of the Central Bank’s application process. Further information on our application process is available [here](https://www.centralbank.ie/regulation/industry-market-sectors/payment-institutions/authorisation-process).

1. All responses and documents provided must reference the relevant Guideline in the Application Form e.g., a response to question 3.1(a) of Guideline 3: Programme of Operations should be included in a section titled Guideline 3: Programme of Operations, with each question answered in sequence referencing the relevant question. For example:

*Guideline 3: Programme of Operations*

*3.1(a) A step by step description of the type of payment services envisaged is detailed below….*

*3.1 (b) Applicant declares that it will enter into the possession of funds….*

*3.1(c) Diagram of flow of funds…..etc.*

*Guideline 5: Structural Organisation*

*5.1 (a) Organisation Chart with a description of functions and responsibilities*

*5.1 (b) 3 Year staff numbers forecast*

*5.1 (c) Description of outsourcing arrangements….etc.*

1. For each Guideline, where separate and distinct documentation is requested, applicants should ensure that these documents, along with any other accompanying documents, are clearly marked and referenced in accordance with the relevant Guideline numbers as indicated in 4 above.
2. Where possible, information provided should be in MSWord (or equivalent) format rather than scanned versions.
3. Application documentation should be submitted, in both paper and electronic format, to the Central Bank. The paper copy should be sent to PI Authorisations Team, Consumer Protection: Policy & Authorisations, Central Bank of Ireland, PO Box 559, Dublin 1 and the electronic version can be included with the paper copy or sent by email to piauthorisations@centralbank.ie . The use of regular postal services and/or unsecured email is not recommended for sensitive or confidential material.

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| **Guideline 1: General Principles** |

* 1. **This Application Form applies to applicants seeking registration as an Account Information Service Provider (AISP), i.e. those applicants seeking to provide only payment service 8 of the Schedule to the PSR. Should the applicant intend to provide any additional payment services they should apply for authorisation as a Payment Institution and refer to the details set out in the Application for Authorisation as a Payment Institution Form.**
	2. The information provided by applicants should be true, complete, accurate and up to date. All applicants should comply with all the provisions in the set of Guidelines that applies to them. The level of detail required to be compliant should be proportionate to the applicant’s size and internal organisation, and to the nature, scope, complexity and riskiness of the particular service(s) that the applicant intends to provide.

In any event, in accordance with the EBA Guidelines , the directors and the persons responsible for the management of the payment institution must be of good repute and possess appropriate knowledge and experience to perform payment services, regardless of the institution’s size, internal organisation and the nature, scope and complexity of its activities and the duties and responsibilities of the specific position.

* 1. When submitting the information required, the applicant should avoid making references to specific sections of internal procedures/documents. Instead, the applicant should extract the relevant sections and provide these to the Central Bank.
	2. Should the Central Bank require clarifications on the information that has been submitted, the applicant should provide such clarification without delay.
	3. All data requested in this application for registration as an AISP is required for the assessment of the application and will be treated by the Central Bank in accordance with the professional secrecy obligations set out in 33AK of the Central Bank Act (as amended), without prejudice to applicable EU law and national requirements and procedures on the exercise of the right to access, rectify, cancel or oppose.

**The Central Bank may process personal data provided by you in order to fulfil its statutory functions or to facilitate its business operations. Any personal data will be processed in accordance with the requirements of data protection legislation. Any queries concerning the processing of personal data by the Central Bank may be directed to** **dataprotection@centralbank.ie****. A copy of the Central Bank’s Data Protection Notice is available at** [**www.centralbank.ie/fns/privacy-statement**](http://www.centralbank.ie/fns/privacy-statement)**.**

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| **Guideline 2: Identification Details** |

1. **If the applicant is a natural person**, the identification details to be provided by the applicant should contain the following information:
2. the person’s name, address, nationality and date and place of birth:

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| **Name:****Address:****Nationality:****Date of Birth:****Place of Birth:** |

1. confirm that a copy of a passport **or** driving licence has been submitted with the application:

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|  | *(Please answer* ***Yes*** *or* ***No****)* |

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| **Type of identity document provided:** |

1. confirm that a detailed curriculum vitae stating the education and training, previous professional experience and any professional activities or other functions currently performed by the person has been submitted with the application:

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|  | *(Please answer* ***Yes*** *or* ***No****)* |

1. confirm that a criminal record check not older than 3 months has been submitted with the application:

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|  | *(Please answer* ***Yes*** *or* ***No****)* |

1. The person(s) in charge of dealing with the application file and authorisation procedure and contact details:

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| **Name:****Title:****Telephone Number:****Email Address:** |

1. **If the applicant is a legal person**, the identification details to be provided by the applicant, should contain the following information:
	1. the applicant’s corporate name:

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**and**, if different, trade name:

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* 1. an indication of whether the applicant is already incorporated or in process of incorporation;

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* 1. the applicant’s national identification number, if applicable[[1]](#footnote-1);

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* 1. the applicant’s legal status;

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**and** confirmation that the applicant’s articles of association and/or constitutional documents[[2]](#footnote-2) evidencing the applicant’s legal status has been submitted with the application;

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|   | *(Please answer* ***Yes*** *or* ***No****)* |

* 1. the address of the applicant’s head office and registered office;

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| **Head Office Address** | **Registered Office Address** |
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* 1. the applicant’s contact email[[3]](#footnote-3) address and website, if available;

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| **Email Address:****Website Address:** |

* 1. the name of the person(s) in charge of dealing with the application file and authorisation procedure, and their contact details;

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| **Name:****Title:****Telephone Number:****Email Address:** |

* 1. indicate whether the applicant has ever been, or is currently being regulated, by a competent authority in the financial services sector. **(If yes, relevant details must be provided in the application submission)**;

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|  | *(Please answer* ***Yes*** *or* ***No****)* |

The following information must be provided in a separate document, with referencing corresponding to the referencing in this section:

* 1. The register certificate of incorporation or, if applicable, negative certificate of a mercantile register that certifies that the name applied by the company is available.

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| **Guideline 3: Programme of Operations** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

1. The programme of operations to be provided by the applicant should contain the following information:
	1. a description of the account information service that is intended to be provided, including an explanation of how the applicant determined that this activity fits the definition of account information services as defined in Article 4(16) of PSD2;
	2. a declaration of the applicant that they will not enter at any time into possession of funds;
	3. a description of the provision of the different account information services, including:
		1. draft contracts between all the parties involved, if applicable;
		2. terms and conditions of the provision of the account information services;
		3. processing times.
	4. The estimated number of different premises from which the applicant intends to provide the service, if applicable;
	5. a description of any ancillary[[4]](#footnote-4) services to the account information service, if applicable;
	6. a declaration of whether or not the applicant plans to provide account information services in another EU Member State or another country once registered;
	7. an indication of whether or not the applicant intends for the next three years to provide, or already provides, business activities other than account information services as referred to in Regulation 29 of the PSR, including a description of the type and expected volume of the activities;
	8. the information specified in the *‘EBA Guidelines on the criteria on how to stipulate the minimum monetary amount of the professional indemnity insurance or other comparable guarantee under Article 5(4) of Directive (EU) 2015/2366 (PSD2)’*(EBA/GL2/017/08), where the applicant intends to provide only payment service 8 (AIS) of the Schedule to the PSR

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| **Guideline 4: Business Plan** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

1. The business plan to be provided by the applicant should contain:
	1. a marketing plan consisting of:
		1. an analysis of the company’s competitive position;
		2. a description of the account information service users in the account information market segment concerned, marketing material and distribution channels;
	2. where available for existing companies, certified annual accounts for the previous three years, or a summary of the financial situation for those applicants that have not yet produced annual accounts;
	3. a forecast budget calculation for the first three financial years that demonstrates that the applicant is able to employ appropriate and proportionate systems, resources and procedures that allow the applicant to operate soundly. It should include:
		1. an income statement and balance sheet forecast, including target scenarios and stress scenarios as well as their base assumptions, such as number of clients, pricing and expected increase in profitability threshold;
		2. explanations of the main lines of income and expenses, the financial debts and the capital assets; and
		3. a diagram and detailed breakdown of the estimated cash flows for the next three years.

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| **Guideline 5: Structural Organisation** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

1. **If the applicant is a natural person**, the description of the structural organisation of the applicant’s undertaking should contain the following information:
	1. An overall forecast of the staff numbers for the next three years;
	2. a description of relevant operational outsourcing arrangements consisting of:
		1. the identity and geographical location of the outsourcing provider;
		2. the identity of the persons within the applicant that are responsible for each of the outsourced activities;
		3. a detailed description of the outsourced activities and its main characteristics;
	3. a copy of draft outsourcing agreements;
	4. if applicable, a description of the use of branches and agents, including:
		1. a mapping of the off-site and on-site checks that the applicant intends to perform, of branches and agents;
		2. the IT systems, the processes and the infrastructure that are used by the applicant’s agents to perform activities on behalf of the applicant;
		3. in the case of agents, the selection policy, monitoring procedures and agents’ training and, where available, the draft terms of engagement;
	5. a list of all natural or legal persons that have close links[[5]](#footnote-5) with the applicant, indicating their identity and the nature of those links.
	6. **If the applicant is a legal person**, the description of the structural organisation of the undertaking should contain the following information:
	7. a detailed organisational chart, showing each division, department or similar structural separation, including the name of the person(s) responsible, in particular those in charge of internal control functions; the chart should be accompanied by a description of the functions and responsibilities of each division, department or similar structural separation;
	8. an overall forecast of the staff numbers for the next three years;
	9. a description of the relevant outsourcing arrangements consisting of:
2. the identity and geographical location of the outsourcing provider;
3. the identities of the persons within the applicant that are responsible for each of the outsourced activities,;
4. a detailed description of the outsourced activities and its main characteristics;
	1. a copy of draft outsourcing agreements;
	2. if applicable, a description of the use of branches and agents, including:
5. a mapping of the off-site and on-site checks that the applicant intends to perform of branches and agents;
6. the IT systems, processes and infrastructure that are used by the applicant’s agents to perform activities on behalf of the applicant;
7. in the case of agents, the selection policy, monitoring procedures and agents’ training and, where available, the draft terms of engagement;
	1. a list of all natural or legal persons that have close links[[6]](#footnote-6) with the applicant, indicating their identities and the nature of those links.

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| **Guideline 6: Governance Arrangements and Internal Control Mechanisms** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

* 1. The applicant should provide a description of the governance arrangement and internal control mechanisms consisting of:
	2. a mapping of the risks identified by the applicant, including the type of risks and the procedures the applicant will put in place to assess and prevent such risks;
	3. the different procedures intended to carry out periodical and permanent controls, including the frequency, and the human resources allocated;
	4. the accounting procedures by which the applicant will record and report its financial information;
	5. the identity of the person(s) responsible for the internal control functions, including for the periodic, permanent and compliance control, as well as an up-to-date curriculum vitae;
	6. the identity of any auditor that is not a statutory auditor pursuant to Directive 2006/43/EC;
	7. the composition of the management body and, if applicable, any other oversight body or committee;
	8. a description of the way outsourced functions are monitored and controlled so as to avoid an impairment in the quality of the payment institution’s internal controls;
	9. a description of the way any agents and branches are monitored and controlled within the framework of the applicant’s internal controls;
	10. where the applicant is the subsidiary of a regulated entity in another EU Member State, a description of the group governance.

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| **Guideline 7: Procedure for Monitoring, Handling and Following up on Security Incidents and Security-related Customer Complaints** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

* 1. The applicant should provide a description of the procedure in place to monitor, handle and follow up on security incidents and security-related customer complaints to be provided by the applicant, which should contain:
	2. organisational measures and tools for the prevention of fraud;
	3. details of the individuals and bodies responsible for assisting customers in cases of fraud, technical issues, and/or claim management;
	4. reporting lines in cases of fraud;
	5. the contact point for customers, including name and email address;
	6. the procedures for the reporting of incidents, including the communication of these reports to internal or external bodies, including notification of major incidents to national competent authorities under Regulation 119 of the PSR and in line with the EBA Guidelines on Incident Reporting under the referred Regulation; and
	7. the monitoring tools used and the follow-up measures and procedures in place to mitigate security risks.

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| **Guideline 8: Process to File, Monitor, Track and Restrict Access to Sensitive Payment Data** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

* 1. The applicant should provide a description of the process in place to file, monitor, track, and restrict access to sensitive payment data consisting of:
	2. a description of the flow of data classified as sensitive payment data in the context of the applicant’s business model;
	3. the procedures in place to authorise access to sensitive payment data;
	4. a description of the monitoring tool;
	5. the access right policy, detailing access to all relevant infrastructure components and systems, including databases and back-up infrastructures;
	6. a description of how the collected data are filed;
	7. the expected internal and/or external use of the collected data, including by counterparties;
	8. the IT system and technical security measures that have been implemented, including encryption and/or tokenisation;
	9. identification of the individual(s), bodies and/or committee(s) with access to the sensitive payment data;
	10. an explanation of how breaches will be detected and addressed; and
	11. an annual internal control programme in relation to the safety of the IT systems.

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| **Guideline 9: Business Continuity Arrangements** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

* 1. The applicant should provide a description of the business continuity arrangements consisting of the following information:
	2. a business impact analysis, including the business processes and recovery objectives, such as recovery time objectives, recovery point objectives and protected assets;
	3. the identification of the back-up site, access to IT infrastructure, and the key software and data to recover from a disaster or disruption;
	4. an explanation of how the applicant will deal with significant continuity events and disruptions, such as the failure of key systems; the loss of key data; the inaccessibility of the premises; and the loss of key persons;
	5. the frequency with which the applicant intends to test the business continuity and disaster recovery plans, including how the results of the testing will be recorded.

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| **Guideline 10: Security Policy Document** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

* 1. The applicant should provide a security policy document containing the following information:
	2. a detailed risk assessment of the payment service(s) the applicant intends to provide, which should include risks of fraud and the security control and mitigation measures taken to adequately protect payment service users against the risks identified;
	3. a description of the IT systems, which should include:
1. the architecture of the systems and their network elements;
2. the business IT systems supporting the business activities provided, such as the applicant’s website, the risk and fraud management engine, and customer accounting;
3. the support IT systems used for the organisation and administration of the applicant, such as accounting, legal reporting systems, staff management, customer relationship management, e-mail servers and internal file servers;
4. information on whether or not those systems are already used by the applicant or its group, and the estimated date of implementation, if applicable;
	1. the type of authorised connections from outside, such as with partners, service providers, entities of the group and employees working remotely, including the rationale for such connections;
	2. for each of the connections listed under point c), the logical security measures and mechanisms in place, specifying the control the payment institution will have over such access as well as the nature and frequency of each control, such as technical versus organisational; preventative versus detective; and real-time monitoring versus regular reviews, such as the use of an active directory separate from the group, the opening/closing of communication lines, security equipment configuration, generation of keys or client authentication certificates, system monitoring, authentication, confidentiality of communication, intrusion detection, antivirus systems and logs;
	3. the logical security measures and mechanisms that govern the internal access to IT systems, which should include:
		1. the technical and organisational nature and frequency of each measure, such as whether it is preventative or detective and whether or not it is carried out in real time;
		2. how the issue of client environment segregation is dealt with in cases where the applicant’s IT resources are shared;
	4. the physical security measures and mechanisms of the premises and the data centre of the applicant, such as access controls and environmental security;
	5. the security of the payment processes, which should include:
		1. the customer authentication procedure used for both consultative and transactional access;
		2. an explanation of how safe delivery to the legitimate payment service user and the integrity of authentication factors, such as hardware tokens and mobile applications, are ensured, at the time of both initial enrolment and renewal;
		3. a description of the systems and procedures that the applicant has in place for transaction analysis and the identification of suspicious or unusual transactions;
	6. a detailed risk assessment in relation to its payment services, including fraud, with a link to the control and mitigation measures explained in the application file, demonstrating that the risks are addressed;
	7. a list of the main written procedures in relation to the applicant’s IT systems or, for procedures that have not yet been formalised, an estimated date for their finalisation.

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| **Guideline 11: Identity and Suitability Assessment of Directors and Persons Responsible for the Management of the Account Information Service Provider** |

**The following information must be provided in separate and distinct documentation, with referencing corresponding to the referencing in this section:**

* + 1. For the purposes of the identity and suitability assessment of directors and persons responsible for the management of the account information service provider, the applicant should provide the following information:
	1. confirmation that an online Individual Questionnaire will be completed and submitted in respect of directors and persons responsible for the management of the applicant, together with a full list of same, immediately after the applicant obtains access to the Central Bank’s Online Reporting System (where possible);
	2. details of the position for which the assessment is sought, including a reference to the relevant Pre-Approval Controlled Function[[7]](#footnote-7). This should also include the following details:
		+ - the letter of appointment, contract, offer of employment or respective drafts, as applicable;
			- the planned start date and duration of the mandate; and
			- description of the individual’s key duties and responsibilities.
	3. information on the suitability assessment carried out by the applicant, which should include details of the result of any assessment of the suitability of the individual performed by the institution, such as relevant board minutes or suitability assessment reports or other documents.

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| **Guideline 12: Professional Indemnity Insurance or Comparable Guarantee**  |

As evidence of a professional indemnity insurance or comparable guarantee that is compliant with *“Guidelines on the criteria on how to stipulate the minimum monetary amount of the professional indemnity insurance or other comparable guarantee under Article 5(4) of Directive (EU) 2015/2366 (PSD2)”* [EBA/GL/2017/08] and Regulation7(6) and 7(7) of the PSR, the applicant should provide the following information:

* 1. an insurance contract or other equivalent document confirming the existence of professional indemnity insurance or a comparable guarantee, with a cover amount that is compliant with the referred EBA Guidelines showing the coverage of the relevant liabilities;
	2. documentation of how the applicant has calculated the minimum amount in a way that is compliant with the referred EBA Guidelines, including all applicable components of the formula specified therein.

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| **Declaration** |

***[Insert name of applicant]***applies for registration as an account information service provider for the provision of only payment Service 8 (account information services) under the European Union (Payment Services) Regulations 2018, on the basis of information supplied with this application and any additional information supplied to the Central Bank in the course of the application process.

I/We acknowledge that the Central Bank may disclose information in the performance of its statutory functions or otherwise as may be specifically authorised by law.

I/We warrant that I/we have truthfully and fully answered the relevant questions in this application form and disclosed any other information which might reasonably be considered relevant for the purpose of the application.

I/We warrant that I/we will promptly notify the Central Bank of any changes in the information I/we have provided and supply any other relevant information which may come to light in the period during which the application is being considered and, the application is accepted, thereafter.

I/We warrant that I/we are authorised to make this application for registration as an account information service provider.

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| **For and on behalf of:** | **[*insert name of applicant*]** |
| **Name (Printed):****Title:****Signature:****Date:** |  |
| **Name (Printed):****Title:****Signature:****Date:** |  |
| ***(Please print name of the applicant. At least two directors, including the Chief Executive/Managing Director must sign the Declaration above. Original signatures are required)*** |

**Provisions in this document should not be deleted nor amended in any manner. Applicants should note that it is an offence under Regulation 127 of the European Union (Payment Services) Regulations 2018, to provide false or misleading information in an application for authorisation as a payment institution.**

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| **Checklist for Completion by Applicants Prior to Making an Application Submission** |

**The following checklist outlines the minimum information that must be submitted as part of an application for authorisation as a payment institution, in order for the application to progress to the assessment phase of the application process.**

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|  | Document  | Included (Y/N) |
| 1 | **Application Form –** Completed for Guideline 2 and with the Declaration section completed and signed (by at least two directors including the Chief Executive/Managing Director) |  |
| 2 | **Guideline 2 -** Articles of Association and/or Constitution evidencing the Applicant’s Legal Status & Certificate of Incorporation or, if a natural person, the relevant identification documentation. |  |
| 3 | **Guideline 2** – Additional information relating to current/previous regulation by a competent authority in the financial services sector (if applicable) |  |
| 4 | **Guideline 3 –** Programme of Operations Document |  |
| 5 | **Guideline 3 –** Draft Contracts between the parties involved in the provision of account information services |  |
| 6 | **Guideline 4 –** Business Plan |  |
| 7 | **Guideline 4 –** Certified annual accounts for previous three years (if available) |  |
| 8 | **Guideline 5 -** Structural Organisation Description |  |
| 9 | **Guideline 5 -** Copy of draft Outsourcing Agreements |  |
| 10 | **Guideline 6 –** Description of Governance Arrangements and Internal Control Mechanisms |  |
| 11 | **Guideline 7 –**  Description ofProcedures for Security Incidents and Security-related Customer Complaints |  |
| 12 | **Guideline 8 –** Description of the Processes for Sensitive Payment Data |  |
| 13 | **Guideline 9 –** Description of the Business Continuity Arrangements |  |
| 14 | **Guideline 10 –** Security Policy Document |  |
| 15 | **Guideline 11 –** Directors and Persons Responsible for the Management of the Account Information Service Provider Assessment |  |
| 16 | **Guideline 12 –** Evidence of Professional Indemnity Insurance (or Comparable Guarantee)  |  |



**T: +353 1 224 5226
E:** piauthorisations@centralbank.ie
[**www.centralbank.ie**](http://www.centralbank.ie)

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1. Typically the applicant’s Companies Registration Office registration number. [↑](#footnote-ref-1)
2. ‘Constitution means’ the constitution of a company as provided for in S*ection 19 of the Companies Act 2014 (the 2014 Act),* or in the case of a company that is not a private company limited by shares*,* as provided for in *Part 16, 17, 18, 19 or 24 of the 2014 Act,* as appropriate*.* [↑](#footnote-ref-2)
3. The email address provided will be used for electronic communications from the Central Bank. [↑](#footnote-ref-3)
4. Within the meaning of Regulation 29 (1)(a) of the PSR [↑](#footnote-ref-4)
5. Within the meaning of point (38) of Article 4(1) of Regulation (EU) No. 575/2013. [↑](#footnote-ref-5)
6. Within the meaning of point (38) of Article 4(1) of Regulation (EU) No. 575/2013. [↑](#footnote-ref-6)
7. [Pre-Approval Controlled Functions](https://www.centralbank.ie/docs/default-source/Regulation/authorisation/fitness-probity/regulated-financial-service-providers/list-of-46-pre-approval-controlled-functions.pdf?sfvrsn=0) means those functions set out in Schedule 2 of the Central Bank Reform Act 2010 (as amended). [↑](#footnote-ref-7)