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| MALTA FINANCIAL SERVICES AUTHORITY |
| **Authorisation Forms** |
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| **Form AX32: Sandbox Declaration** | | | |
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| **High Level Guidelines** | | | |
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| 1. General   This form, Form **AX32:** **Sandbox Proposal Form Declaration** (‘Declaration Form’), complements the Sandbox Proposal Form which in accordance with R3-4.2.1.1 of Rule 3 should be submitted by persons intending to participate in the Sandbox and wish to be considered as an Applicant under the Rule. In this respect, this Declaration Form also cover the requirements stipulated by R3-4.2.1.7 of the Rule which notes that *“Applicants shall also declare their intention to abide by the requirements stipulated by th[e] Rule”.*   1. Definitions   The Terms used in this Declaration Form shall have the same meaning assigned to it under the Rule, as applicable.   1. Instructions   Prior to uploading this Declaration Form on the Proposal Form, this Form should be signed either (i) wet ink signature, or (ii) electronically signed using a qualified electronic signature as defined and regulated under Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC’ (‘eIDAS’).  In the event that it is signed using a wet ink signature, the original copy of the Form should be sent to the attention of the Fintech Supervision Function. It is to be noted that only this form should be sent physically to the Authority and that should the Sandbox Applicant submit the entire Proposal Form, only the version submitted via the online form shall be maintained and used for the purposes of the MFSA’s Sandbox processes while the rest of the submission shall be discarded.  This Declaration Form should be signed by at least one signatory vested with legal representation of the Applicant, as applicable.   1. Privacy Notice   The MFSA ensures that any processing of personal data is conducted in accordance with Regulation (EU) 2016/679 (General Data Protection Regulation), the Data Protection Act (Chapter 586 of the Laws of Malta) and any other relevant European Union and national law. For further details, you may refer to the MFSA Privacy Notice available on the MFSA webpage <https://www.mfsa.mt/privacy-notice/>.   1. Disclaimer   It is noted that, the submission of this Questionnaire and/or its determination of ‘completeness’ shall not be construed as a granting of Authorisation by the MFSA. Furthermore, the Qualifying Holder is referred to Article 4(A) of the MFSA Act, wherein the granting of an Authorisation is a concession and a revocable privilege, and no holder thereof shall be deemed to have acquired any vested rights therein or thereunder. | | | |
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| Declaration Form | | | |
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| The undersigned, on behalf of the Sandbox Applicant, declare that:   1. Questionnaire Submission    1. the Sandbox Applicant has resolved to submit this Proposal Form, including this Declaration Form to the MFSA;    2. the Sandbox Applicant has duly authorised the undersigned to complete and submit the Proposal Form, including this Declaration Form to the MFSA;    3. the Sandbox Applicant is aware of the requirements under the provisions of the applicable framework and Rule 3 of the MFSA Act and other respective national or European Regulatory Frameworks or other binding regulation as may be applicable; and    4. the Sandbox Applicant shall at times through the entire Sandbox Lifecycle be in adherence with the requirements stipulated under Rule 3 and any other applicable frameworks administered by the MFSA. 2. Information Provided to Authority    1. the information given in answer to the questions within the Proposal Form, including this Declaration Form, is complete and accurate to the best of our knowledge, information and belief and that there are no other facts relevant to this Questionnaire of which the Authority should be aware;    2. the Sandbox Applicant has not tampered with, or modified in any manner, this this Declaration Form and understands that such tampering with, or modification in any manner of this Questionnaire will result in the automatic nullification of this Questionnaire; and    3. the MFSA will be notified immediately if the information given in answer to the questions within the Proposal Form changes and/or affects the completeness or accuracy of the Proposal Form either prior to or subsequent to authorisation should this be granted.      1. Representatives and Disclosure    1. the MFSA is hereby being authorised to contact the representatives provide by the Sandbox Applicant under Section 3 of Part 1 of the Proposal Form;    2. the MFSA is hereby being authorised to make such enquiries as it may consider necessary in connection with this this Proposal Form;    3. the MFSA is hereby being authorised to contact any or all of the above-named or any other person considered by the Authority to be relevant, both at the date of Proposal Form and at any time in the future unless and until the Sandbox Applicant rescinds this authority in writing. 2. Privacy Notice    1. I/we have read the [MFSA Privacy Notice](https://www.mfsa.mt/privacy-notice/)[[1]](#footnote-2) and hereby consent to the terms and conditions included therein. | | | |
| Signature 1 |  |  | |
| Name | Enter text | Surname | Enter text |
| Position | Enter text |
| Date | Enter date |
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| Signature 2 |  | | |
| Name | Enter text | Surname | Enter text |
| Position | Enter text |
| Date | Enter date |

1. For further information visit: <https://www.mfsa.mt/privacy-notice/> [↑](#footnote-ref-2)