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| MALTA FINANCIAL SERVICES AUTHORITY |
| **Authorisation Forms** |
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| **Form AA52: Passporting – Notification of changes to Freedom of Services or Establishment for Insurance Undertakings** |
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| 1. General   This form, **Form AA52:** **Passporting – Notification of changes to Freedom of Services or Establishment for Insurance Undertakings (‘Notification’)**, emanates from the requirements contained in subsidiary legislation SL 403.14 European Passport Rights for Insurance and Reinsurance Undertaking Regulations and also from the Decision on Collaboration of the insurance supervisory authorities issued by EIOPA and shall be duly completed by Authorised Persons which are already authorised to passport their activities in an EEA country wishing to notify the Authority of one of the following changes:   * Change of name; * Change of address (Head Office and/or Branch); * Changes to the Branch Manager or Representative / Contact Person / Claims Representative / Person responsible for the handling of complaints; and * Change in business (additional/discontinuation or different product/s within the same category of classes for which passporting rights are already held).   Whenever there is a material change, which is not captured above, the Authorised Person should seek confirmation from the Authority whether this form is to be submitted.  The Authorised Person shall, to the best of its knowledge, provide information, which is truthful, accurate and complete. The Authorised Person shall notify the MFSA immediately if the information provided changes or is no longer relevant.  The Authorised Person is required to make reference, and where applicable comply with, the relevant Act, the Regulations made, or Rules issued thereunder during the completion of the Notification. The Authorised Person shall also refer to the respective National and/or European Regulatory Frameworks or other binding regulation as may be applicable.  The Authorised Person shall not tamper with, or modify in any manner, this Notification. Should it transpire that the documents were tampered with, or modified in any manner, the Authority shall consider the submission to be invalid. Any potential improvements should be communicated to the MFSA for consideration.  The Authority may, at its sole discretion, request from the Authorised Person further information/ documentation.   |  |  |  | | --- | --- | --- | | Type of Notification | |  | | --- | | * Select item | |  1. Definitions   For the purposes of this Application the following shall mean:   |  |  |  |  | | --- | --- | --- | --- | |  |  |  | | | **Authorised Person** | | any person who is authorised by the MFSA under Article 7 of the Insurance Business Act |  1. Instructions   The Authorised Person is required to complete all the respective sections under this Notification.   1. **Section 1 – Insurance Undertaking Details** - This section should be duly completed by all Authorised Persons submitting this Notification. 2. **Section 2 - Freedom of Service (FOS)/ Freedom of Establishment (FOE) Passporting Details** - This section is to be completed by Intermediaries passporting under Freedom of Service (FoS) / Freedom of Establishment (FoE). 3. **Section 3 – Checklist and Declaration** - This section should be duly completed by all Authorised Persons submitting this Notification. 4. 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. Insurance Undertaking Details | | | | | | | | | | |
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|  | | **Changes to the details of the Insurance Undertaking**  *Complete the applicable section by indicating the old information and the applicable change(s). This section is applicable to all.* | | | | | | | | |
|  | | **Current Details** | | | | | | | | |
|  | | Registered Name | | Enter text | |  | |  |  | |
|  | | Business Email Address | | Enter text | | | | | | |
|  | | **New Details** | | | | | | | | |
|  | | Registered Name | | Enter text | |  | |  |  | |
|  | | Business Email Address | | Enter text | | | | | | |
|  | | **Head office Current Address** | | | | | | | | |
|  | | Number/Name | | Enter text | |  | | Street Road | Enter text | |
|  | | City/Town/Village | | Enter text | |  | | Region/State | Enter text | |
|  | | Post Code | | Enter text | |  | | Country | Select country | |
|  | | **Head office New Address** | | | | | | | | |
|  | | Number/Name | | Enter text | |  | | Street Road | Enter text | |
|  | | City/Town/Village | | Enter text | |  | | Region/State | Enter text | |
|  | | Post Code | | Enter text | |  | | Country | Select country | |
|  | **Ratios** | | | | | | | | |
|  | Last reported Undertaking SCR ratio |  | |  | | Last reported Undertaking SCR ratio *(Reference Period)* | | |  |
|  | Loss Ratios |  | |  | | Loss Ratios  *(Reference period)* | | |  |
|  | Combined Ratios |  | |  | | Combined Ratios *(Reference period)* | | |  |
|  | **Group Information**  *Note: If the Undertaking is part of a group* | | | | | | | | |
|  | International name of the Group | Enter text | |  | | Group supervisor | | | Select item |
|  | If ‘Other’: Name of Group supervisor | Enter text | |  | | LEI of the Ultimate Parent Company | | | Enter text |
|  | Group solvency position | Enter text | |  | | Group solvency position *(Reference period)* | | | Enter date |
|  | **Attachment | Group Structure** | | | | | | | | |
|  | State to which branch these changes apply | | | | | | | | |
| Select item | | | | | | | | |

1. Freedom of Service (FOS) / Freedom of Establishment (FOE) Passporting Details

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|  | **Change to the classes of (re)insurance passported**  *Note:* *This section is applicable for Freedom of Service (FOS)/Freedom of Establishment (FOE)* | | |
|  | Select type of passporting regime: | | Select item |
|  | Confirm in which territory the Undertaking intends to discontinue its FOS/FOE activities: | | |
|  | Country | Select country | |
|  | Provide the classes of insurance according to Annexes I and II to the Solvency II Directive and/or the type of reinsurance activity, according to Article 15(5) of the Solvency II Directive which the Authorised Person would like to add or discontinue from passporting into the Host Member State whilst retaining its passporting rights. | | |
|  | * 1. Complete the applicable section by indicating whether you want to add or discontinue the applicable class/es.   *Select* ***I*** *for Business of Insurance,* ***R*** *for Business of Reinsurance, and* ***C*** *for Combined Business.* | | |
| |  |  |  | | --- | --- | --- | | **Long-Term Business Classes** | | | | 1. Life and annuity | - | Select item | | 1. Marriage and birth | - | Select item | | 1. Linked long term | - | Select item | | 1. Permanent health | - | Select item | | 1. Tontines | - | Select item | | 1. Capital redemption | - | Select item | | 1. Pension fund management | - | Select item | | 1. Collective insurance | - | Select item | | 1. Social insurance | - | Select item | | | |
|  | * 1. Indicate the class of general business which the Authorised Person would like to add or discontinue from passporting into the Host Member State.   *Select* ***I*** *for Business of Insurance,* ***R*** *for Business of Reinsurance, and* ***C*** *for Combined Business.* | | |
| |  |  |  |  | | --- | --- | --- | --- | | Groups | Classes | Insurance/ Reinsurance/ Combined Business | New/  Discontinuation | | Accident and health *(classes 1 and 2)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | Motor *(classes 1(d), 3, 7 and 10)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | Marine and transport *(classes 1(d), 4, 6, 7 and 12)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | Aviation *(classes 1(d), 5, 7 and 11)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | Fire and other damage to property *(classes 8 and 9)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | Liability *(classes 10, 11, 12 and 13)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | Credit and suretyship (*classes 14 and 15)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | General *(all classes)* | |  |  |  | | --- | --- | --- | | Select item | Select item | Select item | | | | | | |
|  | Changes to the nature of the risks or commitments which the insurance Undertaking proposes to cover in the Host Member State and any other changes that are deemed to be relevant to the Host Member State. | | |
|  | Enter text | | |
|  | Rationale  *Note: Provide rationale for changes* | | |
|  | Enter text | | |

| Section 2 - Freedom of Service (FOS) / Freedom of Establishment (FOE) Passporting Details |
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|  | **Changes to the Contact Person / Claims Representative / Person responsible for the handling of complaints/Branch Manager.**  *Complete the applicable section by indicating the old information and the applicable change(s). This section is applicable to all.* | | | | | | |
|  | **Current Natural Person** | | | | | | |
|  | Role | Select item |  | | Title | Select item | |
|  | Name | Enter text |  | | Surname | Enter text | |
|  | Identification Document (‘ID’) Type | Select item |  | | ID Number | Enter text | |
|  | **New Natural Person** | | | | | | |
|  | Role | Select item |  | | Title | Select item | |
|  | Name | Enter text |  | | Surname | Enter text | |
|  | Identification Document (‘ID’) Type | Select item |  | | ID Number | Enter text | |
|  | ID Expiry Date | Enter date |  | | Country of Issuance | Select country | |
|  | Business Email Address | Enter text |  | | MFSA PQ Code  *(if applicable)* | Enter text | |
|  | **Attachment | Identification Document** | | | | | | |
|  | Provide rationale for changes | | | | | | |
|  | Enter text | | | | | | |
|  | **In case of FOE, changes to the address of the branch in the Host Member State, from which documents, including all communications to the authorised Undertaking, may be obtained, or delivered to.** | | | | | | |
|  | **Current Branch Address and Contact Details** | | | | | | |
|  | Number/Name | Enter text |  | Street/Road | | | Enter text |
|  | City/Town/Village | Enter text |  | Region/State | | | Enter text |
|  | Post Code | Enter text |  | Country | | | Select country |
|  |  |  | | | | | |
|  | **New Branch Address and Contact Details** | | | | | | |
|  | Number/Name | Enter text |  | Street/Road | | | Enter text |
|  | City/Town/Village | Enter text |  | Region/State | | | Enter text |
|  | Post Code | Enter text |  | Country | | | Select country |
|  | Branch Email Address | Enter text | | | | | |
|  | **In case of FOE/FOS, changes to the scheme of operations of the Undertaking including but not limited to:** | | | | | | |
|  | |  |  | | --- | --- | | a) the nature of the risks or commitments which the Undertaking is proposing to cover | Enter text | | b) details of the change in business and rationale | Enter text | | c) any changes in the distribution channels | Enter text | | d) changes to the scheme of operations of the Undertaking including the guiding principles as to reinsurance and to retrocession with respect to the branch operations | Enter text | | e) changes to the scheme of operations of the Undertaking including the organisational structure of the branch | Enter text | | | | | | | |
|  | Additional changes | | | | | | |
| Enter text | | | | | | |
|  | **In case of FOE/FOS, changes to the name of a person, and if available the e-mail address, who possesses sufficient powers to bind, in relation to third parties, the insurance Undertaking or, in the case of Lloyd’s, the underwriters concerned and to represent it or them in relations with the authorities and courts of the host member state (the authorised agent) and description of their powers.** | | | | | | |
|  | |  |  |  |  | | --- | --- | --- | --- | | **Current Details** | | | | | Registered Name | Enter text | Email Address *(if available)* | Enter text | | **New Details** | | | | | Registered Name | Enter text | Email Address *(if available)* | Enter text | | | | | | | |
|  | **In case of FOS, changes to the name and/or address of the branches, situated in the Member States, other than the Home Member State, from which the Undertaking provides services.** | | | | | | |
|  | |  |  |  |  | | --- | --- | --- | --- | | **Current Details** | | | | | Registered Name | Enter text | Registered Number | Enter text | | **New Details** | | | | | Registered Name | Enter text | Registered Number | Enter text | | **Current Address** | | | | | Number/Name | Enter text | Street Road | Enter text | | City/Town/Village | Enter text | Post Code | Enter text | | Country | Select country |  | | | **New Address** | | | | | Number/Name | Enter text | Street Road | Enter text | | City/Town/Village | Enter text | Post Code | Enter text | | Country | Select country |  |  |   *(Add multiple as applicable)* | | | | | | |

| 1. Checklist and Declaration | | | | | | |
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|  | **Checklist** | | | | | |
|  | Please fill in the below checklist and ensure that all necessary documentation is attached and submitted together with this Notification. | | | | | |
| |  |  |  | | --- | --- | --- | |  | Group Structure *(if applicable)* | Select item | |  | Identification Document/s *(if applicable)* | Enter number of submissions | |  | Personal Questionnaire/s *(if applicable)* | Enter number of submissions | |  | Power of Attorney *(if applicable)* | Select item | |  | Identification Document | Select item | |  | Three years financial projection per country per class for any additional class | Select item | | | | | | |
|  | **Declaration** | | | | | |
|  | The undersigned, on behalf of the Authorised Person, declares that the information given in answer to the questions within this Notification; AA52, is complete and accurate to the best of their knowledge.  Signature must be in wet ink or a valid qualified electronic signature in accordance with the circular issued by MFSA on the use of electronic signatures dated 15th November 2022. | | | | | |
| Signature | |  | | | |
|  | Name | Enter text |  | Surname | Enter text |
|  | Position | Enter text | | | |
|  | Identification Number | Enter text |  | ID Type | Select item |
|  | Date | Enter date | | | |