

**Italian Financial Transaction Tax Exemption Application Form for Market Making/Liquidity Enhancement activities carried out on non-EU markets**

<b>Section I</b>	<b>BENEFICIARY OF THE EXEMPTION</b>	
<i>Status [1]</i> <input type="checkbox"/> credit institution <input type="checkbox"/> investment firm <input type="checkbox"/> other	<i>Full Company Name</i>	<i>BIC code (if available)</i>
<i>Full Address</i>		<i>Postal Code</i>
<i>City</i>	<i>State</i>	<i>Country</i>
<b>Section II</b>	<b>LEGAL REPRESENTATIVE</b>	
<i>Full Name</i>		
<i>Telephone number</i>		<i>Fax number</i>
<i>Email address</i>		<i>Capacity in which acting</i>
<b>Section III</b>	<b>CONTACT PERSON (if different from the legal representative)</b>	
<i>Full Name</i>		
<i>Telephone number</i>		<i>Fax number</i>
<i>Email address</i>		<i>Capacity in which acting</i>
<b>Section IV</b>	<b>DECLARATION-REQUEST OF THE BENEFICIARY OR LEGAL REPRESENTATIVE</b>	
<p>The undersigned ..... (name of the declaring person)</p> <p><b>DECLARES:</b></p> <p>A. That the person indicated as beneficiary of this application performs:</p> <p><input type="checkbox"/> market making activity on a non-EU market, complying with the requirements provided for by Regulation (EC) No 236/2012 of the European Parliament and of the Council of 14 March 2012 and by document ESMA/2013/158 "Final Report on Guidelines on the exemption of market-making activities and primary market operations under Regulation (EU) 236/2012 of the European Parliament and of the Council on short selling and certain aspects of Credit Default Swaps" of 1 February 2013, with the exception of the requirement of being a member of and carrying out the activity on a market in a non-EU country, the legal and supervisory framework of which has been declared equivalent by the Commission pursuant to Article 17(2) of the aforesaid Regulation 236/2012; and/or</p> <p><input type="checkbox"/> liquidity enhancing activity on the basis of an agreement directly entered into with the company issuing the share, complying with the requirements provided for by accepted market practice called "Liquidity Enhancement Agreements" approved by CONSOB, with the exception of the requirement of carrying out the activity on a EU regulated market or multilateral trading facility.</p> <p>B. That the activity is performed/carried out on a non-EU market which is:</p> <p><input type="checkbox"/> authorized and supervised by a National Public Authority, with which CONSOB has entered into a bilateral cooperation agreement, as identified in the relevant section of the CONSOB website (<a href="http://www.consob.it/main/consob/cosa_fa/impegni_internazionali/accordi.html">http://www.consob.it/main/consob/cosa_fa/impegni_internazionali/accordi.html</a>); or</p> <p><input type="checkbox"/> authorized and supervised by a National Public Authority, with which Consob has entered into a multilateral cooperation agreement, as identified in the relevant section of the IOSCO website (<a href="http://www.iosco.org/library/index.cfm?section=mou_siglist">http://www.iosco.org/library/index.cfm?section=mou_siglist</a>), provided that they are established in States and territories included in the list referred to in the Ministerial Decree issued pursuant to Article 168-bis of TUIR [2]; or</p>		

- ☐ recognized by CONSOB pursuant to Article 67, paragraph 2, of the TUF, as of the list published on the CONSOB website ([http://www.consob.it/main/mercati/regolamentati/mercati\\_accordi.html](http://www.consob.it/main/mercati/regolamentati/mercati_accordi.html)).

C. That the person indicated as beneficiary of this application:

- ☐ is recognized as market maker by the market on which the activity takes place;
- ☐ is not recognized as market maker by the market on which the activity takes place;
- ☐ has entered into an agreement with the issuer for providing liquidity on the financial instruments;
- ☐ has not entered into an agreement with the issuer for providing liquidity on the financial instruments.

D. That the activity consists in (*only if the exemption for market making activities compliant with Regulation (EC) No 236/2012 is sought*) :

- ☐ posting firm, simultaneous two-way quotes of comparable size and at competitive prices, with the result of providing liquidity on a regular and ongoing basis to the market;
- ☐ as part of its usual business, fulfilling orders initiated by clients or in response to clients' requests to trade;
- ☐ hedging positions arising from the fulfilment of tasks under the previous points.

E. That the attached excel file contains the following information, for each financial instrument on which the market making/liquidity enhancing activity is carried out:

1. Type of exemption sought (market making/liquidity enhancement);
2. Name of the financial instrument;
3. Type of financial instrument (i.e. shares or a category between those listed in Part 1 of Annex I of the Commission Delegated Regulation (EU) No 918/2012);
4. Name of the underlying Italian share;
5. ISIN code of the underlying Italian share;
6. Name of the non-EU market on which the instrument is traded and the activity is carried out;
7. Name of the non-EU country where the market mentioned in the field before is located;
8. Contractual agreement with the issuer (yes/no);
9. Recognition by the market as market maker (yes/no);
10. Type of activity within the three typologies provided in article 2(1)(k) of EU Regulation no. 236/2012 (*only if the exemption for market making activities compliant with Regulation (EC) No 236/2012 is sought*).

F. That the information contained herein is true and that he commits himself to communicate any new circumstances that may impede the application of the tax exemption or that he is no longer willing to benefit from the tax exemption.

Signed .....

Date .....  
(DD-MM-YYYY)

Capacity in which acting .....

#### Attachments:

1. Excel file with the list of financial instruments (see point E);
2. Copy of ID document;
3. Copy of the agreement with the issuer / recognition from the market (where available).

#### Footnotes

[1] "Credit institution" and "Investment firm" mean any undertaking whose head office is outside the Community and whose functions correspond to those of the Community credit institutions or investment firms as defined in the relevant EU legislation.

[2] "TUIR" means Testo Unico delle Imposte sui Redditi (Legge 22 dicembre 1986, n. 917). The list referred to in the Ministerial Decree issued pursuant to Article 168-bis is published on the website of Agenzia delle Entrate at the following webpage: <http://www.agenziaentrate.gov.it/wps/content/Nsilib/Nsi/Documentazione/Fiscalita+internazionale/White+list+e+Autocertificazione/Elenco>