



# Circular CSSF 20/763

CIRCULAR 20/763 ON THE  
MANDATORY USE OF THE  
IMAS PORTAL FOR FIT AND  
PROPER APPLICATIONS  
SUBMITTED BY SIGNIFICANT  
CREDIT INSTITUTIONS

## Circular 20/763

Re: Mandatory use of the IMAS Portal for fit and proper applications submitted by significant credit institutions

Luxembourg, 15 December  
2020

Ladies and Gentlemen,

**To all significant credit institutions incorporated under Luxembourg law**

On 27 January 2021, the European Central Bank ('ECB') and the CSSF will launch the IMAS Portal for fit and proper ('FAP') applications. The IMAS Portal is a new digital gateway for supervisory processes, developed in collaboration with the banking industry. It is part of the ECB's and NCAs' commitment to enhance efficiency through digitalisation, as well as to increase communication and transparency during supervisory processes.

Significant banks shall use the IMAS Portal to submit their applications for fit and proper assessment, track the status of these assessments and exchange related information with supervisors.

The use of the portal does not change the legal environment under which the ECB and the CSSF interact with supervised institutions and does not change in any way the allocation of legal responsibilities between the CSSF and the ECB. The CSSF remains the entry point in line with the SSM Framework Regulation and will have primary availability to all information received via the portal.

### **Scope of application**

The present circular shall apply to all **significant** credit institutions incorporated under Luxembourg law.

### **Mandatory use of the IMAS Portal**

The CSSF has decided to make the use of the IMAS Portal mandatory for all significant credit institutions.

From **27 January 2021**, significant credit institutions will have to exclusively use this dedicated portal for submitting new FAP applications regarding members of the management body, both in their management function (executives) and supervisory function (non-executives).

Applications sent by mail or e-mail will no longer be accepted.

The FAP Declaration (Word document) previously published on the CSSF website is no longer to be used. It is replaced by an online declaration form ("FAP Luxembourg") to be completed directly in IMAS.

### **Cases where the IMAS Portal should not be used**

In the following cases, the IMAS Portal should not be used:

- Notification of Key Function Holders (who are not expected to also become members of the management body)
- Notification of renewals (without any change in the executive or non-executive nature of the mandate)
- Communication of new material facts regarding appointees previously assessed and approved.

### **Preliminary registration and user permissions**

The use of the IMAS Portal involves "delegated administrators" and "portal users". As a first step to use the IMAS Portal, designated delegated administrators have to be formally registered with the ECB. These delegated administrators in turn enrol the portal users that are entitled to work on fit and proper applications in line with the permissions they have been granted.

Please note that the request for registration of a delegated administrator with the ECB can only be made **at the parent level of the banking groups** within the Single Supervisory Mechanism (SSM).

The IMAS Portal registration form has been sent by the ECB **to the parent entities** of the banking groups together with the letter announcing the IMAS Portal launch ('ECB launch letter').

### **Practical aspects**

Access to the IMAS Portal is via the link published on the CSSF website: <https://www.cssf.lu/en/authorisation-procedure-credit-institutions/#fap>.

The submission of a FAP application involves completing the "FAP Luxembourg" online form (only in English) and uploading (in section 8) supporting documents, most of which are mandatory (Bank declaration, Candidate declaration, curriculum vitae, copy of ID card/passport(s), criminal record(s), board minutes, etc.).

In section 8, download links are provided regarding the **Bank declaration** and the **Candidate declaration** which must first be signed before being uploaded.

It is no longer necessary to submit a signed version of the ECB privacy statement. By signing the Candidate declaration the appointee "**declares to be aware of the processing and storage of personal data by the ECB and the CSSF in accordance with**

*the applicable data protection regulation (EU regulation) and the [privacy statement of the ECB](#) as well with the applicable Luxembourg legislation.” The Candidate declaration links to the most recent version of the ECB privacy statement published on the ECB website.*

By this new way of proceeding, the CSSF will no longer receive original paper documents and there is no need to send them by mail either. However, supervised entities have the obligation to ensure that the electronically uploaded documents constitute a true copy of the original and that the original documents are kept in the archives of the bank.

Please note that the online form is designed in such way that a submission is not possible when the questionnaire fields considered to be mandatory have not been completed or certain mandatory documents have not been uploaded.

Although the IMAS system accepts the grouping of applications, the CSSF invites you to submit a separate procedure for each person appointed. This approach will help the CSSF to better process and track the different procedures and, above all, prevent the lack of information or a need for additional clarification concerning one appointee from delaying those of others.

Furthermore, we would like to point out that significant banks have to use the IMAS Portal not only to submit their initial fit and proper applications but also for the subsequent related exchange of information with supervisors. E-mails outside the IMAS Portal may be unavoidable; however, the communication that is needed to complete documentation and make the process move forward must be done over the IMAS Portal, if needed referring to (bank management/supervisory management) communication outside the IMAS Portal.

### **Technical support**

For technical issues with the IMAS Portal (access to the portal, navigating the portal, etc.), please contact the ECB Support Center at [supportcenter@ecb.europa.eu](mailto:supportcenter@ecb.europa.eu) or +49 69 1344 7766.

The CSSF should only be contacted for questions directly related to FAP applications.

### **Further information and training sessions**

We invite you to visit the ECB banking supervision [website](#) for further useful information including

- the terms of use of the IMAS Portal
- a video demonstration
- the ECB support
- the User manual for account activation
- the Quick Guide to fit and proper applications via the IMAS Portal



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Further user guidance will be provided by the ECB, in a series of on-line training sessions that will be held in early 2021, regarding both technical and operational aspects of the portal. The dates and registration details are included in the ECB launch letter (only sent to the parent entities).

Yours faithfully,

COMMISSION de SURVEILLANCE du SECTEUR FINANCIER

**Claude WAMPACH**  
Director

**Marco ZWICK**  
Director

**Jean-Pierre FABER**  
Director

**Françoise KAUTHEN**  
Director

**Claude MARX**  
Director General



**Commission de Surveillance du Secteur Financier**  
283, route d'Arlon  
L-2991 Luxembourg (+352) 26 25 1-1  
[direction@cssf.lu](mailto:direction@cssf.lu)  
[www.cssf.lu](http://www.cssf.lu)