

**COMMISSION de SURVEILLANCE
du SECTEUR FINANCIER**

In case of discrepancies between the French and the English text, the French text shall prevail

Luxembourg, 12 January 1999

To all the persons and undertakings
under the supervision of the CSSF

CIRCULAR CSSF 99/1

**on the establishment of the Commission de
Surveillance du Secteur Financier**

Ladies and Gentlemen,

We are pleased to inform you of the entry into force, on 1 January 1999, of the law of 23 December 1998 establishing a financial sector supervisory commission ("Commission de Surveillance du Secteur Financier").

The Commission de Surveillance du Secteur Financier ("CSSF" in abbreviated form) is responsible for the prudential supervision of credit institutions, other professionals of the financial sector, undertakings for collective investment and stock exchanges, as well as of the supervision of securities markets. It takes over the competences of the Commissariat aux Bourses (Exchange Supervisory Commission) and of the Banque centrale du Luxembourg (Luxembourg Central Bank) as regards prudential supervision.

The Executive Board of the CSSF, in place since 1 January 1999, consists of Mr Jean-Nicolas Schaus, Director General, and Messrs Arthur Philippe and Charles Kieffer, Directors.

The Executive Board, which operates collegiately, has split the different attributions of the CSSF among its members.

Mr Schaus represents the CSSF externally and is also responsible for the department Supervision of Undertakings for Collective Investment and for the units General Secretariat, Customer Complaints and Authorisations and Internal Audit.

Mr Philippe is responsible for the department Supervision of Banks, Administration and Finance and for the units General Supervision and Methods, International and Regulatory Coordination and IT Systems.

Mr Kieffer is responsible for the department Investment Activities (other professionals of the financial sector, stock exchange activities, securities markets).

The circulars of the former Institut Monétaire Luxembourgeois, of the Banque centrale du Luxembourg in relation to prudential supervision and of the Commissariat aux Bourses that are in force remain applicable. A list of circulars currently in force is available in the annex.

The registered office of the CSSF is at 63, avenue de la Liberté, Luxembourg, the postal address is **L-2991 Luxembourg**.

The fax number is (+352) 49 21 80; the telephone number is (+352) 40 29 29, followed by the extensions indicated below:

- 201, 202 and 203 for the Executive Board;
- 221 for the department Banks;
- 251 for the department Undertakings for Collective Investment; and
- 274 for the department Investment Activities.

Yours faithfully,

The Executive Board Committee

Charles KIEFFER
Director

Arthur PHILIPPE
Director

Jean-Nicolas SCHAUS
Director General

Annex

List of circulars currently in force

1) Circulars issued by the Commissariat au Contrôle des Banques

Number	Date	Subject
5/75	11.02.1975	Advertisement and publications
B 83/6	16.03.1983	Participating interest held by credit institutions

2) Circulars issued by the Institut Monétaire Luxembourgeois

Number	Date	Subject
84/18	19.07.1984	Futures markets (law of 21 June 1984)
86/32	18.03.1986	Control of the annual accounts of credit institutions
88/49	08.06.1988	New legal provisions concerning controls carried out by external auditors
89/60	14.12.1989	Practical rules concerning the audit of annual statements of credit institutions by external auditors
91/75	21.01.1991	Revision and remodelling of the rules to which Luxembourg undertakings governed by the law of 30 March 1988 on undertakings for collective investment ("UCIs") are subject
91/78	17.09.1991	Terms of application of Article 60 of the amended law of 27 November 1984 regulating private portfolio managers
92/85	19.06.1992	New compilation of instructions to banks ("Recueil des instructions aux banques")
92/86	03.07.1992	Law of 17 June 1992 concerning the accounts of credit institutions
92/87	21.10.1992	Reporting to be supplied by other financial sector professionals
92/88	30.11.1992	Certain periodic data to be supplied by credit institutions under Luxembourg law and by branches of banks originating from a country outside the EEC
93/92	03.03.1993	Computerised transmission of periodic data
93/94	30.04.1993	Entry into force for banks of the law of 5 April 1993 on the financial sector
93/95	04.05.1993	Entry into force for the other professionals of the financial sector of the law of 5 April 1993 on the financial sector
93/99	21.07.1993	Provisions for Luxembourg credit institutions wishing to exercise banking activities in other EEC countries through the establishment of branches or under the freedom to provide services

93/100	21.07.1993	Provisions for credit institutions of Community origin exercising banking activities in Luxembourg through branches or under the freedom to provide services
93/101	15.10.1993	Rules concerning the organisation and internal control of the market activity of credit institutions
93/102	15.10.1993	Rules concerning the organisation and internal control of the activities of brokers or commission agents exercised by other financial sector professionals
93/104	13.12.1993	Definition of a liquidity ratio to be observed by credit institutions
93/105	13.12.1993	Introduction of table 4.5. "Shareholder Composition"
94/109	08.03.1994	Allocation of responsibilities for the establishment of equipment for transmitting computerised data to the IML
94/112	25.11.1994	Combating money laundering and prevention of the use of the financial sector for the purpose of money laundering
94/113	07.12.1994	- Explanations of various questions on accounting - treatment of premiums and discounts on transferable securities, repurchase agreements, spot and forward transactions, and definition of "multilateral development banks" - Supplement to the Recueil des instructions aux banques
95/116	20.02.1995	Entry into force of: - the law of 21 December 1994 amending certain legal provisions concerning the transfer of claims and pledging; - the law of 21 December 1994 concerning repurchase agreements transacted by credit institutions
95/118	05.04.1995	Customer complaint handling
95/119	21.06.1995	Rules for the management of risks linked to derivatives transactions
95/120	28.07.1995	Central administration
96/123	10.01.1996	Staff numbers (new table S 2.9.)
96/124	10.01.1996	Staff numbers (new table S 2.9. for PFS)
96/125	30.01.1996	Supervision of credit institutions on a consolidated basis
96/126	11.04.1996	Administrative and accounting organisation
96/127	10.05.1996	Defining capital ratios pursuant to Article 56 of the law of 5 April 1993 on the financial sector, as amended
96/128	28.06.1996	Defining capital ratios pursuant to Article 56 of the law of 5 April 1993 on the financial sector, as amended (applying to the other professionals of the financial sector)
96/129	19.07.1996	Law of 9 May 1996 on the netting of claims in the financial sector
96/130	29.11.1996	Calculation of a simplified ratio in application of IML circular 96/127
96/132	04.12.1996	Designation of the persons responsible for certain functions

97/134	17.03.1997	Provision for the cost of migration to the euro for banking systems
97/135	12.06.1997	Transmission of supervisory data and statistics by telecommunications media
97/136	13.06.1997	Financial information for the IML and Statec
97/137	31.07.1997	Updating the Compilation of instructions for banks (Recueil des instructions aux banques) Report 1.4.: Integrated ratio / simplified ratio Report 3.2.: Details of calculation of the overall capital requirement
97/138	25.09.1997	New collection of statistical data with a view to Economic and Monetary Union
97/139	01.10.1997	Changeover to the year 2000
98/142	01.04.1998	Financial data to be supplied periodically to the IML
98/143	01.04.1998	Internal control
98/144	10.04.1998	New collection of statistical data from undertakings for collective investment in money market instruments with a view to Economic and Monetary Union
98/145	14.04.1998	Survey on foreign exchange and derivatives global market - spring 1998
98/146	14.05.1998	Updating the Compilation of instructions for banks (Recueil des instructions aux banques): Report 6.4.: Consolidated integrated ratio / consolidated simplified ratio Report 7.3.: Details of calculation of the overall consolidated capital requirement
98/147	14.05.1998	Provisions for EC investment firms exercising their activities in Luxembourg through branches or under the freedom to provide services
98/148	14.05.1998	Provisions for Luxembourg investment firms wishing to exercise their activities in other EC countries through the establishment of branches or under the freedom to provide services
98/149	29.05.1998	Updating the Compilation of instructions for banks (Recueil des instructions aux banques): Table S 1.2.: Simplified monthly statistical balance sheet
Circular-letter	13.08.1998	Update of Table B 1.5. for EU branches

3) Circulars issued by the Banque centrale du Luxembourg

Number	Date	Subject
98/150	24.08.1998	Council regulation concerning the freezing of funds held by the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia
98/151	24.09.1998	Accounting aspects of switching to the euro
Circular-letter	28.10.1998	Changeover to the year 2000
98/152	06.11.1998	Introduction of a minimum reserve system
Circular-letter	19.11.1998	Controls to be performed by the auditors in the context of the changeover to the year 2000
98/153	24.11.1998	Supplement to IML Circular 94/112 on the fight against money laundering and prevention of the use of the financial sector for the purpose of money laundering
98/154	09.12.1998	Statistics on guaranteed deposits as at 31.12.1998
98/155	09.12.1998	Minimum reserve requirements
98/156	21.12.1998	Breakdown of value adjustments as at 31.12.1998

4) Circulars issued by the Commissariat aux Bourses

Number	Date	Subject
90/1	13.12.1990	Conditions for drafting, scrutiny and distribution of the prospectus to be published when transferable securities are offered to the public, or of listing particulars, to be published for the admission of transferable securities to official stock exchange listing
91/2	01.07.1991	Law of 3 May 1991 on insider dealing
91/3	17.07.1991	Admission to official listing on the Luxembourg stock exchange of foreign undertakings for collective investment (UCIs)
93/4	04.01.1993	Law of 4 December 1992 on reporting requirements concerning the acquisition or disposal of major holdings in a listed company
94/5	30.06.1994	Publication of forecasts in the admission prospectus for an official listing
98/6	24.09.1998	Information to be included in the prospectus for a public offering or for admission to official listing of certain debt issues whose income and/or redemption is/are linked to underlying shares
98/7	15.10.1998	Information to be shown in the prospectus for a public offering or for admission to official listing of certain categories of warrants, bonds, or issue programmes