

Provisions that may apply to the investment firms governed by the law of another Member State of the European Economic Area that carry on activities in Belgium within the framework of the free provision of services

Listed below are a series of legal and regulatory provisions with a bearing on economic and financial matters that may be relevant to the activities of investment firms governed by the law of another Member State of the European Economic Area that carry on activities in Belgium within the framework of the free provision of services, either because they were enacted in implementation of regulations and directives of the European Community, or because they may constitute provisions protecting the general good applicable to activities carried on within Belgium. This list is not exhaustive and does not in any way detract from the obligation, when carrying on activities in Belgium, to comply with the provisions protecting the general good that are not mentioned here, especially the provisions of civil law, commercial law, penal law and fiscal law.

A. Specific provisions applicable to investment firms:

- Royal Decree of 20 December 1995 on foreign investment firms, in particular the provisions of Title II and Title V;
- Articles 55 and 148, § 4, 2° of the Law of 6 April 1995 on the legal status and supervision of investment firms.

B. Other provisions relating to the activities of investment firms subject to mutual recognition:

- Royal Decree 71 of 30 November 1939 on the peddling of securities and door-to-door sales of securities, merchandise and goods, and its implementing decrees;
- Law of 2 January 1991 on the national debt securities market and monetary policy instruments, and its implementing decrees;
- Law of 14 July 1991 on trade practices and the information and protection of consumers, and its implementing decrees;
- Law of 22 July 1991 on commercial paper and certificates of deposit, and its implementing decrees;
- Articles 4, 5 and 6 and 104 of the Law of 22 March 1993 on the legal status and supervision of credit institutions;
- Law of 2 August 2002 on the supervision of the financial sector and on financial services, and its implementing decrees, with the exception of the rules of conduct;
- Law of 12 May 2004 on protection against counterfeiting;
- Law of 20 July 2004 on certain forms of collective management of investment portfolios, and its implementing decrees;
- Law of 14 December 2005 abolishing bearer securities, and its implementing decrees;
- Law of 22 March 2006 on intermediation in banking and investment services and on the distribution of financial instruments, and its implementing decrees;
- Law of 16 June 2006 on public offers of investment instruments and admission of investment instruments to trading on regulated markets, and its implementing decrees;
- Law of 1 April 2007 on takeover bids and its implementing decrees;

- Law of 2 May 2007 on the disclosure of large holdings in issuers whose shares are admitted to trading on a regulated market and laying down miscellaneous provisions, and its implementing decrees.