

ICS Ref.

**Claim for compensation
In respect of monies or investments owed by
Maltese Cross Financial Services Limited**

By filling this form, you are applying for compensation to the Investor Compensation Scheme in respect of monies or investments owed to you by Maltese Cross Financial Services Limited.

Please write clearly in CAPITALS using black ink only. Every page of this form needs to be signed by all claimants. For some questions, you may be required to tick the appropriate box. If you run out of space when answering any of the questions below, please continue on a separate sheet and then attach it securely to this form.

All sections MUST be completed (except for Section 2 unless applicable). The form will be returned to you if some information is found missing or incomplete.

Throughout this form, we may refer to *you* as the *investor* or *claimant*.

You should seek legal assistance to determine whether to accept compensation from the Scheme and whether you have other available means of redress. The Investor Compensation Scheme is set up by law (Legal Notice 369 of 2003) and is based on EU Directive 97/9 on investor-compensation schemes.

Further information, including a Question and Answer, can be obtained:

Online: www.compensationschemes.org.mt

E-mail: info@compensationschemes.org.mt

Freephone: 80074924 (working days, from 8am to 5pm)

Neither the Scheme, nor the Malta Financial Services Authority, can assist you with the filling in of this claim form.

SECTION 1 – INVESTOR INFORMATION

You are required to fill column for Investor 1 if you have entrusted money or investments to Maltese Cross Financial Services Limited. If two persons have jointly entrusted money or investments to Maltese Cross Financial Services Limited, then the two columns for Investor 1 and Investor 2 are to be used. If there are more than two investors, please provide additional details on a separate sheet and attach it to this form.

	Investor 1		Investor 2	
Status of Claimant¹				
ID Card /Passport²				
Title				
First Name				
Surname				
Correspondence Address	<i>House Name/ No.</i>		<i>House Name/ No.</i>	
	<i>Address 1</i>		<i>Address 1</i>	
	<i>Address 2</i>		<i>Address 2</i>	
	<i>City</i>		<i>City</i>	
	<i>Country</i>		<i>Country</i>	
	<i>Postcode</i>		<i>Postcode</i>	

Day Time Contact No.		
Home Contact No.		
Mobile		
Email		

Relationship between the investors	
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¹ State whether you are the owner, trustee etc.

² Provide attach certified true copies of the ID Card and/or passport. The copies should be signed by a person known to you personally. This person should be a public officer not below the grade of Principal or analogous grade, a professional person, a Minister of Religion or any other person of similar standing.

<i>Investor 1</i>	Investor 2
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SECTION 2 – DECEASED INVESTORS

Please only complete this section if any of the Investors named in Section 1 are deceased.

Kindly provide us with the date of death (dd/mm/yy) for any of the Investors named in Section 1 who are deceased:

Investor 1			Investor 2		

Please attach the following documents (*tick as appropriate*):

All documents supplied for the purposes of this section must be in original.

- Original Death Certificate of deceased investor
- Authenticated Copy of Last Will of deceased investor
- Original Copy of Testamentary Searches
- Written Notarial Advice declaring the successors in title of the deceased investor

<i>Investor 1</i>	Investor 2
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SECTION 3 – YOUR RELATIONSHIP WITH MALTESE CROSS FINANCIAL SERVICES LIMITED

In this section we require you to provide us with further details of your relationship with Maltese Cross Financial Services Limited. We require evidence to assess your claim, so please ensure you attach correspondence and any materials/information provided by officials of the said company and any other documentation showing what happened during your dealings with the said officials in relation to your claim. Please submit documents in original.

1. What is the reference number given to you by Maltese Cross Financial Services Limited? You are likely to find this information on any contract note or valuation statement you received from Maltese Cross Financial Services Limited.

2. Name/s of the official/s who assisted you at Maltese Cross Financial Services Limited:

3. How did your relationship with Maltese Cross Financial Services Limited start?

4. What classification has Maltese Cross Financial Services Limited given you?

Retail Investor

Professional Investor

Don't Know

<i>Investor 1</i>	<i>Investor 2</i>

5. What means of payment (such as bank transfers, cheque, cash etc...) did you normally use when paying Maltese Cross Financial Services Limited?

6. Are you related to any of the directors, shareholders and any other official of Maltese Cross Financial Services Limited?

Yes

No

If yes kindly provide details of such relationship:

7. Are you related with any of the auditors of Maltese Cross Financial Services Limited or any companies associated with it?

Yes

No

If yes kindly provide details of such relationship:

<i>Investor 1</i>	<i>Investor 2</i>

SECTION 4 – DETAILS AND EVIDENCE OF ANY INVESTMENTS

In the following table, you are required to provide us with details and evidence of all the investments acquired through Maltese Cross Financial Services Limited for which you are claiming compensation. You are to include details of any investments which had been purchased through the said company and which, as at 11 August 2014, were not yet sold.

Please provide original documentary evidence of the investment(s) being claimed (e.g. Purchase Contract Note/Bond Certificate, Valuation Statement, and Bank Records showing the sum invested). We are unable to process your claim if you provide copies (whether certified or not).

No.	Investment Name	Investment Reference ³	Date Purchased	Source of Funds ⁴	Nominee ⁵ (Yes or No)	Amount on Purchase Contract Note	Value of the investment on latest statement sent by Maltese Cross Financial Services Limited	Any income due but not yet received in respect of the investments
1								
2								
3								

³ You are likely to find this information in your contract note or valuation statement. It might have this form “GB000263345946”.

⁴ State whether payment for this investment was made in cash, by cheque or bank transfer.

⁵ If your investment was purchased *in your own name*, your reply should be NO. If your investment was purchased under nominee (that is, Maltese Cross Financial Services Limited purchased the investment in its own name on your own behalf), then your reply should be YES.

Investor 1	Investor 2
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No.	Investment Name	Investment Reference ³	Date Purchased	Source of Funds ⁴	Nominee ⁵ (Yes or No)	Amount on Purchase Contract Note	Value of the investment on latest statement sent by Maltese Cross Financial Services Limited	Any income due but not yet received in respect of the investments
4								
5								
6								
7								
8								
9								
10								
11								

<i>Investor 1</i>	<i>Investor 2</i>
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SECTION 5 – DETAILS OF ANY PAYMENTS MADE TO MALTESE CROSS FINANCIAL SERVICES LIMITED FOR INVESTMENT PURPOSES

In the following table, you are required to provide us with details of any payments (cheques, bank transfers or cash) sent or handed to Maltese Cross Financial Services Limited for the purchase of investments, which to your knowledge were not applied for any investment and for which no contract note was issued.

Please provide original documentary evidence of such payments as well as original receipts which Maltese Cross Financial Services Limited has issued. We are unable to process your claim if you provide us with copies (whether certified or not).

No.	Payment date	Type of payment ⁶	Reference Number (except for cash)	Amount (indicate currency)	Who has the payment been made payable to
1					
2					
3					
4					
5					

⁶ State whether payment has been made by cheque, bank transfer or other means.

Investor 1	Investor 2
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SECTION 6 – DETAILS OF ANY CHEQUES ISSUED BY MALTESE CROSS FINANCIAL SERVICES LIMITED WHICH HAVE NOT BEEN ENCASHED

In the following table, you are required to provide us with details of all cheques issued by Maltese Cross Financial Services Limited for any interest, dividends or sale of investments which have not been presented for payment at a bank or which, when presented, the bank has not given value to the cheque.

***Please provide original documentary evidence of such cheques or deposit vouchers as applicable.
We are unable to process your claim if you provide us with copies (whether certified or not).***

No.	Cheque issue date	Cheque Number	Amount (state currency)	Who is the payment payable to	What is the nature of the payment
1					
2					
3					
4					
5					

Investor 1	Investor 2
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SECTION 7 – STATUS OF CLAIMANT

I/we hereby declare that I/we do not fall under any of the following categories of investors:

1. Persons carrying on investment services within the meaning of the Investment Services Act, or equivalent or similar foreign legislation;
2. Credit institutions carrying on the business of banking within the meaning of the Banking Act, or equivalent or similar foreign legislation;
3. Financial institutions within the meaning of the Financial Institutions Act, or equivalent or similar foreign legislation;
4. Insurance undertakings carrying on the business of insurance within the meaning of the Insurance Business Act and the Insurance Brokers and other Intermediaries Act, or under equivalent or similar foreign legislation;
5. Collective investment schemes;
6. Pension and retirement funds;
7. Companies which are of such a size that they are not permitted to draw up abridged balance sheets pursuant to the Companies Act, or under equivalent or similar foreign legislation;
8. Governments and administrative authorities, national and international institutions;
9. Local and municipal councils or authorities.

Furthermore, I/we hereby declare that:

10. I/we do not hold debt securities issued by Maltese Cross Financial Services Limited and liabilities arising out of own acceptances and promissory notes;
11. I/we are not persons holding accounts with Maltese Cross Financial Services Limited which do not disclose my/our identity;
12. I/we are not companies and commercial partnerships in the same group as Maltese Cross Financial Services Limited;
13. I/we are not directors, managers and/or members of Maltese Cross Financial Services Limited with personal liability;
14. I/we are not persons holding five percent or more of the capital of Maltese Cross Financial Services Limited;

<i>Investor 1</i>	<i>Investor 2</i>
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15. I/we are not the auditors of Maltese Cross Financial Services Limited and persons of the same description with respect to a company forming part of the same group of companies as Maltese Cross Financial Services Limited;
16. I/we are not close relatives, that is, ascendants, descendants or the spouse/s of the directors, managers and/or members of Maltese Cross Financial Services Limited with personal liability;
17. I/we are not close relatives, that is, ascendants, descendants or the spouse of the persons holding five percent or more of the capital of Maltese Cross Financial Services Limited;
18. I/we are not close relatives, that is, ascendants, descendants or the spouse of the auditors of Maltese Cross Financial Services Limited and persons of the same description with respect to a company forming part of the same group of companies as Maltese Cross Financial Services Limited;
19. I/we are not nominees, trustees or other third parties acting on behalf or in the interest of the persons referred to in any paragraph above to the extent of the funds held in such capacity;
20. I/we have not been categorised as professional⁷ and/or institutional investors by Maltese Cross Financial Services Limited in terms of the Investment Services Act.

⁷ For a definition of *professional investor*, please refer to the glossary of terms published by the MFSA ([click here](#)).

<i>Investor 1</i>	Investor 2
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SECTION 8 – OTHER INFORMATION

1. Have there been any court/tribunal/arbitration proceedings relating to your claim – or are any court/tribunal/arbitration proceedings planned?

Yes

No

If yes kindly provide additional details:

2. Have you received or do you expect to receive in the future any payment from any other source concerning the same loss for which you are making a claim in this form, whether from Maltese Cross Financial Services Limited or any other person?

Yes

No

If yes kindly provide additional details:

<i>Investor 1</i>	<i>Investor 2</i>

SECTION 9 - CONSENT TO HANDLE, USE AND DISCLOSE YOUR PERSONAL DATA

By making this application to the Investor Compensation Scheme for compensation in respect of Maltese Cross Financial Services Limited:

- I/we hereby give consent to the Scheme and any third party acting for or on its behalf or under its instructions to carry out any or all of the following:
 - Collecting and processing my/our personal data (which may include name, contact details, bank details and information concerning my/our claim); and
 - Releasing, disclosing or otherwise making available information and documents concerning my/our claim (including my/our personal data) to any person in order to:
 - handle my/our claim for compensation;
 - pursue the recovery from Maltese Cross Financial Services Limited and/or any relevant third party of any amounts in connection with my/our claim;
 - give effect to any agreement or arrangement between the Scheme and any third party directly or indirectly related to such recovery;
 - otherwise for the proper exercise of the Scheme’s statutory functions; or
 - allow the Scheme and any third party acting for or on its behalf or under its instructions to comply with legal or regulatory requirements.

- I/we agree that the Scheme and any third party acting for or on its behalf or under its instructions, may obtain my/our personal data from relevant third parties (including Maltese Cross Financial Services Limited and/or its insolvency practitioner/liquidator) in order to:
 - process my/our claim for compensation; or
 - pursue the recovery from Maltese Cross Financial Services Limited and/or any relevant third party of any amounts in connection with my/our claim;
 - give effect to any agreement or arrangement between the Scheme and any third party directly or indirectly related to such recovery;
 - otherwise for the proper exercise of its statutory functions; or
 - allow the Scheme and any third party acting for on its behalf or under its instructions to comply with legal or regulatory requirements.

- I/we authorise any such relevant third party holding or controlling my/our personal data to release such personal data to:
 - the Scheme;
 - MFSA;
 - any third party acting for, on behalf of, or under the instructions of the Scheme or MFSA.

<i>Investor 1</i>	<i>Investor 2</i>

- I/we agree that this consent shall include my/our consent to the collecting and processing of my/our personal data by;
 - the Scheme;
 - MFSA;
 - any third party acting for, on behalf of or under the instructions of the MFSA to assist it in carrying out their statutory functions or to comply with legal or regulatory requirements.

- I/we agree that this consent shall include my/our consent to the releasing, disclosing and/or otherwise making available of my/our personal data by the Scheme or the MFSA or to any third party acting for, on behalf of or under the instructions of the MFSA or the Scheme to assist them in carrying out their statutory functions or to allow them to comply with legal or regulatory requirements.

- I/we agree that any of the MFSA or the Scheme or any successor to any of them may outsource to carefully selected third parties some or all of its statutory duties or functions in connection with processing my/our claim for compensation, or pursuing the recovery of any amounts in connection with my/our claim. Such outsourcing may involve the sharing of my/our personal data between the MFSA/Scheme and such third parties.

<i>Investor 1</i>	<i>Investor 2</i>
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SECTION 10 – INVESTOR(S) DECLARATION

Please read the following Declaration and Consent carefully. All investors must sign and date these sections to enable the Scheme to proceed with the investigation of the claim.

- I/we was/were a client / clients of Maltese Cross Financial Services Limited.
- I/we declare that details in my/our application form and all other information I/we have provided are true and correct, and that there are no other facts or circumstances which may be relevant to my/our application for compensation.
- I/we hereby agree that any payment for compensation received or expected to be received from Maltese Cross Financial Services Limited or any other person in respect of the losses for which I/we are claiming compensation shall be transferred and paid to the Investor Compensation Scheme.
- I/we confirm that I/we do not have any responsibility for, and that I/we took no advantage of, the facts that gave rise to Maltese Cross Financial Services Limited's financial difficulties or that I/we have not worsened its financial situation or contributed to its default.
- I/we declared that the transactions giving rise to this claim were not made in the course of, or for the purpose of, money laundering, disposing of the proceeds of crime, or any criminal activity under Maltese law or under equivalent or similar foreign legislation;
- I/we confirm that I/we am/are duly authorised to give a valid receipt for any compensation due in respect of this claim and to accept the terms for the offer and payment of compensation (including the subrogation of the Investor Compensation Scheme in all my/our rights against Maltese Cross Financial Services Limited for the recovery of the losses suffered and compensated for by the Investor Compensation Scheme).
- I/we confirm that my/our claim against Maltese Cross Financial Services Limited is not subject to any charge, security trust, assignment, negative pledge or other encumbrance or right in favour of any third party.
- I/we understand that the Investor Compensation Scheme will, on paying any compensation to me/us, be subrogated in my/our rights and claims against Maltese Cross Financial Services Limited and against any other party solely with respect to the recovery of the compensation paid to me/us by the Investor Compensation Scheme. The aforesaid subrogation shall not prejudice any claims that I/we may have for amounts in excess of the amount paid to me/us by the Investor Compensation Scheme.
- Provide any assistance the Investor Compensation Scheme may require to enable it to exercise its rights and remedies against Maltese Cross Financial Services Limited or any other third party.

<i>Investor 1</i>	<i>Investor 2</i>

SECTION 11 – SIGNATURES

By signing this form, you are agreeing to all information and statement in the application form.

In the case of deceased persons, all the successors in title indicated in Section 2 are to sign this form as claimants.

Signature		Date	
Print Name			
Status/Capacity			

Signature		Date	
Print Name			
Status/Capacity			

Signature		Date	
Print Name			
Status/Capacity			

Signature		Date	
Print Name			
Status/Capacity			

SECTION 12 - CHECKLIST

This application form has 12 sections:

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Please confirm that:

- you have completed all sections of this application form (except for Section 2 which is only compiled if applicable to you).
- you have signed each page of this application form (in the space provided).
- you have checked that all investors (jointly where applicable) signed and dated the form in Section 11
- all the relevant trustees/notaries signed the forms
- you have enclosed all original documentation you wish the Investor Compensation Scheme to consider.

Return the entire form to us, with any additional pages attached to:

**Investor Compensation Scheme
 c/o Malta Financial Services Authority
 Notabile Road
 Attard BKR 3000**

Re: Claim relating to Maltese Cross Financial Services Limited