



Book III - Service providers

Title II - Other service providers

Chapter I - Custody account-keepers

Section unique - Provisions relating to custody account-keeping - terms of reference for the custody account-keeper

Sub-section 2 - Professional obligations of the keepers of securities accounts other than the issuing entities

Paragraph 2 - Relationships with customers

Sub-paragraph 1 - General provisions relating to the start of a relationship

General regulation of the AMF

Article 322-6 into force since 11 September 2019

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Article 322-6

Before entering into a business relationship, the custody account-keeper shall carry out the same identity checks as those stipulated by the legislative and regulatory texts in force relating to the prevention of money-laundering and the financing of terrorist activities.

The custody account-keeper shall ensure that the client has the legal capacity and the status required to carry out this operation.

Where the client has appointed a person to act on his/her behalf, the custody account-keeper shall obtain any documents attesting to this appointment.

Where a legal entity client is concerned, the custody account-keeper shall verify that the representative of this legal entity has

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the capacity to act, either by virtue of his/her capacity as legal representative, or under the terms of a delegation or mandate in his/her possession. For this purpose, the custody account-keeper shall request the production of any documents which allow it to verify the authorisation or appointment of the representative.

The custody account-keeper may ask natural persons and legal entities which are subject to the legislation of a foreign State to present a certificate in accordance with normal practice attesting to the validity of the envisaged operations under the terms of this legislation.

The securities account must mention the identification information concerning the persons in the name of whom it was opened and any specificities affecting the exercise of their rights.

📄 **Version into force since 11 September 2019**

📄 Version into force from 19 April 2013 to 10 September 2019