



Book VII - Token Issuers and Digital Assets Services Providers

Title II - Digital Assets Services Providers

Chapter II - Specific provisions applicable to licensed digital assets services providers

Section 1 - Provisions applicable to the service of custody of digital assets on behalf of third parties

General regulation of the AMF

Article 722-4 into force from 19 December 2019 to 22 September 2021

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Article 722-4

Before providing the service of custody of digital assets on behalf of third parties, the digital assets custodian shall sign a written agreement with its client on a durable medium within the meaning of Article 314-5, defining the operating principles of the digital assets custody service and identifying the respective rights and obligations of the parties. It shall include the following information in particular:

1 • The identity of the person or persons with which the agreement is established:

a) in the case of a legal person, the procedures for informing the services provider of the name of the person(s) authorised to act in the name of said legal person; and

b) in the case of an individual, his capacity, where applicable, as a French resident, a resident of a State which is a party to the European Economic Area agreement or a resident of a third country, and also, where applicable, the identity of the person(s) authorised to act in the name of such individual.

2 • the nature and precise description of the services provided;

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- 3 • the conditions under which the custodian services provider may send information relating to the events mentioned in Article 722-1 4° and, where applicable, the restrictions imposed by the initiator of the event;
- 4 • the security systems associated with the assets held in custody by the custody services provider;
- 5 • the client authentication systems used by the services provider;
- 6 • the price scale for the services provided by the custody services provider;
- 7 • the period of validity of the agreement; and
- 8 • the law applicable to the agreement.

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✚ Version into force from 23 September 2021 to 29 July 2023

✚ **Version into force from 19 December 2019 to 22 September 2021**