



FSMA_2018_11 of 20/07/2018

Procedures for filing the information note

Scope:

Information notes filed pursuant to the Law of 11 July 2018 on public offers of investment instruments and the admission to trading of investment instruments on regulated markets.

Summary/Objectives:

This Communication deals with the procedure for the filing of information notes with the FSMA pursuant to Article 18 of the Law of 11 July 2018.

On 21 July 2018, Articles 10 through 19 of the Law of 11 July 2018 will enter into force. These provisions stipulate that when investment instruments are offered to the public in an amount less than or equal to a threshold set by regulation, as well as when they are admitted to trading on the MTFs designated by the King, an information note must be published.

For a more detailed overview of the new regime, please consult Communication FSMA_2018_09 ([French](#) – [Dutch](#)) of 22 June 2018, published on the website of the FSMA¹.

Article 18 of the Law of 11 July 2018 specifies that the information note must be filed with the FSMA.

This Communication addresses the procedure for filing the information note with the FSMA.

The FSMA asks everyone who envisages filing an information note to kindly follow the instructions set out in this Communication.

Practical instructions

The information note must be filed with the FSMA at the latest at the time when it is made available to the public.

A copy of the information note must be sent (in each of the languages in which it will be disseminated) by email to intro.notification@fsma.be in PDF format.

¹ The content of the information note is laid down by the legislation in force (see Articles 12 and 13 of the Law). A detailed outline specifying the information that must be included in the information note will be drawn up by royal decree. The FSMA recommends that until the royal decree enters into force, the draft royal decree which was the subject of the consultation be used.

The email must clearly mention the following information:

- A) the identity of the issuer, the offeror or the person requesting admission to trading, as the case may be;
- B) the type of transaction, the type of investment instrument to which it relates and, where applicable, the maximum transaction amount;
- c) the legal basis for the filing with the FSMA (Article 18 of the Law);
- D) the contact details for the person who will serve as the point of contact with the FSMA and to whom the latter may email any and all notifications relating to the dossier.

The FSMA will acknowledge receipt of this information by email.

Any and all supplement to the information note must also be filed immediately with the FSMA in accordance with the above instructions.

The FSMA publishes information notes and any supplements it receives on its [website](#). Such publication is carried out under the sole responsibility of the issuer, the offeror or the person asking for admission to trading. In cases where the information note should not be published immediately upon receipt of the information note, the FSMA asks that this be mentioned expressly in the email, indicating the date when the information note may be published.