

1. Third Money Laundering Directive

This Directive simplifies the customer identification obligations of banks when the customer is a financial institution situated in an equivalent third country (ETC) or is presented by a financial institution situated in an equivalent third country. Approval of ETC status for a third country depends upon evaluation of its legislation to determine whether it actually subjects its financial institutions to obligations equivalent to those imposed by the Directive.

France will not as a matter of principle deny Jersey's request to be recognised as an equivalent third country. France will carefully examine the file on compliance of Jersey's legislation with the requirements of the Directive, and in doing so will have regard for the report of the IMF AML/CFT assessment of Jersey undertaken in 2008.

If Jersey qualifies as an equivalent third country at EU level, a Ministerial Decree would transpose this decision into French legislation.

2. Directive of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading

Directive 2003/71/EC of 4 November 2003 is intended to harmonise the requirements governing the preparation, approval and dissemination of the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market situated or operating in the territory of a Member State.

Final approval of a prospectus may be granted by the competent national authority if the issuer in the third country satisfies Community criteria.

If Jersey meets the conditions imposed by the Commission, France will not oppose application of the Directive to Jersey.

3. Directive of 21 April 2004 on markets in financial instruments

Directive 2004/39/EC of 21 April 2004, which was adopted further to the Investment Services Directive, does not provide for recognition of equivalent third countries.

Nevertheless, Jersey benefits from some of its provisions.

Government Order No. 2007-544 of 12 April 2007, which took effect on 1 November 2007, grants UCITS and natural persons established in France the right to invest in cross-border partnerships. This also applies to partnerships formed in Jersey.