

Notification Form

Financial Services Regulatory Authority (FSRA)

Exempt Fund or Qualified Investor Fund – Notification Form - (FEQN)

This notification form should be submitted by an FSRA Authorised Person (Fund Manager), or a Foreign Fund Manager, when notifying the FSRA that it is about to establish a new Domestic Fund¹ categorised as either an Exempt Fund or a Qualified Investor Fund in accordance with the notification requirements under Section 112 of the Financial Services and Markets Regulations 2015 (FSMR).

This notification form will not be accepted by the FSRA until after an Applicant for authorisation has fully completed the licensing process and becomes an Authorised Person, or a Foreign Fund Manager has successfully submitted the Foreign Fund Manager Form (FFM). The FSRA expects that any relevant waivers / modifications should have been granted (and any other policy issues resolved) prior to the submission of this notification form.

To assist you² in completing this notification form we have referenced certain FSRA Rules, for example the FSRA Funds Rulebook (FUNDS). However, such references are provided only as a guide and are not an exhaustive list of all Rules that may be applicable to your situation. It is your responsibility to research the FSRA Rulebooks for any Rules that might otherwise be applicable to this notification.

Do not leave any response cells empty. If a certain question is not relevant to your situation respond to that effect in the response cell. If it is more appropriate to answer certain questions in an attachment then indicate in the response cell that that is the case. If you determine that you have responded to the same questions in other forms or documents, then reference those items. The use of acronyms is to be avoided. If you do need to use acronyms then they must be defined.

Ensure that that you are using the latest published version of this notification form. FSRA will only accept out-of-date forms if they are submitted within one-month of the publication of the updated version on the ADGM website.

Submit this completed notification form to funds@adgm.com.

Fund Managers are advised to retain a copy of this notification form and all attachments for their records.

¹ Terms defined in the FSRA Glossary (GLO) Rulebook or the glossary sections in other Rulebooks are identified by the capitalisation of the initial letter of a word or of each word in a phrase, unless the context otherwise requires the word to have its natural meaning.

² The terms “you” and “your” as used throughout are not implied in the personal sense, but rather refer to the Authorised Person (or Foreign Fund Manager) notifying of the new Domestic Fund. The terms “we” and “our” refer to the FSRA.

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1 Information about the Fund Manager

1.1 Full name of the Fund Manager:

[Insert text here]

1.2 Confirm whether the Fund Manager is a Domestic Fund Manager or a Foreign Fund Manager:

[Insert text here]

1.3 The name and contact details of the Fund Manager's lead contact person for this notification. Provide telephone, e-mail and mailing address:

[Insert text here]

1.4 Provide the name and contact details of any professional adviser(s) that may be assisting with this notification:

[Insert text here]

1.5 Would you like us to copy in your professional adviser(s) on any correspondence?

[Insert text here]

1.6 Confirm that the Fund Manager complies with, or will comply with, the management and operation requirements, as applicable to Exempt Funds or Qualified Investor Funds, in FUNDS Chapter 12.

[Insert text here]

1.7 Confirm that the Fund Manager complies with the management and operation requirements in FUNDS Chapter 14 as applicable to Exempt Funds OR in FUNDS Chapter 15 as applicable to Qualified Investor Funds:

[Insert text here]

1.8 Will the Fund Manager delegate the activity of Managing Assets? If so, provide the full details of the Service Provider(s)³ and confirm that they meet the requirements of FUNDS 12.3, FUNDS 12.12 and, for an Exempt Fund, FUNDS Appendix 1:

[Insert text here]

1.9 Will the Fund Manager delegate the activity of Acting as the Administrator of a Collective Investment Fund? If so, provide the full details of the Service Provider(s)⁴ and confirm that they meet the requirements of FUNDS 12.3, FUNDS 12.12 and, for an Exempt Fund, FUNDS Appendix 1:

[Insert text here]

³ If more than appointment is to be made, for example in the case of an Umbrella Fund, include full details of each appointment.

⁴ If more than appointment is to be made, for example in the case of an Umbrella Fund, include full details of each appointment.

1.10 Confirm that all applicable draft Delegation Agreements are attached:

[Insert text here]

1.11 Provide the details of the Eligible Custodian appointed by the Fund Manager pursuant to FUNDS 12.3.2, or confirm that alternative arrangements for the safekeeping of Fund Property have been made in accordance with FUNDS 12.3.3:⁵

[Insert text here]

1.12 Confirm that the Fund Manager's appointment of the Eligible Custodian named above meets the requirements of both FUNDS 12.3⁶ and, for an Exempt FUND, FUNDS Appendix 1:

[Insert text here]

1.13 In relation to the safekeeping of Fund Property, confirm that the arrangements in place are in accordance with the FUNDS Rules⁷:

[Insert text here]

1.14 Confirm that the Fund Manager will comply with the accounting, auditing, and periodic reporting requirements as specified in FUNDS Chapter 16:

[Insert text here]

1.15 If you have been granted (or are seeking) a waiver or modification of FSRA Rules in relation to the requirements you must meet in your role as a Fund Manager, state the applicable Rule(s):⁸

[Insert text here]

⁵ Eligible Custodian is defined in FSMR s.258.

⁶ Including FUNDS 12.3.2(2).

⁷ Including FUNDS 12.2.2(1)(f), 12.3.2, 12.3.3 and 15.3 (as applicable).

⁸ If you are seeking a waiver or modification of one or more FSRA Rules you must also submit the FSRA – WM form detailing the reasons and rationale for the request.

2 Information about the Fund

General Information – All Funds

2.1 What is the intended full name of the Fund?

[Insert text here]

2.2 Confirm whether the Fund is to be an Exempt Fund or a Qualified Investor Fund:

[Insert text here]

2.3 Confirm that the Fund meets the criteria set out in either FUNDS 3.3.3 (Exempt Funds) or 3.3.4 (Qualified Investor Funds):

[Insert text here]

2.4 Describe the Fund’s legal structure:

[Insert text here]

2.5 Is the Fund an Umbrella Fund

Yes:

No:

2.6 Confirm the full name of each Sub-Fund to be established. If any Sub-Fund will operate as a Specialist Class of Fund or an Islamic Fund provide details.

Sub-Fund Name	Sub Fund Type
[Insert text here]	

2.7 Provide a description of the Fund including the following information:^{9,10}

Investment Objective:

[Insert text here]

Investment Policy¹¹:

[Insert text here]

Investment Restrictions:

[Insert text here]

Borrowing Policy and Restrictions:

[Insert text here]

Intended or expected size of the Fund (in USD):

[Insert text here]

Base currency:

[Insert text here]

Indices (for benchmarking purposes):

[Insert text here]

Frequency of NAV Calculation:

[Insert text here]

Fund Manager Fees (Percentage and/or USD)¹²:

[Insert text here]

2.8 Confirm whether the Fund falls into a Specialist Class of Fund and / or is an Islamic Investment Fund:¹³

[Insert text here]

2.9 Confirm that the Fund meets the relevant specialist class of Fund requirements as set out in FUNDS, Chapter 4 – *Specialist Classes of Funds* and / or IFR, Chapter 6 – *Islamic Investments Funds*:

[Insert text here]

⁹ Refer to FUNDS Rule 6.2.1(a) – Notification Requirement applicable to Exempt Funds and Qualified Investor Funds.

¹⁰ If the Fund is an Umbrella Fund provide details for each Sub-Fund in each subsection of 2.7.

¹¹ Include details of strategy for delivering the Investment Objective including intended any asset class, geographical and /or sectoral focus.

¹² Include details of any performance fee mechanism.

¹³ Refer to FUNDS, Chapter 4 – *Specialist Classes of Funds* and FSRA IFR, Chapter 6 – *Islamic Collective Investment Funds*.

- 2.10 Is the issue or offer of Units to which this notification relates either:
a) An initial issue or offer; or
b) In respect of a close-ended Fund, a subsequent issue or offer to one that was previously notified to the FSRA?
- 2.11 What is the proposed date of the issue or offer?
- 2.12 Describe any conflicts of interest that may arise in respect of the Fund:
- 2.13 Confirm the accounting standard that will apply to the Fund:¹⁴
- 2.14 Provide the full details of the Fund's registered auditor:¹⁵
- 2.15 What is the Fund's financial year-end date? (DD/MM)
- 2.16 Confirm whether the Fund Manager is notifying the Regulator that it is extending the Fund's first accounting period in accordance with FUNDS 16.4.2(3)¹⁶:
Yes:
No:
- 2.17 What is the Fund's first accounting period end date? (DD/MM/YYYY)

¹⁴ Refer to FUNDS, Rule 16.2.1(2) – Financial statements and financial reporting standards.

¹⁵ Refer to FUNDS, Rule 16.3 – Auditors of a Fund.

¹⁶ A Fund Manager may notify the Regulator that it is extending a Fund's first accounting period in certain circumstances detailed in FUNDS 16.4.2

Supporting documentation for the Fund

2.18 Indicate with an “X” in the appropriate box to confirm whether or not the following required documentation is attached:

Documents Attached:	Yes	No
The Constitution of the Fund:	<input type="checkbox"/>	<input type="checkbox"/>
The Prospectus of the Fund:	<input type="checkbox"/>	<input type="checkbox"/>
Draft engagement letter appointing an Auditor of a Fund: ¹⁷	<input type="checkbox"/>	<input type="checkbox"/>

2.19 Confirm that both the Constitution Document¹⁸ and the Prospectus¹⁹ of the Fund comply with the requirements of the FUNDS rules:

Yes:

No:

2.20 Confirm that the engagement letter appointing the Auditor of a Fund complies with FUNDS 16.3.8 and GEN 6.6.8:

Yes:

No:

2.21 If you responded “No” in any of the cells in Items 2.18 to 2.20 above provide an explanation. The FSRA can determine your notification to be incomplete without these documents being made available and, in which case, not accept the notification or return it as materially incomplete:

[Insert text here]

¹⁷ Refer to FUNDS 16.3.1 – Appointment and termination of auditors.

¹⁸ The Constitution of the Fund must be in compliance with the applicable requirements of FUNDS Chapter 11 – Constitution and, for an Exempt Fund, FUNDS Appendix 5.

¹⁹ The Prospectus of the Fund must be in compliance with the applicable requirements of FUNDS Chapter 9 – Marketing of Domestic Funds and Prospectus Disclosure.

3 Parties at the Fund

At the time of submission of this notification form, any relevant **third-party** agreements noted below must be complete and ready for inspection by the FSRA.

By indicating with an "X" in the "Agreement – Complete, and ready for inspection" box, you are confirming the relevant agreement meets all applicable FUNDS requirements (including all Rules and Guidance). The FSRA may request inspection of the supporting documents at any stage.

Relevant Party	Name	Address	Regulated By (where relevant)	Agreement – Complete, and ready to be inspected	
				Yes	No
Eligible Custodian:				<input type="checkbox"/>	<input type="checkbox"/>
Trustee:				<input type="checkbox"/>	<input type="checkbox"/>
Fund Administrator:				<input type="checkbox"/>	<input type="checkbox"/>
Investment Manager(s):				<input type="checkbox"/>	<input type="checkbox"/>
Auditor:				<input type="checkbox"/>	<input type="checkbox"/>
Broker:				<input type="checkbox"/>	<input type="checkbox"/>
Shari'a Supervisory Board:				<input type="checkbox"/>	<input type="checkbox"/>
Distribution Agent(s):				<input type="checkbox"/>	<input type="checkbox"/>
Other(s):				<input type="checkbox"/>	<input type="checkbox"/>

4 Declarations by the Fund Manager

- 4.1 I declare that, to the best of my knowledge and belief, having made due enquiry, the information given in this form and documents attached, as well as any applicable supporting documents, is complete and correct. I understand that it is an offence under FSMR Section 221 to knowingly or recklessly provide to the FSRA any information which is false, misleading or deceptive or to conceal information where the concealment of such information is likely to mislead or deceive the FSRA.
- 4.2 I agree to provide any further and / or more detailed information that the FSRA may request should it be deemed necessary to adequately consider this notification. I consent to the FSRA contacting third parties to verify any information contained in this form.
- 4.3 I confirm that I have the authority to make this notification, to declare as specified above and sign this form for, or on behalf of, the Fund Manager. I also confirm that I have the authority to give the consent specified above.
- 4.4 I understand that any personal data provided to the FSRA will be used to discharge its regulatory functions under the Abu Dhabi Law No. 4 of 2013, FSMR and other relevant legislation and may be disclosed to third parties for those purposes.
- 4.5 I confirm that all documents submitted as part of this application, whether physical or electronic, become property of the FSRA.

Signature of Director/Partner of the Fund Manager

Date

Printed name of the above signed Director/Partner of the Fund Manager:

[Insert text here]

Position or title:

[Insert text here]