

Foreign Fund notification form

This notification form should be submitted by an FSRA Authorised Person (Fund Manager)¹ licensed to carry on the Financial Service of Managing a Collective Investment Fund, when notifying the FSRA that it intends to manage a Foreign Fund in accordance with FUNDS 7.2.1.² This form should be submitted as soon as practicable before commencement of management functions by the Fund Manager. Submit this completed notification form to funds@adgm.com.

This notification form will not be accepted by the FSRA until an Applicant has fully completed the licensing process and is granted a Financial Services Permission. Any relevant waivers / modifications should be granted (and any other policy issues resolved) prior to the submission of this notification form.

To assist you³ in completing this notification form we have referenced certain ADGM Rules, for example the FSRA FUNDS rulebook (FUNDS). However, these 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 our Rulebook modules for any Rules that might otherwise be applicable to this notification.

All response cells must be completed. If a question we ask does not pertain to your intended Regulated Activities, please respond to that effect in the cell. If you are confident that you have answered a particular question in another form or attachment, please make an unequivocal reference to that response in the relevant cell.

Ensure that that you are using the latest version of this application form. We will only accept superseded forms if they are submitted within one month of the latest version's release.

Name of the Applicant or Authorised Person:

Name of the Foreign Fund and its domicile:

¹ Terms defined in the FSRA Glossary (GLO) Rulebook or 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 There are separate supplement FUNDS forms relating to Domestic Funds, being for the registration of a Public Fund (FPR), and the notification of Exempt Funds or Qualified Investor Funds (FEQN).

³ The terms "you" and "your" as used throughout are not implied in the personal sense, but rather refer to the Applicant applying for a Financial Services Permission. The terms "we" and "our" refer to the FSRA.

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1

Contact Details of Fund Manager

<i>Full name of the Authorised Person / Fund Manager:</i>	
<i>Name and contact details of the lead person for this notification. Provide telephone, e-mail and mailing address:</i>	
<i>Name and contact details (including email address and telephone number) of any professional adviser(s) that may be assisting with this notification:</i>	
<i>Would you like us to copy in your professional adviser(s) on any correspondence?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No

2 Foreign Fund Framework & Investment Policy

Full name of the Foreign Fund to which this notification relates:
Confirm whether the Foreign Fund is being offered to Retail Clients:
<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe the Foreign Fund's legal structure:
Describe the category / type of the Foreign Fund: ⁴
Describe the investment strategy of the Foreign Fund: ⁵
Describe the asset classes that the Foreign Fund will use:
Describe the proposed leverage / gearing of the Foreign Fund:

⁴ Categories may include Feeder Fund, Master Fund, Umbrella Fund (formed as a Protected Cell Company), REIT, closed- or open-ended Fund, Islamic Fund or Incorporated Cell Company. If the Fund is an Umbrella Fund, provide the names of the sub-funds. In describing the type of Fund, relevant terms may include traditional, property, private equity, index tracker, money market, currency, venture capital, hedge fund, ETF, etc.

⁵ Include geographic sectors and indices for benchmark purposes.

3 Information about the Foreign Fund

Additional information about a Foreign Fund
Provide the name of the jurisdiction in which the Foreign Fund is domiciled:
Specify the nature of the regulatory requirements applicable to the Foreign Fund in its host jurisdiction (including relevant funds legislation and fund category):
Specify what AML and CTF requirements applicable to the Foreign Fund in the host jurisdiction:
Is the host jurisdiction FATF compliant?
<input type="checkbox"/> Yes <input type="checkbox"/> No
Provide contact details of the Financial Services Regulator responsible for the authorisation and ongoing supervision of the Foreign Fund. Include the name of the supervisory contact person as well as postal address, telephone number, and e-mail address:
If the marketing and distribution of Units of the Foreign Fund is to be undertaken in the ADGM, confirm whether this will be by the Fund Manager and/or another Authorised Person:
Describe the marketing and distribution arrangement below:
Explain how the Applicant will comply with the disclosure requirements in FUNDS, Rules 10.1.2 – 10.1.4 – Prospectus disclosure relating to Foreign Funds:
Confirm that the Foreign Fund will have systems and controls which are adequate to ensure compliance with the requirements that apply to the Foreign Fund in the jurisdiction in which it is established or domiciled: ⁶
<input type="checkbox"/> Yes <input type="checkbox"/> No
To the extent that there are requirements applying to the Foreign Fund in the jurisdiction of its

⁶ FSRA FUNDS, Rule 7.2.2 – Systems requirements for Authorised Fund Managers of Foreign Funds.

establishment or domicile which conflict with any FSRA requirements applicable to the Fund Manager in respect of the Foreign Fund, show how such conflicts will be resolved to the satisfaction of the FSRA: ⁷
If you are seeking a waiver or modification to any of the FSRA Rules in relation any requirements that conflict with the requirements that apply to the Foreign Fund in its host jurisdiction, state the applicable Rule(s) that you are seeking relief from: ⁸
Does the host jurisdiction's regulatory approval for the Foreign Fund enable it to accept Retail Clients?

7 The ADGM FSRA may upon receipt of the information referred to in FUNDS, Rule 7.2.2 – Systems requirements for Authorised Fund Managers of Foreign Funds, assess the desirability of establishing a Foreign Fund in the particular jurisdiction chosen by the Fund Manager. Relevant considerations may include:

- a) The Fund Manager's need to establish the Fund in a particular jurisdiction for reasons such as the physical location of the Fund assets or investor preference;*
- b) Any regulatory risks arising from establishing the Foreign Fund in a relevant jurisdiction, particularly if the Fund is to be open to retail investors; and*
- c) Whether a relevant jurisdiction complies with the FATF or other relevant international standards or requirements.*

8 If you are requesting any of the ADGM FSRA Rules to be waived or modified you must also submit the FSRA – WM form detailing the reasons and rational for the request. A Fund Manager of a Foreign Fund is not subject to all the requirements that otherwise apply to other Domestic Funds, for example, FUNDS, Rule 9.1 - Prospectus disclosure for Domestic Funds, Guidance Note 4. Some FUNDS requirements, however, do apply to Foreign Funds, including the disclosure required under FUNDS, Chapter 10, Marketing of Foreign Funds and Prospectus Disclosure. Should such a requirement conflict with any requirements that apply to a Foreign Fund in the jurisdiction in which the Fund is domiciled, the Fund Manager may apply to the ADGM FSRA for appropriate waivers or modifications of the ADGM FSRA requirements.

4 Parties to the Foreign 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 “yes” or “no” in the boxes below, you are confirming that the relevant agreements meet 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	Regulator (if relevant)	Agreement – Complete, and ready to be inspected	
				Yes	No
<i>Custodian:</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Trustee:</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Fund Administrator:</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Investment Manager(s):</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Auditor:</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Broker:</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Shari’a Supervisory Board:</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Distribution Agent(s):</i>				<input type="checkbox"/>	<input type="checkbox"/>
<i>Other(s):</i>				<input type="checkbox"/>	<input type="checkbox"/>

5 Documentation for the Foreign Fund

Confirm whether or not the following required documents are attached:		
Documents Attached:	Yes	No
<i>The Constitution of the Fund:</i> ⁹	<input type="checkbox"/>	<input type="checkbox"/>
<i>The Prospectus of the Fund:</i> ¹⁰	<input type="checkbox"/>	<input type="checkbox"/>
<i>Fund Approval Letter from Home Jurisdiction Regulator:</i> ¹¹	<input type="checkbox"/>	<input type="checkbox"/>
If you responded "No" in any of the cells above provide an explanation. The FSRA can determine your application to be incomplete without these documents being ready for inspection and, in which case, not accept the application or return it as materially incomplete:		

⁹ Refer to FUNDS Rule, 7.2.1.

¹⁰ *The Prospectus of the Fund must be in compliance with FUNDS, Chapter 10 – Marketing of Foreign Funds and Prospectus Disclosure.*

¹¹ *This approval letter is applicable to a public Foreign Fund only.*

6 Payment of Fees & Submission of Notification

This form, once duly completed and with the necessary signatures in place, should be emailed in PDF format, to funds@adgm.com.

We will formally acknowledge receipt of the Notification and issue a payment invoice for the relevant fee once we ascertain that it is materially complete. Details of the FSRA's bank account will be provided at that time. Incomplete submissions will be rejected.

The Notification will not be processed until the relevant fees are paid in full to the FSRA.¹²

Confirm that the notification fees remitted will be net of all service charges on both sides of the transaction:

☐ Yes ☐ No

As per FEES, Rule 1.2 (General provisions) the Fund Manager must pay the fee in USD by bank transfer, directly from the Fund Manager's account to the Regulator's account.

Cheques or bank drafts will not be accepted. Provide the FSRA with a soft-copy of the executed transaction (i.e. payment confirmation) at the time of remitting the fees.

Firms are advised to retain a copy of their complete submission.

¹² Details of the notification fees are contained in the FSRA FEES Rulebook.

7 Declarations

I declare that, to the best of my knowledge and belief, having made due enquiry, the information given in this form, the supplements and documents attached, as well as any applicable supporting documents, is complete and correct. I understand that it is an offence under FSMR, Article 221 – Misleading the Regulator 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.

I declare my understanding that the FSRA may request more detailed information (including but not limited to, personal, educational, employment, and financial information) should it be deemed necessary to adequately assess the fitness and probity of the firm or any person connected to the firm. I consent to the FSRA contacting any previous employers, educational institutions, professional organisations, or any other organisation, to verify any information contained in this form.

I confirm that I have the authority to make this application, to declare as specified above and sign this form for, or on behalf of, the Applicant. I also confirm that I have the authority to give the consent specified above.

I understand that any personal data provided to the FSRA will be used to discharge its regulatory functions and powers under the Abu Dhabi Law No. 4 of 2013, the FSMR, and other relevant rules or regulations, and may be disclosed to third parties for those purposes.

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 Authorised Person:

Date:

Printed name of the above signed Director/ Partner:

Position or Title: