**Benchmarking analysis results**

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| **Provisions (Financial Services Commission of Mauritius)** | **Provisions (Capital Market Authority of Oman)** | **Comparative Analysis** |
| **Regulatory Scope and Applicability: This dimension addresses how each jurisdiction defines the scope of its rules for crowdfunding, including platforms covered, relevant financial markets, and any specified exemptions or limitations.** | | |
| Under the Financial Services (Crowdfunding) Rules 2021 of Mauritius, the scope applies to any person operating a crowdfunding platform within the jurisdiction, without explicit limitations or exemptions. These rules must be read alongside other relevant Acts and guidelines issued by the Financial Services Commission. | Oman's Decision No. E/153/2021 - Rules for Crowdfunding Platforms defines crowdfunding to include donation, reward, equity, and peer-to-peer methods. The rules permit investors and donors from within and outside the Sultanate of Oman and allow funding to entities both inside and outside Oman, subject to the stipulated terms. Operators are prohibited from concurrently hosting the same applicant for funding on multiple platforms in the Sultanate for the same fundraising method. | Both jurisdictions establish a broad scope for crowdfunding regulations, applying them to any operator or platform offering crowdfunding services. Mauritius provides a general framework that applies to all crowdfunding operations within its territory. Oman’s rules are more explicit, setting out specific categories (donation, reward, equity, and peer-to-peer) and including cross-border fundraising. Oman also introduces concurrency restrictions, prohibiting an applicant from raising funds simultaneously on multiple platforms within the Sultanate for the same method. |
| **Key Definitions and Interpretation: This dimension focuses on how terms such as 'crowdfunding,' 'investor,' 'issuer,' and other critical concepts are defined within each regulatory framework and used to shape compliance responsibilities.** | | |
| In Mauritius, key definitions are set out under Section 2 (Interpretation) of the Financial Services (Crowdfunding) Rules 2021. 'Crowdfunding' is defined as the solicitation of funds from investors for a specific investment purpose through an online portal or electronic platform. A 'crowdfunding operator' is the licensee operating that platform, and a 'crowdfunding platform' is the online portal used to facilitate these transactions. The Rules also distinguish among different types of participants: 'investor' refers to individuals supplying funding to issuers, while 'issuer' is the entity seeking funding through the platform. 'Client' collectively covers both issuers and investors. The Rules further classify investors into 'retail investor' (anyone not qualifying as an expert investor) and 'expert investor' (as defined in other securities regulations). | In Oman, Article (1) of Decision No. E/153/2021 - Rules for Crowdfunding Platforms sets forth definitions for key terms. 'Crowdfunding' is described as a method for donors or investors to fund projects via a platform. The term 'Operator' denotes the legal person licensed by the Capital Market Authority to manage the crowdfunding platform, while 'Platform' is the electronic system displaying and facilitating funding requests. The Rules distinguish 'Applicant for Funding' as the entity seeking funds, and categorize different investor types as 'Sophisticated Investor,' 'Angel Investor,' and 'Retail Investor,' each defined by specific financial or income thresholds. Additional terms include 'Conventional Investment Note' and 'Islamic Investment Note,' indicating distinct products offered under Omani regulations. | Both jurisdictions provide clear definitions that establish the functional roles of crowdfunding participants and the nature of crowdfunding activities. Mauritius uses 'expert investor' and 'retail investor' to differentiate investor classes, whereas Oman introduces three categories— 'Sophisticated,' 'Angel,' and 'Retail'—with specific financial thresholds. In both regimes, the platform or operator is a separately licensed entity. Mauritius focuses on equity and debt-like instruments, while Oman acknowledges multiple models, including donation, reward, and investment note structures. Despite differences in nomenclature and some details (such as the varied investor strata), the purpose of these definitions in both frameworks is to delineate the parties involved, clarify the scope of permitted activities, and guide compliance responsibilities for operators and participants. |
| **Licensing and Authorization Requirements: This dimension examines the prerequisites, procedures, and ongoing obligations for obtaining and maintaining a license to operate a crowdfunding platform, including legal incorporation criteria and administrative filings.** | | |
| Under the Financial Services (Crowdfunding) Rules 2021 of Mauritius, an entity must obtain a crowdfunding licence from the Financial Services Commission before operating a platform. The operator must be a legal person incorporated in Mauritius with its principal place of business and registered office in Mauritius. Additionally, entities that were operating under a Regulatory Sandbox Licence must apply for a crowdfunding licence within three months of the commencement of the rules. | In Oman, under Decision No. E/153/2021, any person seeking to establish a crowdfunding platform must fulfill licensing requirements stipulated in Article (15). This includes demonstrating the capability to operate an orderly platform, being free of liquidation or pending litigation, appointing fit and proper directors and key officers, and maintaining a viable business model. Article (16) further requires certification of secure and reliable electronic systems, adequate financial and human resources, and a clear business continuity plan before the final license is granted. | Both Mauritius and Oman require a formal license before operating a crowdfunding platform, emphasizing legal incorporation, competent management, and the ability to operate transparently. In Mauritius, the focus is on local incorporation and continuous licensing compliance, including a transitional period for sandbox operators. Oman requires more detailed fit-and-proper criteria for directors and key personnel and underscores robust IT systems and resource adequacy before final approval. While both frameworks mandate comprehensive licensing procedures, Oman’s rules provide additional specificity on personnel integrity, operational controls, and system testing prior to issuance of the license. |
| **Minimum Capital Requirements: This dimension addresses the mandated level of capital or financial reserves that crowdfunding operators must hold to ensure operational stability and protect investors.** | | |
| Under Mauritius’s Financial Services (Crowdfunding) Rules 2021, a crowdfunding operator is required to maintain a minimum unimpaired stated capital of MUR 2 million (or its equivalent in any other currency), or a higher amount if determined by the Commission. | This dimension is not covered in the country's regulation. | Mauritius explicitly mandates a minimum capital requirement, fixing it at a specified amount subject to regulatory adjustment. In contrast, Oman's regulation does not address minimum capital requirements, indicating no provision on this aspect. Hence, the key difference is Mauritius’s clear financial threshold, while Oman’s framework does not prescribe a capital reserve level. |
| **Governance, Board, and Executive Accountability: This dimension evaluates the internal governance structures required of operators, including board composition, executive fitness and propriety, oversight responsibilities, and mechanisms for regulatory reporting upon disqualification.** | | |
| Under the Financial Services (Crowdfunding) Rules 2021 of Mauritius, a crowdfunding operator must ensure that its governance structure provides effective oversight and encompasses adequate internal controls. The operator must adopt sound corporate governance and risk management strategies, policies, processes, and procedures. The board composition must include at least three directors, at least 30% of whom are independent, with at least one director resident in Mauritius. | Under Oman’s Decision No. E/153/2021 - Rules for Crowdfunding Platforms, the governance and accountability requirements focus on the fit-and-proper status of directors and senior management (Article 15), including qualifications, integrity, and professional conduct. The Board must promptly remove and notify the CMA if a director or CEO becomes disqualified (Article 21). The board is further tasked with ensuring compliance with all regulatory requirements, managing risks, preventing conflicts of interest, and handling whistleblowing or complaints (Article 24). Moreover, the board and CEO remain accountable for outsourced functions and must have policies and monitoring frameworks in place to oversee service providers (Article 26). | Both Mauritius and Oman require a governance framework that emphasizes board oversight, management accountability, and fitness and propriety of key personnel. Each jurisdiction mandates structured oversight of activities, maintenance of appropriate internal controls, and clear responsibilities for directors and executives. Mauritius explicitly prescribes a minimum number of board directors, a specific quota of independent members, and at least one resident director requirement, whereas Oman does not set a numerical threshold for board members but places stronger emphasis on disqualification procedures and broader notification requirements to the regulator upon changes affecting directors or the CEO. Oman also explicitly addresses the accountability of boards and executive officers for outsourced functions. Overall, both regimes share a commitment to a structured governance approach, yet they differ in specificity regarding board composition and the documented obligations to notify the regulator on disqualification and governance changes. |
| **Staffing and Operational Resource Adequacy: This dimension covers the obligations for operators to maintain sufficient local staff with appropriate expertise, ensuring the platform’s effective management and continuous compliance with regulatory standards.** | | |
| Under the Financial Services (Crowdfunding) Rules 2021 of Mauritius, operators must employ adequate local staff who are fit and proper and possess the necessary competence, experience, and proficiency. Additionally, the Rules explicitly require that such staff members receive appropriate training to perform their duties effectively. | Under Decision No. E/153/2021 - Rules for Crowdfunding Platforms in Oman, operators must demonstrate they possess sufficient human resources prior to obtaining the final license. While the regulation emphasizes sufficient resources in general terms, it specifically mentions having adequate staffing capacity to ensure the platform’s seamless functionality and continuous compliance. | In both Mauritius and Oman, the regulations mandate having sufficiently skilled staff to ensure effective platform operations. Mauritius places explicit emphasis on staff being physically located in the country and receiving the necessary training, while Oman speaks more broadly to the requirement of sufficient human resources without expressly highlighting local presence. Nonetheless, each framework aligns in expecting that operators maintain properly qualified personnel to uphold compliance and operational standards. |
| **Disaster Recovery and Business Continuity: This dimension explores the required frameworks for operational resilience, mandating policies and procedures to maintain continuity and protect stakeholder interests during disruptive events.** | | |
| Under Mauritius’s Financial Services (Crowdfunding) Rules 2021, operators must maintain a dedicated disaster recovery and business continuity plan specifically addressing major disruptive events (Logical Unit 15). This plan covers key resources, communication protocols, IT infrastructure continuity, customer service commitments, data safeguarding, and remote working arrangements. Additionally, operators must have contingency arrangements in place to ensure the orderly administration of investments if the operator ceases to carry on business (Logical Unit 31, subsection (p)). | Oman's Decision No. E/153/2021 requires applicants to establish contingency arrangements and demonstrate their ability to manage disruptions to their operations (Article (18), item 9). These provisions are integrated into a broader risk governance framework, mandating appropriate policies, processes, and systems to identify, monitor, and mitigate material sources of risk, ensuring continuity in the event the operator is unable to carry out its usual functions (Article (18), items 8 and 9). | Both Mauritius and Oman mandate explicit measures to handle significant disruptions and ensure operational continuity, requiring operators to maintain structured recovery and contingency frameworks. Mauritius places emphasis on a formal ‘disaster recovery and business continuity plan’ that includes resources, remote work arrangements, and data safeguarding. Oman frames these requirements within a comprehensive risk governance strategy, emphasizing contingency processes to uphold platform functionality if operations are impaired. While Mauritius’s rules detail remote working and data safeguards under one comprehensive plan, Oman integrates these obligations into a broader risk management context, focusing on the operational resilience of the platform. |
| **Outsourcing and Third-Party Arrangements: This dimension covers the conditions under which operators may outsource activities, emphasizing due diligence, written agreements, accountability for compliance, and ongoing monitoring of outsourced functions.** | | |
| Under Mauritius’s Financial Services (Crowdfunding) Rules 2021, operators must maintain a documented policy governing the outsourcing of any function. They must conduct due diligence to ensure that delegated parties are fit and proper, retaining responsibility for compliance regardless of the arrangement. All relevant outsourced records must remain accessible for inspection, and the operator remains liable for adherence to applicable laws and Commission requirements. | In Oman’s Decision No. E/153/2021, operators must periodically assess and monitor service providers, reporting findings to their board of directors. They must ensure providers have adequate policies for sub-contractor oversight and secure a written undertaking granting the CMA full access to relevant records. Operators are required to notify the CMA of any adverse outsourcing developments within five working days. The operator’s board and chief executive officer remain accountable for all outsourced functions and must establish a formal policy framework and monitoring program. | Common to both jurisdictions is the requirement for operators to maintain documented outsourcing policies, conduct due diligence on service providers, and ensure regulators have access to relevant records. Both emphasize that the operator retains accountability for outsourced functions, irrespective of third-party arrangements. In Mauritius, responsibilities focus on ensuring fit-and-proper outsourcing partners, maintaining availability of records, and retaining liability for compliance. Oman’s regulation places additional emphasis on formal sub-contractor oversight, prescribing a letter of undertaking for regulator access and mandating notification within five days of any significant adverse events. Moreover, Oman explicitly holds the board and chief executive officer accountable, while Mauritius’s provisions impose responsibility more generally on the operator. |
| **Risk Management and Internal Controls: This dimension focuses on the requirement for dedicated risk management systems, including the identification, mitigation, monitoring, and reporting of business and operational risks.** | | |
| In Mauritius, the Financial Services (Crowdfunding) Rules 2021 establish clear requirements for risk management and internal controls. Under Rule 7, operators must maintain adequate internal controls and adopt policies, processes, and procedures aligned with sound risk management principles. Rule 11 further requires operators to set up and maintain a dedicated risk management framework at all times, covering the identification, assessment, mitigation, and reporting of risks relevant to the crowdfunding business. | In Oman, Decision No. E/153/2021 - Rules for Crowdfunding Platforms contains multiple articles mandating robust risk management and internal controls. Article (16) requires adequate measures for risk management prior to final licensing. Article (18) directs operators to institute a comprehensive risk governance framework, including identifying all material risks, applying policies and controls, and reporting or mitigating such risks. It also mandates creation of proper internal controls commensurate with the platform’s operations (Article (18) sub-clause 10). Article (24) requires ongoing risk identification and management, while Article (30) obligates the operator to report annually on its risk management systems. Additionally, Articles (31) through (34) detail obligations to implement and maintain an efficient risk scoring process, conduct risk assessments, and take accountability for the applied methodology. | Across both jurisdictions, operators must implement structured risk management frameworks and robust internal controls addressing the identification, mitigation, monitoring, and reporting of business and operational risks. Mauritius focuses on establishing an overarching risk management system under its governance rules, while Oman provides more granular provisions, including specific risk scoring methods and annual reporting on risk management practices. Both frameworks stress continuous oversight and documentation of risk controls, reflecting a shared objective of fostering a sound, well-supervised crowdfunding ecosystem. |
| **Information Technology and Cybersecurity: This dimension examines regulatory expectations for robust, secure IT infrastructure and recurring assessments to protect platform integrity and investor data in accordance with the relevant rules.** | | |
| Under the Financial Services (Crowdfunding) Rules 2021 of Mauritius, a crowdfunding operator must implement and maintain secure, resilient IT systems that prevent unauthorized access and ensure data integrity. Operators are required to review these measures at least annually and provide the Financial Services Commission with the review’s findings, identified issues, and any remedial actions taken. Additionally, the rules mandate transparent disclosure of IT security and data protection measures on the crowdfunding platform, ensuring investors and issuers are made aware of how their information is safeguarded. | Under Decision No. E/153/2021 in Oman, the operator, prior to final licensing, must certify that its electronic systems meet internationally recognized safety, efficiency, and reliability criteria. The operator must also maintain adequate measures for information security, systems capacity, business continuity protocols, risk management, data integrity, and confidentiality. Sufficient IT and technical support arrangements must be in place to enable secure daily operations and handle emergency situations. | Both jurisdictions require robust information technology and cybersecurity measures, emphasizing system resilience and protection of investor data. Mauritius imposes an annual review obligation and submission of findings to the regulator, while Oman necessitates a pre-licensing declaration confirming adherence to internationally acceptable IT standards. Mauritius specifically highlights ongoing transparency for stakeholders by mandating disclosure of IT security practices, whereas Oman’s framework focuses more on ensuring systems’ reliability and capacity prior to final licensing. |
| **Record Keeping and Data Access: This dimension addresses the requirement for accurate, up-to-date record-keeping of transactions and client information, along with obligations to make these records readily available for regulatory inspection.** | | |
| Mauritius’ regulation explicitly requires crowdfunding operators to maintain updated transactional records of clients and to keep signed copies of issuer and investor agreements. These records and any outsourced service records must be made readily available for inspection by the Financial Services Commission. The regulation specifies that operators remain responsible for compliance even when functions are outsourced. | This dimension is not covered in the country's regulation. | Mauritius provides explicit and detailed provisions on record keeping and data access, including the requirement to maintain complete and up‑to‑date records, as well as to make these records available for regulatory inspection. In contrast, no corresponding requirements or obligations for record keeping or data access are identified in Oman’s provisions as provided. |
| **Eligible Issuers and Investors: This dimension analyzes the criteria that define who can raise funds and who can invest, the associated eligibility thresholds, and any stated industry or sector restrictions.** | | |
| Under the Financial Services (Crowdfunding) Rules 2021 in Mauritius, a crowdfunding operator is expressly prohibited from allowing a reporting issuer to seek funding (Logical Unit 21). The operator must disclose the eligibility criteria for issuers and investors, which includes the requirement that a retail investor may not exceed MUR 350,000 in total investments over a 12-month period, while expert investors are not subject to any investment limit (Logical Unit 25 and 31). Although the regulation mandates disclosure of any minimum or maximum fundraising amounts that may apply (Logical Unit 31), it does not specify further criteria beyond disallowing reporting issuers. Hence, eligibility for issuers is primarily limited by the prohibition on reporting issuers, and eligibility for investors hinges on observing the stated investment thresholds and classification as either a retail or expert investor. | Decision No. E/153/2021 - Rules for Crowdfunding Platforms in Oman specifies that only commercial companies or enterprises—excluding individuals—may obtain funding (Article 4). Public joint stock companies, entities without specific business plans, and nonprofit organizations are prohibited from raising funds (Article 5). Funding may involve investors or donors from both inside and outside Oman, and may be provided to companies and enterprises located within or outside the Sultanate (Article 6). The regulation imposes distinct investment limits depending on investor categories: sophisticated investors have no restrictions, angel investors have either an OMR 100,000 limit within 12 months (per Article 9) or no limit (per Article 37), and retail investors are capped at OMR 3,000 per funding request up to an aggregate OMR 20,000 in 12 months (Article 9), compared to a flat OMR 20,000 cap at any one time under Article 37. For issuers less than 12 months old, the maximum funding request is OMR 100,000 (Article 10), whereas issuers that have existed for 12 months or more with accredited audited financial statements may apply for amounts exceeding OMR 100,000. | Both jurisdictions impose specific eligibility criteria for issuers and distinct investment limits for different investor categories, reflecting a common goal of protecting less experienced or retail investors through defined thresholds. In Mauritius, the focus is on disallowing reporting issuers and capping retail investors' annual investment while permitting expert investors unlimited participation. In Oman, the regulation excludes certain types of entities (public joint stock companies, businesses without clear plans, or nonprofits) from raising funds, restricts issuance to commercial enterprises only, and sets tiers of investor categories (sophisticated, angel, and retail) with corresponding investment ceilings. Whereas Mauritius does not detail specific industry or organizational form requirements for issuers other than the prohibition on reporting issuers, Oman's regulation is more prescriptive about who can issue and maintains investment application thresholds based on how long the business has been established. Both regimes incorporate recognition of professional classes of investors who are exempted from upper investment barriers. |
| **Due Diligence Obligations: This dimension assesses the operators’ responsibilities in verifying issuers and investors, incorporating enhanced procedures beyond standard AML/CFT checks, and ensuring financial and legal legitimacy.** | | |
| Under the Mauritius Financial Services (Crowdfunding) Rules 2021, the operator is required to perform due diligence on both issuers and investors above and beyond standard AML/CFT requirements. For issuers, Rule 15 mandates verifying incorporation details, business registration, good standing, directors’ and controllers’ fitness and propriety, financial strength (including latest financial statements and credit history), and overall compliance with applicable legislation. The operator must also assess the business proposal and any claimed expertise or commitment of the issuer’s principals. For investors, Rule 16 obliges the operator to verify identity (for individuals and legal persons), proof of address, level of sophistication, fitness and propriety, and source of funds. In each case, the regulations emphasize the need for thorough checks before participation on the crowdfunding platform. | Under Oman’s Decision No. E/153/2021 - Rules for Crowdfunding Platforms, Article 19 imposes a duty on the operator to exercise due diligence in carrying out its business, monitor the accuracy of disclosures, and ensure no fraudulent means or deception occurs. Article 20 further delineates that operators must perform background checks to assess the fit and properness of the applicant, its directors, and senior management, alongside verifying the viability of the business proposition. Where invoice financing is offered (Article 32), operators must ensure ownership and validity of the receivable or invoice, while Article 33 requires operators to rate every investment note or Islamic investment note. These obligations collectively underscore the operator’s responsibility to verify the legitimacy, financial soundness, and integrity of fundraising entities and their associated offerings. | Both jurisdictions mandate operators to undertake due diligence on issuers and investors beyond minimum AML/CFT checks, focusing on verifying identity, financial standing, and fitness and propriety. Mauritius explicitly itemizes checks for issuers and investors, including financial history, risk assessments, and the credibility of principals. Oman’s framework similarly requires background checks on applicants and verification of business propositions, with additional measures for invoice financing (ensuring the receivable is legitimate) and an obligation to rate investment notes. A key difference is Mauritius’s more granular delineation of required issuer and investor checks, whereas Oman places emphasis on ensuring compliance with recognized commercial practices, validating the applicant’s proposition, and rating investment structures. Both frameworks share the overarching goal of ensuring legal, financial, and operational legitimacy of crowdfunding participants. |
| **Disclosure and Transparency Requirements: This dimension outlines the obligation to provide comprehensive information about funding campaigns, operational processes, risk factors, issuer details, default rates, and platform services to all stakeholders.** | | |
| Mauritius’s Financial Services (Crowdfunding) Rules 2021 require crowdfunding operators to disclose comprehensive information about risks, default rates, services, and issuer details. Operators must prominently present risk disclosures (e.g., potential for total loss of funds, illiquidity risks). They must also publish both actual and expected default/failure rates, accompanied by any assumptions used. Further, operators are required to outline all platform processes and fees, including eligibility criteria for issuers and investors, investment limits, withdrawal and refund mechanisms, plus handling of material changes and overdue payments. They must disclose extensive information on each issuer—such as the issuer’s directors, incorporation details, financial statements, and valuation—along with how funds will be utilized. Any material change in the issuer’s circumstances triggers a requirement for immediate disclosure to investors and a reconfirmation of commitments. All investors must have equal access to the same information at the same time, and any facility for secondary transfers must disclose relevant issuer information and set fees primarily to cover costs. | Under Oman’s Decision No. E/153/2021 – Rules for Crowdfunding Platforms, disclosure obligations focus on both the Applicant for Funding and the operator. Applicants for Funding must provide key business information, financial statements, the purpose and target amount of the offering, and ongoing updates on business progress. During the offering period, they must disclose potential risks, any unforeseen changes, and correct misleading information. Operators must ensure investors submit and acknowledge risk declarations prior to investment, verify that disclosure documents are accurate and not misleading, and display all relevant risk factors prominently on the platform. They must also provide live communication channels for investor inquiries, notify investors of any material adverse changes concerning the Applicant for Funding, and publish late payment and default rates. Operators are further required to submit annual reports to the regulator summarizing activities, risk management measures, and any significant violations or complaints. | Both Mauritius and Oman impose robust disclosure and transparency requirements on crowdfunding operators and issuers/applicants, mandating prominent disclosures of risk factors, default rates, and comprehensive information on issuers’ businesses and funding purposes. Mauritius’s rules explicitly differentiate between actual and expected failure rates and demand immediate reconfirmation from investors upon material changes, whereas Oman’s regulations emphasize similarly prompt notices regarding adverse developments and require ongoing updates on business progress. Both jurisdictions require transparent disclosures of fees, operational processes, and investment limits, ensuring that investors have equal access to key information. A notable difference is that Oman's framework includes provisions for live discussion channels and an annual reporting obligation to the regulator, while Mauritius prescribes highly detailed, itemized disclosure obligations for platform operations and potential exit scenarios. |
| **Investment Limits and Fundraising Caps: This dimension examines the permitted maximum investment thresholds for retail and professional investors, the maximum amount an issuer can raise, and the relevant timelines and conditions imposed.** | | |
| Mauritius: The regulation imposes a 12-month investment cap of MUR 350,000 for retail investors, while no investment limit applies to expert (professional) investors. Issuers are generally capped at raising MUR 15 million over a 3-year period (or another period approved by the Commission). The rules require crowdfunding operators to outline these caps clearly on the platform and to have contractual provisions regarding scenarios in which the targeted amount is not reached or is exceeded. | Oman: Equity crowdfunding investors are subject to distinct thresholds based on investor category. Sophisticated investors have no investment cap; angel investors are either capped at RO 100,000 over a 12-month period (Article (9)) or face no restrictions (Article (37)) depending on the specific context of the platform; and retail investors are capped at RO 3,000 per applicant in a single offering with a total cap of RO 20,000 over 12 months (Article (9)) or at RO 20,000 at any period of time (Article (37)). In addition, an applicant for funding may keep any raised amount as long as at least 80% of the target has been met. | Both Mauritius and Oman establish distinct investment limits for retail investors, while granting higher or no caps to sophisticated or expert investors. In Mauritius, there is one overarching limit for retail investors (MUR 350,000 over 12 months), whereas in Oman the rules differentiate angel investors’ limits from retail investors, with the latter subject to stricter caps. Similarly, both frameworks set maximum fundraising thresholds for issuers and include provisions for situations where funding does not meet or exceeds its target. The primary difference is that Oman details multiple categories of investors (sophisticated, angel, retail) with varying maximum investment limits, whereas Mauritius relies on a binary distinction between retail and expert investors. Oman also stipulates that an offering remains valid if it reaches 80% of its target, whereas Mauritius fixes a specific maximum amount that can be raised over a set period. |
| **Handling and Segregation of Funds: This dimension covers provisions related to managing investor funds, including the use of dedicated non-interest-bearing bank accounts or escrow arrangements, and safeguards to prevent misuse of client assets.** | | |
| Under the Financial Services (Crowdfunding) Rules 2021 of Mauritius, a crowdfunding operator handling funds on behalf of investors must maintain one or more separately identified, non-interest-bearing bank accounts licensed by the Bank of Mauritius. These accounts must remain segregated from the operator’s own funds. Further, the operator must disclose to investors the arrangements and safeguards in place for client assets, emphasizing the requirement to keep client funds and the crowdfunding operator’s business finances strictly apart. | Under Decision No. E/153/2021 of Oman, the crowdfunding platform operator must establish and maintain escrow account(s)—segregated from its own accounts—for investors’ monies in a bank licensed by the Central Bank of Oman. In Islamic funding scenarios, the funds must be held in a Shariah-compliant account. The operator is required to ensure investors’ funds are safeguarded from misuse and accurately recorded, and can only release or refund the monies under defined circumstances, including transferring them to the Applicant for Funding once the targeted amount and all conditions are met, or refunding them to investors if offers are unsuccessful or canceled. | Both jurisdictions emphasize the segregation of investor funds from the crowdfunding operator’s own accounts, aligning with the principle of protecting client assets. In Mauritius, the use of non-interest-bearing accounts licensed by the Bank of Mauritius is mandatory, while Oman specifically requires escrow accounts, with additional provisions for Shariah-compliant accounts for Islamic crowdfunding. Oman provides more explicit operational details, such as defined timelines for refunds and confirmation steps before releasing funds. Mauritius, while not specifying explicit timelines for fund release, similarly mandates strict separation and transparent disclosure of fund-handling procedures. |
| **Investor Rights and Protections: This dimension pertains to measures ensuring fair treatment of investors, including risk acknowledgment forms, withdrawal and refund rights, timely disclosures of material changes, and procedures addressing default or failure scenarios.** | | |
| In Mauritius, the Financial Services (Crowdfunding) Rules 2021 impose clear obligations on crowdfunding operators to protect investor rights. They require operators to facilitate formal agreements between investors and issuers, outlining respective rights and obligations as well as procedures if target funding thresholds are not met or exceeded. Investors are granted withdrawal rights during a specified commitment period (not less than 48 hours following its end) without penalty other than administrative costs. Operators must promptly disclose material changes regarding an issuer and either seek reconfirmation within five business days (if the change arises during the commitment period) or post the updates on the platform (if the change arises afterward). Equal access to information is mandated to ensure fair and simultaneous disclosure. Additionally, operators must have investors sign a risk acknowledgment form that clearly outlines the risks involved in crowdfunding and confirms the investor’s understanding of those risks. | In Oman, Decision No. E/153/2021 - Rules for Crowdfunding Platforms provides multiple safeguards to protect investors. Operators are required to secure risk declarations from investors before they invest (Article 19), keep written procedures clarifying the rights and obligations of all parties, and ensure that fundraising and investment limits are adhered to. Operators must also verify the accuracy of disclosure documents and immediately correct any misleading data (Article 19). They are obligated to inform investors of any material adverse changes to the funding application (Article 22) and maintain procedures for managing default scenarios, making best efforts to recover amounts owed to investors (Article 31). Continuous investor awareness initiatives, fair and transparent fees, and prohibition of conflicts of interest further support investor protection. Additionally, operators must prominently display risk factors and investor rights, alongside contingency information should they cease operations (Article 19). | Both Mauritius and Oman regulations mandate formal acknowledgment of risks by investors, emphasize timely disclosure of material changes, and require operators to set clear procedures for fund-raising outcomes and default scenarios. In Mauritius, the commitment period withdrawal right is explicitly stated (no less than 48 hours), while Oman’s framework focuses on adherence to risk declarations, immediate error correction, and active management of default situations. Both jurisdictions ensure that investors receive transparent and fair treatment, but Mauritius places particular emphasis on equal access to information within the same timeline, whereas Oman extends obligations to include continuous investor education, more detailed disclosure requirements, and broader conflict-of-interest prohibitions. |
| **Conflict of Interest Management: This dimension focuses on the obligation for operators to establish policies and procedures that detect, prevent, and disclose conflicts of interest, ensuring impartial and fair treatment of issuers and investors.** | | |
| Under the Mauritian rules, crowdfunding operators must establish arrangements to identify, manage, mitigate, and report conflicts of interest. They must prevent their officers, employees, and associates from providing finance to issuers, receiving funding from investors, or holding any direct or indirect interests in issuers or investors. Operators are also obliged to take reasonable steps to restrict an issuer from seeking funding on another platform during the same commitment period, reflecting an additional measure to avoid potential conflicts. | Under the Omani rules, operators must avoid placing personal interests above user interests, exercise overall fairness, and maintain clear conflict management protocols. They are prohibited from performing investments on behalf of others and from directly or indirectly financing investors or applicants; however, they may invest in an applicant for funding if they disclose any such involvement. The operator (including board members, shareholders, and employees) must publicly disclose shareholdings in applicants on its platform, while the board of directors is responsible for establishing and maintaining policies to effectively detect and manage actual or potential conflicts of interest. | Both jurisdictions mandate clear policies and procedures to prevent conflicts of interest and ensure impartial operations. They also stress the importance of disclosure regarding any financial or ownership ties with issuers or investors. A key difference is that Mauritius explicitly forbids officers and employees from holding interests in issuers or investors, whereas Oman allows the operator to invest in an applicant but requires open disclosure of such holdings. Oman further stipulates the board’s duty in ensuring ongoing conflict management measures, while Mauritius focuses primarily on prohibiting direct or indirect financial relationships between platform personnel and issuers or investors. |
| **Shariah Compliance: This dimension pertains to the specific obligations under Islamic finance frameworks, requiring platform operators to appoint Shariah advisers, confirm adherence to Shariah principles, and disclose relevant compliance details where applicable.** | | |
| This dimension is not covered in the country's regulation. | Under Articles (38) and (39), if an Islamic investment note is offered, the crowdfunding platform operator must appoint a Shariah adviser (individual or company) and disclose pertinent information on that adviser. The adviser’s responsibilities include ensuring adherence to Shariah principles, providing guidance on relevant documentation and investment instruments, and, where appropriate, issuing Shariah pronouncements outlining the rationales, structures, and applicable rulings for the Islamic product. | Mauritius does not address specific Shariah compliance obligations, whereas Oman explicitly mandates the appointment of Shariah advisers and imposes detailed requirements for adherence to Shariah principles when offering Islamic investment products. |