

## Registration – Public Fund

This registration form should be used by a Fund Manager, incorporated in the ADGM and regulated by the FSRA, who is registering a Domestic Fund which will be a Public Fund<sup>1</sup> and in accordance with the requirements under section-107 of the Financial Services and Markets Regulations 2015 (FSMR). When completed, submit it to [funds@adgm.com](mailto:funds@adgm.com).

If the Public Fund to which this registration form relates is an Investment Trust, then the Fund Manager and Trustee must jointly apply for registration of the Fund<sup>2</sup>. This form may also be used to register the conversion of an Exempt Fund or Qualified Investor Fund into a Public Fund with the FSRA.<sup>3</sup>

This registration form will only be accepted from Authorised Persons and not from Applicants. Any relevant waivers or modifications should have been granted (and any other policy issues resolved) prior to submission.

To assist you<sup>4</sup> in completing this registration form we have referenced certain ADGM Rules, including the FSRA Fund 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 for any Rules that might otherwise be relevant to this registration.

All response cells must be completed. If a question we ask does not pertain to your intended Regulated Activities, respond to that effect in the cell.

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 FSRA will only accept out-of-date forms if they are submitted within one-month of the publication of the updated version on the ADGM website.

You are advised to retain a copy of this registration form and all attachments for your records.

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<sup>1</sup> A Public Fund has the meaning given in ADGM FSRA Fund rulebook, 3.3.1(1).

<sup>2</sup> Refer to FUNDS Rule 6.1.1 – The Application for registration.

<sup>3</sup> Conversion can only occur where the Fund Manager is licenced to carry on Regulated Activities for Retail Clients.

<sup>4</sup> The terms “you” and “your” as used throughout are not implied in the personal sense, but rather refer to the Authorised Person registering the Public Fund. The terms “we” and “our” refer to the ADGM FSRA.

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# 1 Information about the Fund Manager

<i>Full name of the Fund Manager:</i>	
<i>Confirm that the Fund Manager’s licence permits it to deal with or for Retail Clients:</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Provide the name and contact details of the Fund Manager’s lead contact person for this registration. Provide telephone, e-mail and mailing address:</i>	
<i>Provide the name and contact details of any professional adviser(s) that may be assisting with this registration:</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
<i>If you have made any application for a waiver or modification of the FSRA Rules in relation to the requirements you must meet in your role as Fund Manager, state the applicable Rule(s) that you are seeking relief from:<sup>5</sup></i>	

<sup>5</sup> 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 rationale for the request.

## 2 Information about the Trustee

<b>This section only applies to a Public Fund that is structured as an Investment Trust.</b>	
<i>Provide the full name and business address of the Trustee:</i>	
Specify whether the Person Acting as Trustee of an Investment Trust is:	
<i>An ADGM FSRA Authorised Person authorised to Act as Trustee of a Fund; or</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>An Applicant to be an ADGM FSRA Authorised Person authorised to Act as Trustee of a Fund.</i>	
<i>Confirm whether the Trustee has entered, or will enter, into a Trust Deed with the Fund Manager in accordance with ADGM FSMR, Article 114 – Creation of an Investment Trust:<sup>6</sup></i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe the measures that will be taken by the Trustee to ensure, before carrying out a Fund Manager’s instructions, that those instructions comply with FUNDS, Rule 11.1.4:	
Describe the arrangements that the Trustee will implement to ensure that the Fund’s Unitholder register is maintained in accordance with FUNDS, Rule 12.7 – <i>Unitholder register</i> :	
If the Trustee intends to delegate either of the Regulated Activities of Acting as the Administrator of a Collective Investment Fund or Providing Custody in relation to the Public Fund to a service provider? If so, provide its full name, jurisdiction, and confirm the Trustee meets the requirements of FUNDS, Rules 12.12.3 – 12.12.8 and FUNDS, Appendix 1 – <i>Delegation and Outsourcing</i> :	
If the Trustee is to be carrying out the Fund oversight function required under FUNDS, Rule 13.3.1 in respect of the Fund, describe what arrangements the Trustee will implement in order to ensure it is meeting its obligations under FUNDS, Rule 13.3.5 – <i>General oversight duties</i> :	

<sup>6</sup> Refer also to FUNDS, APP 5 – Constitution of a Domestic Fund for the requirements of a Trustee of a Fund and Trust Deed.

# 3 Information about the Public Fund

What is the intended full name of the Fund?	
Is the Fund an Umbrella Fund?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the Fund is an Umbrella Fund list the Sub-Funds being registered:	
If the Fund is an Umbrella Fund explain how the it meets the requirements in FUNDS Rule 4.1.4 – <i>Umbrella Fund</i> :	
Describe the Fund’s legal structure <sup>7</sup>	
Provide a description of the Fund including the following information: <sup>8</sup>	
Investment Objective:	
Investment Policy and Strategy:	
Investments or asset classes the Fund will invest in (equities, derivatives, real property, etc.):	
Investment limits:	
Geographical spread:	
Sectoral restrictions:	

<sup>8</sup> For Umbrella Funds, you must complete this information for each sub-fund. Use separate sheets for each sub-fund being created at the time of registration of the Umbrella.

Borrowing restrictions:	
Intended or expected size of the Fund (in USD):	
Describe the Fees and any other payments that may be taken from Fund Property: <sup>9</sup>	
Does the Fund fall into one or more of the following categories of Fund? <sup>10 11</sup>	
<i>Feeder Fund</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Master Fund</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Sharia Compliant Fund</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Real Estate Investment Trust / REIT</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe the specific risk-management controls you have in place to ensure that the Fund maintains, at all times, a spread of risk that is in line with the investment objectives set out in the Fund Prospectus: <sup>12</sup>	
If the Fund will have exposure to Derivatives, describe in detail the nature of such Derivatives, the rationale behind their use, and what risk-management controls will be implemented to ensure that any such exposures will be managed appropriately: <sup>13</sup>	
Describe the nature of any borrowing that the Fund may undertake. What controls will be in place to ensure that any such borrowing is controlled effectively, particularly in relation to borrowing levels and the ability of the Fund to repay: <sup>14</sup>	
<b>Investment Management / Advisory</b>	
Describe the extent to which the Fund Manager intends to outsource Investment Management or Investment Advisory to a third party <sup>15</sup> .	

<sup>9</sup> Include details of all Management Charges, Performance Charges and other payments that may be taken from Fund Property. Include rates and reference points. If a performance fee may be charged include details of how high water marks, hurdle rates and resets will be applied.

<sup>10</sup> Refer to FUNDS, Chapter 4 – Specialist Classes of Funds and ADGM FSRA IFR, Chapter 6 – Islamic Collective Investment Funds.

<sup>11</sup> If you answer “YES” to any of the categories in 3.4 please complete sections 3.11-3.14.

<sup>12</sup> Refer to Funds, Rule 13.4.2. A Fund Manager is under an obligation to operate and administer a Fund in line with its risk profile and investment objectives set out in the Prospectus of the Fund.

<sup>13</sup> Refer to ADGM FSRA FUNDS, Rule 13.4.2 – Spread of risk and protection of Fund Property.

<sup>14</sup> Refer to FUNDS, Rules 13.4.6 – Stock lending and borrowing and Rule 13.4.7 – Borrowing.

<sup>15</sup> Include the full details of any such arrangement including the level of investment discretion permitted, and arrangements for the Fund Managers oversight of such functions.

<b>Valuation and Pricing</b>	
Describe how the Fund will be valued according to FUNDS Rule 12.4 – Valuation of Fund Property, and the extent to which you will follow FUNDS Appendix 4 - Guidance on asset valuation and pricing:	
Describe how you will ensure that a single price is determined in accordance with FUNDS, Rule 12.5 – <i>Determination of a single price</i> :	
<b>Unit Dealing</b>	
If the Fund is an open-ended Fund, describe how issues and redemptions will be able to be made at all times during dealing days in accordance with FUNDS, Rule 13.2 – <i>Issue and redemption of Public Fund Units</i> :	
Describe the Fund Manager’s proposed arrangements for suspension of dealing / gating of redemptions:	
If the Fund is planning to list on a Recognised Body or another exchange immediately upon or within the first year of the Fund’s incorporation or establishment, or if there is a longer-term plan for listing, provide details:	
<b>Safekeeping and Oversight</b>	
Provide the name of the Eligible Custodian and explain how it meets the requirements in FUNDS, Rules 12.3.7 and 12.3.8 – <i>Eligible Custodian</i> :	
Describe the proposed custody arrangements and confirm that these arrangements meet the relevant requirements in FUNDS, Rule 12.3 – <i>Duties in relation to Fund Property</i> :	
Indicate the type of oversight arrangement proposed:	
<i>Oversight Committee:</i>	<input type="checkbox"/>
<i>Eligible Custodian:</i>	<input type="checkbox"/>
<i>Trustee:</i>	<input type="checkbox"/>
Describe how each Person you intend to undertake the oversight function meets the suitability requirements of FUNDS 13.3.3, and how you will ensure that they remain suitable as required by FUNDS 13.3.4:	
<b>Auditors</b>	
Part 15 of the ADGM FSMR – <i>Auditors and Actuaries</i> , provides details about requirements for auditors. Provide the name and contact details of the Fund’s registered auditor:	

<p><b>Additional information about specialised funds</b></p> <p><i>The following section only applies if the Fund is intended to be a <b>Real Estate Investment Trust (REIT)</b>:</i></p> <p>If the Fund is a <u>REIT</u> explain how the Fund meets the requirements set out in FUNDS, Rule 13.5 – <i>Real Estate Investment Trusts (REITs)</i>:</p>
<p><i>The following section only applies if the Fund is intended to be an <b>Islamic Fund</b>:</i></p> <p>Provide the names of the members of the Shari’a Supervisory Board in accordance with FSRA Islamic Finance Rules (IFR), Rule 6.2 – <i>Shari’a Supervisory Board for an Islamic Fund</i>:</p>
<p>State if the Fund will be using the same Shari’a Supervisory Board as the Applicant:<sup>16</sup></p>
<p>Confirm that the Prospectus complies with the additional disclosure requirements in IFR, Rule 6.5 – <i>Additional disclosure in a Prospectus of an Islamic Fund which is a Public Fund</i>:</p>
<p>Describe the Fund’s Islamic Financial Business policy and procedures with particular reference to systems and controls in place for the Fund in accordance with IFR, Rule 6.1.2 – <i>Systems and controls</i>:</p>
<p><i>The following section only applies if the Fund is intended to be a <b>Feeder Fund</b>:</i></p> <p>Explain how the Feeder Fund meets the specific requirements for a Feeder Fund in FUNDS, Rule 4.1.2 – <i>Feeder Fund</i>:</p>
<p>State the name of the relevant Master Fund and the jurisdiction where it is domiciled:</p>
<p>Confirm that the Feeder Fund’s Prospectus complies with the additional Prospectus disclosure requirements set out in FUNDS, Rule 9.6.1 – <i>Prospectus of a Feeder Fund</i>:</p>
<p><i>The following question only applies if the Fund is intended to be a <b>Master Fund</b>:</i></p> <p>Explain how the Master Fund meets the specific requirements for a Master Fund in FUNDS, Rule 4.1.3 – <i>Master Fund</i>:</p>

<sup>16</sup> Refer to IFR, Rule 6.2.1(b).



# 4 Parties to the Fund

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

By indicating 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
<i>Eligible 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 Fund

Indicate in the appropriate box to confirm whether or not the following required documents are attached:

<b>Documents Attached:</b>	<b>Yes</b>	<b>No</b>
<i>The Constitution of the Fund:<sup>17</sup></i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Certification of the Constitution:<sup>18</sup></i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>The Prospectus of the Fund:<sup>19</sup></i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Certification of the Prospectus:<sup>20</sup></i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Draft engagement letter appointing an Auditor of a Fund:<sup>21</sup></i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Draft copy of Delegation Agreement for Acting as the Administrator of a Collective Investment Fund:<sup>22</sup></i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Draft copy of Delegation Agreement for Providing Custody:<sup>23</sup></i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Draft copy of Trust Deed:<sup>24</sup></i>	<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:

<sup>17</sup> *The Constitution of the Fund must be in compliance with FUNDS, Chapter 11 – Constitution and FUNDS, APP 5 – Constitution of a Domestic Fund.*

<sup>18</sup> *The Constitution of the Fund must be certified as complying with the requirements set out in FUNDS, Rule 6.1.3.*

<sup>19</sup> *The Prospectus of the Fund must be in compliance with FUNDS, Chapter 9 – Marketing of Domestic Funds and Prospectus Disclosure, FUNDS, App 7 – Public Fund Prospectus Disclosure, and FUNDS, Rule 9.5.1 – Public Fund Prospectus.*

<sup>20</sup> *The Prospectus of the Fund must be certified as complying with the requirements set out in FUNDS, Rule 6.1.3.*

<sup>21</sup> *Refer to FUNDS, Rule 16.3.1 – Appointment and termination of auditors.*

<sup>22</sup> *Refer to Item 2.6.*

<sup>23</sup> *Refer to Item 2.6.*

<sup>24</sup> *Refer to Item 2.3.*

## 6 Fees for Registration

This form, once duly completed and with the necessary signatures in place, should be emailed in PDF format, to [funds@adgm.com](mailto: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.<sup>25</sup>

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.

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<sup>25</sup> 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.

\_\_\_\_\_  
**Fund Manager**

Signature of Director/Partner:

\_\_\_\_\_  
Date:

Printed name of the above signed Director/ Partner:

Printed Position or title:

\_\_\_\_\_  
**Trustee (for Funds structured as Investment Trusts)**  
Signature of Director/Partner:

\_\_\_\_\_  
Date:

Printed name of the above signed Director/ Partner:

Printed Position or title: