

**Appendix 6**

In this appendix underlining indicates new text and striking through indicates deleted text.



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# The DFSA Rulebook

Conduct of Business Module

**(COB)**

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## 2 CLIENT CLASSIFICATION

### 2.3 Types of Clients

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**2.3.2** An Authorised ~~Person~~Firm must classify as a Retail Client any Person who is not classified as a Professional Client or a Market Counterparty.

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## 3 CORE RULES – INVESTMENT BUSINESS, ACCEPTING DEPOSITS, PROVIDING CREDIT AND PROVIDING TRUST SERVICES

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### 3.2 Communication of information and marketing material

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#### Marketing material

- 3.2.4** (1) An Authorised Firm must ensure that any marketing material communicated to a Person contains the following information:
- (a) the name of the Authorised Firm communicating the marketing material or, on whose behalf the marketing material is being communicated;
  - (b) the Authorised Firm's regulatory status as required under GEN section 6.4; and

- (c) if the marketing material is intended only for Professional Clients or Market Counterparties, a clear statement to that effect and that no other Person should act upon it.
- (2) In (1), marketing material includes any invitation or inducement to enter into an agreement:
  - (a) in relation to a financial product or to engage in a Financial Service with the Authorised Firm; or
  - (b) in relation to a financial product or financial service offered by a Person other than the Authorised Firm.
- (3) An Authorised Firm which communicates marketing material in (2)(b) must:
  - (a) ensure that the marketing material complies with the applicable Rules and any legislation administered by the DFSA; and
  - (b) not distribute such marketing material if it becomes aware that the Person offering the financial product or financial service to which the material relates is in breach of the regulatory requirements that apply to that Person in relation to that product or service.

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