

**Appendix 1**

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



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# The DFSA Rulebook

General Module

**(GEN)**

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## 6. GENERAL PROVISIONS

### 6.1 Application

6.1.1 (1) .....

(6) Section 6.10 applies to a Person who provides information to the DFSA in a form in AFN or in any other application, notification, report or return.

~~(67) This~~Only sections 6.9 and 6.10 of this chapter does not apply apply to a Representative Office.

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### 6.3 Emergency

6.3.1 (1) .....

(3) An Authorised Firm must notify the DFSA as soon as practical of the emergency and of the steps it is taking and proposes to take to deal with the consequences of the emergency.

#### Guidance

1. Procedures for notification to the DFSA are set out in section ~~4.44~~6.10.
2. The rules in section 6.3 do not affect the powers of the DFSA under Article 26 of the Markets Law 2012.

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### 6.6 Close links

6.6.1 (1) .....

- (2) If requested by the DFSA the Authorised Person must submit a Close Links report or notification, in a form specified by the DFSA. This may be requested on an ad hoc or periodic basis.

**Guidance**

1. Procedures for notification to the DFSA are set out in section ~~4.4.4~~6.10.
2. ....

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## 6.9 Communication with the DFSA

- 6.9.1** An Authorised Person must ensure that any communication with the DFSA is conducted in the English language.

## 6.10 Provision of information to the DFSA

**Guidance**

1. This section sets out how certain information must be provided to the DFSA. It applies to information in an AFN form and in any other application, notification, report or return that must be provided to the DFSA under a Rule. It does not apply to PIB or PIN returns, which are subject to a special system: the DFSA Electronic Prudential Reporting System (EPRS).
2. The DFSA proposes to enable information to be submitted online using the electronic system on its website. If information can be submitted online, that system is to be used (see Rule 6.10.2). In other cases, information must be provided to the DFSA in accordance with Rule 6.10.3.

- 6.10.1** (1) This section applies to a Person providing information to the DFSA in:
- (a) an AFN form; or
  - (b) any other application, notification, report or return required to be provided to the DFSA under a Rule.
- (2) This section does not apply to an Authorised Person providing a return under PIB or PIN.

- (3) In this section, a reference to information being able to be submitted online is a reference to information being able to be submitted to the DFSA online using the appropriate electronic system on the DFSA website.

**Method of providing information**

**6.10.2** If information is able to be submitted online, a Person must submit the information to the DFSA using the online system.

**6.10.3** If information is not able to be submitted online then, unless a Rule states otherwise, a Person must ensure that information it provides to the DFSA:

- (a) is in writing;
- (b) sets out the Person's full name and, if applicable, its authorisation or registration number;
- (c) is addressed to the attention of:
  - (i) the Markets Department if the information is being provided under AMI, REC, MKT, PRS or TKO; or
  - (ii) the Supervision Department in any other case; and
- (d) is delivered to the DFSA:
  - (i) by post to the current address of the DFSA;
  - (ii) by hand to the current address of the DFSA; or
  - (iii) by electronic mail to an address provided by the DFSA.

**Evidence that information was provided**

**6.10.4** A Person who provides information to the DFSA must retain adequate evidence that the information was submitted or delivered.

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**11 SUPERVISION**

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## 11.2 Waivers

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**11.2.3** If an Authorised Person wishes to apply for a waiver, it must apply in writing to the DFSA using the appropriate form in AFN and ~~the application must be delivered to the DFSA as outlined in section 11.11.~~

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### 11.11 Provision of notifications and reports

- 11.11.1**
- (1) ~~Unless a Rule states otherwise, an Authorised Person must ensure that each notification or report it provides to the DFSA is:~~
    - (a) ~~in writing and contains the Authorised Person's name and Licence number; and~~
    - (b) ~~addressed for the attention of (in the case of an Authorised Firm) the Supervision Department and (in the case of an Authorised Market Institution) the Markets Department and delivered to the DFSA by:~~
      - (i) ~~post to the current address of the DFSA;~~
      - (ii) ~~hand delivered to the current address of the DFSA;~~
      - (iii) ~~electronic mail to an address provided by the DFSA; or~~
      - (iv) ~~faxed to a fax number provided by the DFSA.~~
  - (2) ~~In (1)(b) confirmation of receipt must be obtained.~~