

## Appendix 8

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



---

# The DFSA Rulebook

Glossary Module

**(GLO)**

---

**Changes in relation to Consultation Paper No. 87**

**C**

<b>Defined Term</b>	<b>Definition</b>
<u>CCP</u>	Pursuant to GEN Rule 2.18.1(1)(a), a CCP is a Person who Operates a Clearing House by becoming a Central Counterparty.
<u>Central Counterparty</u>	<p>Pursuant to GEN Rule 2.18.1(3), a Person operates as a Central Counterparty where it:</p> <p>(a) <u>ensures the performance of open contracts relating to Investments, made on a facility for trading Investments; and</u></p> <p>(b) <u>does so by interposing between counterparties to such contracts by becoming the buyer to every seller, or the seller to every buyer.</u></p>
<u>Central Securities Depository</u>	<p>In relation to:</p> <p>(a) <u>an Authorised Firm, the meaning given to that term under GEN Rule 2.13.1(3); and</u></p> <p>(b) <u>in the case of an Authorised Market Institution, the meaning given to that term in GEN Rule 2.18.1(5).</u></p>
Compliance Officer	<p>In relation to:</p> <p>(a) <u>an Authorised Firm, the Licensed Function described in GEN Rule 7.4.6.; and</u></p> <p>(b) <u>an Authorised Market Institution, the Key Individual function described in AMI Rule 5.3.6.</u></p>
<u>CSD</u>	<p>In relation to:</p> <p>(a) <u>an Authorised Firm, a Person who carries on the activity specified in GEN Rule 2.13.1(3);</u></p> <p>(b) <u>an Authorised Market Institution, a Person who carries on the activity specified in GEN Rule 2.18.1(5).</u></p>

## D

Defined Term	Definition
<u>Direct Electronic Access</u>	<u>Has the meaning given in AMI Rule 5.7.3(3).</u>

## E

Defined Term	Definition
<u>Error Trade</u>	<p>In relation to an:</p> <p>(a) <u>Authorised Market Institution, has the meaning given in AMI Rule 6.6.1; and</u></p> <p>(b) <u>Authorised Firm, has the meaning given in COB Rule 9.6.5(3)</u></p>

## F

Defined Term	Definition
Finance Officer	<p>The Licensed Function described in GEN Rule 7.4.5</p> <p><u>In relation to:</u></p> <p>(a) <u>an Authorised Firm, the Licensed Function described in GEN Rule 7.4.5; and</u></p> <p>(b) <u>an Authorised Market Institution, the Key Individual function described in AMI Rule 5.3.5.</u></p>

## I

Defined Term	Definition
<u>Internal Auditor</u>	<u>The Key Individual function described in AMI Rule 5.3.9.</u>

## K

<b>Defined Term</b>	<b>Definition</b>
Key Individual	<p><del>An Employee of an Authorised Market Institution assigned to oversee a Regulatory Function.</del></p> <p><u>Pursuant to AMI Rule 5.3.1(b), an individual appointed by an Authorised Market Institution to carry on the functions of:</u></p> <ul style="list-style-type: none"> <li><u>(i) the Governing Body;</u></li> <li><u>(ii) Senior Executive Officer;</u></li> <li><u>(iii) Finance Officer;</u></li> <li><u>(iv) Compliance Officer;</u></li> <li><u>(v) Risk Officer;</u></li> <li><u>(vi) Money Laundering Reporting Officer; or</u></li> <li><u>(vii) Internal Auditor.</u></li> </ul>

## M

<b>Defined Term</b>	<b>Definition</b>
Money Laundering Reporting Officer (MLRO)	<p>(1) <del>For the purposes of AMI, the Key Individual function described in AMI Rule 5.3.8, an individual who is a Director, Partner or other appropriately senior employee of an Authorised Market Institution who has responsibility for the Authorised Market Institution's compliance with the Rules in AMI chapter 11 and any relevant money laundering legislation applicable to the AMI.</del></p> <p>(2) For all other purposes, the Licensed Function described in GEN Rule 7.4.8.</p>
<u>MTF</u>	<u>A Multilateral Trading Facility.</u>
<u>Multilateral Trading Facility</u>	<u>Pursuant to GEN Rule 2.22.1(a), a system which brings together multiple third party buying and selling interests in Investments, in accordance with its non-discretionary rules, in a way that results in a contract in respect of such Investments.</u>

## O

<b>Defined Term</b>	<b>Definition</b>
<u>Organised Trading Facility</u>	<u>Pursuant to GEN Rule 2.22.1(b), a system which brings together multiple third party buying and selling interests in Investments, in accordance with its discretionary rules, in a way that results in a contract in respect of such Investments.</u>
<u>OTE</u>	<u>An Organised Trading Facility.</u>

## R

<b>Defined Term</b>	<b>Definition</b>
<u>Regulatory Function</u>	<u>Has the meaning given in AMI Rule 7.2.2(3). Pursuant to AMI Rule 5.3.1(a), Regulatory Functions of an Authorised Market Institution are those functions which directly contribute to the satisfaction by the Authorised Market Institution of its Licensing Requirements.</u>
<u>Risk Officer</u>	<u>The Key Individual function described in AMI Rule 5.3.7.</u>

## S

<b>Defined Term</b>	<b>Definition</b>
<u>Securities Settlement System</u>	<u>Pursuant to GEN Rule 2.18.1(4), a system operated by a Person which enables Investments held in accounts to be transferred and settled by book entry according to a set of predetermined multilateral rules.</u>
<u>Senior Executive Officer</u>	<u>In relation to:</u>  <u>(a) an Authorised Firm, the Licensed Function described in GEN Rule 7.4.2; and</u>  <u>(b) an Authorised Market Institution, the Key Individual function described in AMI Rule 5.3.4.</u>
<u>Senior Manager</u>	<u>In relation to an:</u>  <u>(a) Authorised Firm, the Licensed Function described in GEN Rule 7.4.7; and</u>

<b>Defined Term</b>	<b>Definition</b>
	(b) <u>Authorised Market Institution, an individual who is responsible either alone or jointly with other individuals for the management, supervision or control of the Authorised Market Institution's Financial Services and who is not a member of the Governing Body.</u>
<u>Short Selling</u>	In relation to:  (a) <u>an Authorised Firm, has the meaning given to that term in COB Rule 9.6.6(3); and</u>  (b) <u>an Authorised Market Institution, has the meaning given to that term in AMI Rule 6.7.1(3).</u>
<u>SSS</u>	<u>A Securities Settlement System.</u>

## T

<b>Defined Term</b>	<b>Definition</b>
<u>Trade Repository</u>	<u>Pursuant to GEN Rule 2.2.13, a Trade Repository is a Person who maintains a centralised registry that maintains an electronic database containing records of transactions in Investments and over-the-counter derivatives undertaken by other Persons including Authorised Persons, Recognised Persons and Regulated Financial Institutions.</u>

**Changes in relation to Consultation Paper No. 88**

**A**

<b>Defined Term</b>	<b>Definition</b>
<u>Accounting Records</u>	<p><u>Means records and underlying documents comprising initial and other accounting entries and associated supporting documents such as:</u></p> <ul style="list-style-type: none"> <li>(a) <u>cheques;</u></li> <li>(b) <u>records of electronic fund transfers;</u></li> <li>(c) <u>invoices;</u></li> <li>(d) <u>contracts;</u></li> <li>(e) <u>the general and subsidiary ledgers, journal entries and other adjustments to the financial statements that are not reflected in journal entries; and</u></li> <li>(f) <u>work sheets and spread sheets supporting cost _____ allocations, _____ computations, reconciliations and disclosures.</u></li> </ul>

**B**

<b>Defined Term</b>	<b>Definition</b>
<u>Bidder</u>	<p><u>Includes, but is not limited to, companies wherever incorporated and individuals wherever resident who or which make a Bid under TKO.</u></p>

**T**

<b>Defined Term</b>	<b>Definition</b>
Trust Administration Services	<p>The provision of Trust Administration Services include:</p> <ul style="list-style-type: none"><li data-bbox="655 510 1410 611">(a) the keeping of <u>Accounting Records</u> <del>accounting records</del> relating to an express trust and the preparation of trust accounts;</li><li data-bbox="655 645 1410 712">(b) the preparation of trust instruments or other documents relating to an express trust;</li><li data-bbox="655 745 1410 813">(c) the management and administration of trust assets subject to an express trust;</li><li data-bbox="655 846 1410 947">(d) dealing with trust assets subject to an express trust, including the investment, transfer and disposal of such assets;</li><li data-bbox="655 981 1410 1048">(e) the distribution of trust assets subject to an express trust; and</li><li data-bbox="655 1081 1410 1137">(f) the payment of expenses or remuneration out of an express trust.</li></ul>



**Amendments not consulted upon**

**A**

<b>Defined Term</b>	<b>Definition</b>
AML	<del>The Anti Money Laundering module of the Rulebook. Means either “anti-money laundering” or the Anti-Money Laundering, Counter-Terrorist Financing and Sanctions module depending on the context.</del>
Ancillary Service	<del>Has the meaning given in ASP section 2.1.</del>
Ancillary Service Provider	<del>A Person who is registered by the DFSA in relation to the carrying on of one or more Ancillary Services.</del>
Anti Money Laundering Officer	<del>An individual designated under ASP Rule 6.2.2, who is directly responsible for an Ancillary Service Provider’s compliance with applicable anti-money laundering legislation.</del>
ASP	<del>The Ancillary Service Providers module of the Rulebook.</del>
ASP Code	<del>The principles for Ancillary Service Providers prescribed in ASP section 4.2.</del>
Associate	<p>(1) In ASP, Chapters 7 and 11 of GEN and Chapter 68 of AML means, in respect of a Person ‘A’ holding Shares or entitled to exercise, or control the exercise of voting power, in an Authorised Firm or a Holding Company of an Authorised Firm:</p> <ul style="list-style-type: none"> <li>(a) the spouse of A;</li> <li>(b) a child or stepchild of A;</li> <li>(c) the trustee of any settlement, including any disposition or arrangement under which property is held on trust or subject to a comparable obligation, under which A has a life interest in possession;</li> <li>(d) an Undertaking of which A is a director;</li> <li>(e) a Person who is an Employee or partner of A;</li> <li>(f) where A is an Undertaking: <ul style="list-style-type: none"> <li>(i) a director of A;</li> <li>(ii) a subsidiary or wholly owned subsidiary</li> </ul> </li> </ul>

<b>Defined Term</b>	<b>Definition</b>
	<p>of A; or</p> <p>(iii) a director or Employee of such a subsidiary or wholly owned subsidiary; or</p> <p>(g) a Person who has an agreement or arrangement with A with respect to the acquisition, holding or disposal of Shares or other interests in the Authorised Firm or the Holding Company of an Authorised Firm or under which they undertake to act together in exercising their voting power in relation to an Authorised Firm or the Holding Company of an Authorised Firm or that other Person.</p> <p>(2) Except in ASP, Chapters 7 and 11 of GEN and Chapter 68 of AMI means in respect of a Person 'A', any Person, including an affiliated company which is:</p> <p>(a) an undertaking in the same Group as A; or</p> <p>(b) any other person whose business or domestic relationship with A or his Associate might reasonably be expected to give rise to a community of interest between them which may involve a conflict of interest in dealings with third parties.</p>

## **B**

<b>Defined Term</b>	<b>Definition</b>
Beneficial Owner	<p><del>(1) An individual who ultimately owns customers' assets or controls a customer account;</del></p> <p><del>(2) a Person on whose behalf a Transaction is being conducted;</del></p> <p><del>(3) a Person who exercises ultimate effective control over a legal Person or arrangement; or</del></p> <p><del>(4) a Person on whose instructions the signatories of an account, or any intermediaries instructing such signatories, are for the time being accustomed to act; or</del></p> <p><del>(5) in relation to a trust means a beneficiary as defined in the Trust Law 2005.</del></p>

## C

Defined Term	Definition
<u>CTF</u>	<u>Means counter-terrorist financing.</u>
<u>Customer Due Diligence (CDD)</u>	<u>Has the meaning in AML Rule 7.3.1.</u>

## D

Defined Term	Definition
<u>Designated Non-Financial Business or Profession (DNFBP)</u>	<p><u>Means:</u></p> <p>(1) <u>The following class of Persons whose business or profession is carried on in or from the DIFC:</u></p> <ul style="list-style-type: none"> <li>(a) <u>a real estate developer or agency which carries out transactions with a customer involving the buying or selling of real property;</u></li> <li>(b) <u>a dealer in precious metals or precious stones;</u></li> <li>(c) <u>a dealer in any saleable item of a price equal to or greater than \$15,000;</u></li> <li>(d) <u>a law firm, notary firm, or other independent legal business;</u></li> <li>(e) <u>an accounting firm, audit firm or insolvency firm;</u></li> <li>(f) <u>a company service provider; or</u></li> <li>(g) <u>a Single Family Office.</u></li> </ul> <p>(2) <u>A Person who is an Authorised Person or an Auditor is not a DNFBP.</u></p>

## F

Defined Term	Definition
Family Entity	Has the meaning given to that term in the <u>DIFC Single Family Office SFO-Regulations.</u>

<b>Defined Term</b>	<b>Definition</b>
Family Fiduciary Structure	Has the meaning given to that term in the <u>DIFC Single Family Office SFO-Regulations</u> .
Family Member	Has the meaning given to that term in the <u>DIFC Single Family Office SFO-Regulations</u> .
FATF Country	A member country of the FATF.

## **G**

<b>Defined Term</b>	<b>Definition</b>
Governing Body	<p>(1) The board of directors, partners, committee of management or other governing body of an Undertaking.</p> <p>(2) In CIR, in relation to a Fund, a Person or a body of Persons who together form the directing mind of the Fund including but not limited to:</p> <p>(a) its Fund Manager, a member of its main or supervisory board, a General Partner; or</p> <p>(b) any other Person or body of Persons exercising equivalent powers and functions in relation to directing the operation of the Fund.</p> <p><u>(3) In AML, has the meaning in Rule 3.2.1.</u></p>
Group	<p><u>(1) Means a group of entities which includes an entity (the 'first entity') and:</u></p> <p>(a) any Parent of the first entity; and</p> <p>(b) any subsidiaries (direct or indirect) of the Parent or Parents in (a) or the first entity.</p> <p><u>(2) In AML, has the meaning in Rule 3.2.1.</u></p>

## **K**

<b>Defined Term</b>	<b>Definition</b>
Key Information	Information prescribed in MKT Rule in 2.5.2(21)(b).

## M

<b>Defined Term</b>	<b>Definition</b>
Money Laundering Reporting Officer (MLRO)	<p><del>(1) For the purposes of AMI, an individual who is a Director, Partner or other appropriately senior employee of an Authorised Market Institution who has responsibility for the Authorised Market Institution's compliance with the Rules in AMI chapter 11 and any relevant money laundering legislation applicable to the AMI.</del></p> <p><del>(2) For all other purposes the Licensed Function described in GEN Rule 7.4.8.</del></p> <p><u>(1) For the purposes of AMI, a Key Individual described in AMI Rule 5.3.7.</u></p> <p><u>(2) For the purposes of an Authorised Firm other than a Credit Rating Agency, the Licensed Function described in GEN Rule 7.4.8.</u></p> <p><u>(3) For all other purposes, has the meaning in AML Rule 3.2.1.</u></p>

## P

<b>Defined Term</b>	<b>Definition</b>
Politically Exposed Persons <u>(PEP)</u>	<p><del>Individuals who are or have been entrusted with prominent public functions in a country or territory, for example heads of state or of government, senior politicians, senior government, judicial or military officials, senior executives of state owned co-operations, important political party officials but not middle ranking or more junior individuals in these categories.</del></p> <p><u>Means a natural person (and includes, where relevant, a family member or close associate) who is or has been entrusted with a prominent public function, including but not limited to, a head of state or of government, senior politician, senior government, judicial or military official, ambassador, senior executive of a state owned corporation, or an important political party official, but not middle ranking or more junior individuals in these categories.</u></p>
Prospectus Offer	An Offer of Securities referred to in Article 14(34)(a) of the Markets Law 2012.

## R

<b>Defined Term</b>	<b>Definition</b>
<u>Relevant Person</u>	<u>Has the meaning in AML Rule 1.1.2.</u>
Reporting Entity	Has the meaning given in Article 378 of the Markets Law 2012.

## S

<b>Defined Term</b>	<b>Definition</b>
SFO Regulations	<del>Means the Single Family Office Regulations made for the purposes of the DIFC Companies Law by the board of the Dubai International Financial Centre Authority.</del>
Single Family	Has the meaning given to that term in the <u>DIFC Single Family Office SFO Regulations</u> .
Single Family Office	Has the meaning given to that term in the <u>DIFC Single Family Office SFO Regulations</u> .
<u>Suspicious Activity Transaction Report (SAR)</u>	<del>A report made in accordance with AML section 3.5 or with ASP section 8.7 or 9.5 as applicable.</del>  <u>Means a report in the prescribed format regarding suspicious activity (including a suspicious transaction) made to the AMLSCU under AML Rule 13.3.1(c).</u>