

Annex B

In this Annex, underlining indicates new text and striking through indicates deleted text.

- 6.1.4** (1) Before an Authorised Firm communicates any marketing material to a Person it must ensure the material 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) a statement that the marketing material is directed at wholesale customers and not Retail Customers;
 - (c) a statement to the effect that the financial products or Financial Services to which the marketing material relates will only be made available to a wholesale customer who the Authorised Firm is satisfied meets the regulatory criteria to be a Client; and
 - (d) the Authorised Firm's regulatory status as required under GEN section 6.4.
- (2) In (1) marketing material means 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 an establishment 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 requirements under the DFSA laws and the Rulebook; and
 - (b) not distribute such marketing material if it becomes aware that the establishment offering the financial product or financial service to which the material relates is in breach of the regulatory requirements that apply to that establishment.