

Appendix 6

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



The DFSA Rulebook

Markets Rules

(MKT)

6 LISTED FUNDS

...

6.3 Prospectus requirements relating to a listed fund

Guidance

...

- 6.3.1** (1) A Person intending to have Units admitted to trading on an Authorised Market Institution must, subject to (2), (3) and (4), submit to the DFSA:

...

- (b) a Prospectus relating to the Fund ("Fund Prospectus") which:

.....

- (iii) includes a prominent disclaimer in bold, on the front page of the Prospectus, as follows:

"The DFSA does not accept responsibility for the content of the information included in the Prospectus, including the accuracy or completeness of such information. The liability for the content of the Prospectus lies with the Issuer of the Prospectus and other Persons, such as Experts, whose opinions are included in the Prospectus with their consent. The DFSA has also not assessed the suitability of the Securities to which the Prospectus relates to any particular investor or type of investor. If you do not understand the contents of this Prospectus or are unsure whether the Securities to which the Prospectus relates are suitable for your individual investment objectives and circumstances, you should consult an authorised financial advisor."

...

- (2) The application in (1) must be submitted to the DFSA:

- (a) in the case of an applicant who has not made a previous Prospectus Offer, at least 20 business days prior to the intended date on which the applicant expects the Prospectus to be approved;

- (b) in other cases, at least 10 business days before the intended date on which the applicant expects the Prospectus to be approved; and
- (c) in the case of a Supplementary Prospectus, as soon as is reasonably possible.

...

- (4) In the case of a Passported Fund, the following disclaimer must be used instead of the disclaimer specified in (1)(b)(iii):

“This is an Approved Prospectus for the purposes of admitting Securities, including units, to trading on an Authorised Market Institution in the Dubai International Financial Centre.

Notwithstanding that the DFSA has approved the prospectus, the DFSA does not accept responsibility for the content of the information included in the Prospectus, including the accuracy or completeness of such information. The liability for the content of the Prospectus lies with the Issuer of the Prospectus and other Persons, such as Experts, whose opinions are included in the Prospectus with their consent.

No other regulatory authority in the UAE has any responsibility for reviewing or verifying this prospectus or any other documents in connection with the promotion of this fund. Accordingly, no such authority in the UAE has approved this prospectus or any other associated documents, nor taken any steps to verify the information set out herein, and therefore no regulatory authority in the UAE has any responsibility for the same.

This Passported Fund is a Public Fund and, accordingly, the units thereof may be promoted, including by means of a public offer of the units for public subscription, to persons in [insert relevant Host Jurisdiction(s)].

The DFSA has also not assessed the suitability of the Securities to which the Prospectus relates to any particular investor or type of investor. If you do not understand the contents of this Prospectus or are unsure whether the Securities to which the Prospectus relates are suitable for your individual investment objectives and circumstances, you should consult an authorised financial advisor.”

Guidance

A “Public Fund” in Rule 6.3.1(4) has the meaning given in FPR Rule 1.3.1.