

MODIFICATION NOTICE

To	Julius Baer
Address	Julius Baer (Middle East) Limited Level 5, Emirates Towers PO Box 504925 Dubai United Arab Emirates
DFSA Firm Reference No.	10001
Notice No.	W33/05

THE DFSA HEREBY GIVES NOTICE THAT:

- (1) The Rules specified in the table herein do not apply to the above mentioned Person in the form appearing in the Rulebook but instead apply to that Person in the modified form prescribed in Table A.

This notice is issued by the DFSA under Article 25 of the Regulatory Law 2004.

Effective Date: This notice comes into effect on 6 December 2005 and expires on the date on which any Rule specified herein is amended.

RULES MODIFIED

The Rules modified in the left hand column of the table below are modified as shown in the right hand column of the table. In this table, underlining indicates new text and striking through indicates deleted text.

TABLE A

Rule	Modified Text
COB 3.2.2 Client	<p>(1) A Client is a Person who the Authorised Firm has determined, prior to the establishment of a relationship is:</p> <p style="padding-left: 20px;">(a) an individual who:</p> <p style="padding-left: 40px;">(i) has at least \$1 million in liquid assets and has provided the Authorised Firm with written confirmation of this fact;</p> <p style="padding-left: 40px;">(ii) appears to the Authorised Firm, after analysis, to have sufficient</p>

	<p>financial experience and understanding to participate in financial markets; and</p> <p>(iii) <u>was a customer of the firm immediately prior to the firm's authorisation by the DFSA and has received, from the firm, a one way written notification advising the customer that the customer will be treated as a Client for the purposes of the DFSA Rules; or</u></p> <p>(iv) has consented in writing to being treated as a Client;</p> <p>(b)and so on until (l)...</p> <p>(2) <u>Where individuals have linked or joint bank accounts, a Client is a Close Relative of the primary account holder, where the primary account holder is a Client under (1), but only in circumstances where either:</u></p> <p>(a) <u>that Close Relative fulfils the requirement in (1) (a) (ii); or</u></p> <p>(b) <u>in accordance with the provisions of a legal document all Financial Services transactions between the Authorised Firm and the Close Relative are agreed by the primary account holder.</u></p> <p>(3) <u>For the purposes of (2) the defined term Close Relative includes grandchildren of the primary account holder.</u></p> <p>(4) <u>A Personal Investment Vehicle or the trustee of such a vehicle is a Client if it is established and operated for the sole purpose of providing a vehicle to facilitate efficient management of a Client's investment portfolio including, if applicable, that any Close Relatives of that Client.</u></p> <p>(5) <u>For the purpose of (4) a Personal Investment Vehicle must be a:</u></p> <p>a) <u>Body Corporate;</u></p> <p>b) <u>Partnership;</u></p> <p>c) <u>trust; or</u></p>
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	<p>d) <u>foundation; and</u></p> <p><u>have net assets or share capital of at least \$1 million.</u></p> <p>(6) <u>For the purposes of (4), the term Close Relative includes grandchildren of the Client.</u></p> <p>(7) <u>A Personal Investment Vehicle that is a Body Corporate or trust must be valued in accordance with (1) (c) or (d) as applicable and if a foundation, must be valued in the same manner as a trust.</u></p> <p>(8) <u>Any Person who does not meet the criteria in (1), (2) or (3) is a Retail Customer.</u></p>
<p>COB 3.2.6 Record Keeping</p>	<p>(1)</p> <p>(2) <u>If the Client in (1) is an individual the records must include the analysis undertaken, the reasons for the Authorised Firm concluding that the individual merits classification as a Client, and the Client's written consent to be treated as a Client, and where an individual was a customer of the firm immediately prior to the firm's authorisation by the DFSA, a copy of the one way written notification, advising the customer that the customer will be treated as a Client for the purposes of the DFSA Rules.</u></p> <p>(3)</p> <p>(4) <u>If an individual is classified as a Client by virtue of Rule 3.2.2(3) then the records must include documents which evidence that individual's status as a Close Relative of the primary account holder and, where relevant, the legal documentations referred to in Rule 3.2.2(3)(b).</u></p>
<p>COB 8.1.1 Client Agreement</p>	<p>(1)</p> <p>(2) <u>An Authorised Firm must, for Clients who were customers of the Authorised Firm immediately prior to it being authorised by the DFSA, advise the Clients by way of a one way notification, of the regulatory status of the Authorised Firm.</u></p>

CONDITIONS

Nil

INTEPRETATION

The provisions in this notice are to be construed in accordance with section 6.2 of GEN as if these provisions are provisions of the Rulebook.

Defined terms are identified in this notice by the capitalization of the initial letter of a word or of each word in a phrase and are defined in the Glossary (GLO). Unless the context otherwise requires, where capitalisation of the initial letter is not used, an expression has its natural meaning.

This notice was issued by:

Name : Jane Coakley

Position : Managing Director - Authorisation

Date : 6 December 2005