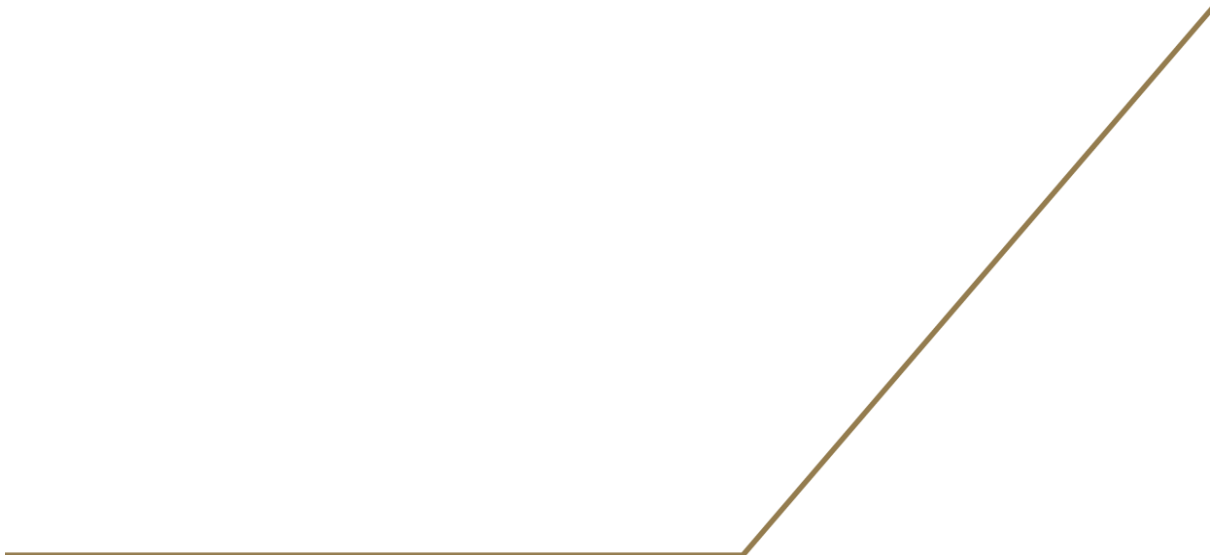




**FINANCIAL SERVICES AND MARKETS
(AMENDMENT No 2) REGULATIONS 2021**



FINANCIAL SERVICES AND MARKETS (AMENDMENT NO 2) REGULATIONS 2021

Regulations to amend the Financial Services and Markets Regulations 2015.

Date of Enactment: **21 March 2021**

The Board of Directors of the Abu Dhabi Global Market, in exercise of its powers under Article 6(1) of Law No. 4 of 2013 concerning the Abu Dhabi Global Market issued by His Highness the Ruler of the Emirate of Abu Dhabi, hereby enacts the following Regulations—

1. Amendments to the Financial Services and Markets Regulations 2015

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196. The record of Authorised Persons etc.

(1) The Regulator must publish and maintain a record of every—

- (a) Security admitted to the Official List;
- (b) Authorised Person;
- (c) Public Fund;
- (d) Approved Prospectus;
- (e) Recognised Investment Exchange or Recognised Clearing House;
- (f) Remote Investment Exchange or Remote Clearing House;
- (g) individual to whom a Prohibition Order relates;
- (h) Trade Repository;
- (i) Remote Member;
- (j) Approved Person;
- (k) Passported Fund; ~~and~~
- (l) Specified Information; and

~~(m)~~ (m) any person falling within such other class (if any) as the Regulator may determine.

(2) The record must include such information as the Regulator considers appropriate.

(3) The Regulator shall make a reasonably current version of the records available for viewing by the public during the normal business hours of the Regulator.

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258. Definitions

(1) In these Regulations, unless the context otherwise requires—

<u>Providing Third Party Services</u>	<u>means the Regulated Activity specified in paragraph 73F of the First Schedule.</u>
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<u>Specified Information</u>	<u>means, in relation to the Regulated Activity of Providing Third Party Services, such information as may be prescribed by the Regulator.</u>
<u>Third Party Provider</u>	<u>means an Authorised Person which holds a Financial Services Permission to carry on the Regulated Activity of Providing Third Party Services.</u>
<u>Third Party Transaction</u>	<u>means the access to, processing or transfer of Specified Information by the Third Party Provider that is executed at the request of a Customer.</u>

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**Schedule 1
Regulated Activities**

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Chapter 17D Providing Third Party Services

The activity

73F. Providing Third Party Services

- (1) Providing Third Party Services is a specified kind of activity.
- (2) Providing Third Party Services is an activity that means the accessing, processing and transfer of Specified Information.

73G. Prohibition on Holding Client Assets or Relevant Money

An Authorised Person that Provides Third Party Services must not hold Client Assets or Relevant Money unless they hold a Financial Services Permission for other Regulated Activities that allows them to hold Client Assets or Relevant Money.

Exclusions

73H. Connected Services

An Authorised Person does not Provide Third Party Services if it does so in relation to the carrying on of another Regulated Activity where Providing Third Party Services is in connection with and a necessary part of that other Regulated Activity.

73I. Other exclusions

The following do not constitute Third Party Services—

- (a) payment or securities settlement systems that require the accessing, processing or transfer of Specified Information;
- (b) technical services that access, process or transfer Specified Information without having a relationship with the Person to whom the Specified Information relates; and

(c) services that access, process or transfer Specified Information that is contained in physical form.

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2. Short title, extent and commencement

- (1) These Regulations may be cited as the Financial Services and Markets (Amendment No 2) Regulations 2021.
- (2) These Regulations shall apply in the Abu Dhabi Global Market.
- (3) These Regulations come into force on the date of their publication.