



ABU DHABI GLOBAL MARKET
سوق أبوظبي العالمي

**FINANCIAL SERVICES AND MARKETS
(AMENDMENT) REGULATIONS 2019**

*In this Annex, underlining indicates new text and strikethrough indicates deleted text, unless otherwise indicated.

FINANCIAL SERVICES AND MARKETS (AMENDMENT) REGULATIONS 2019

Regulations to amend the Financial Services and Markets Regulations 2015.

Date of Enactment: **14 February 2019**

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

Part 16 Public Record and Disclosure of Information

The public record

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; ~~and~~
 - (k) Passported Fund; and
 - (k~~l~~) 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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Part 22 General

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258. Definitions

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

<u>Passported Fund</u>	<u>means a Fund established and domiciled in the U.A.E. (including the Dubai International Financial Centre but excluding the ADGM) which the FSRA has designated by Rules to be eligible to be promoted to persons within the ADGM.</u>
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Chapter 18 Exclusions Applying to Several Specified Kinds of Activity

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79. Non-Abu Dhabi Global Market Persons

(1) A Non-Abu Dhabi Global Market Person does not carry on an activity of the kind specified by paragraph 4 by—

- (a) entering into a transaction as principal with or through an Authorised Person, or an Exempt Person acting in the course of a business comprising a Regulated Activity in relation to which he is exempt; or
- (b) entering into a transaction as principal with a person in the Abu Dhabi Global Market, if the transaction is the result of a legitimate approach.

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(8) A Non Abu Dhabi Global Market Person does not carry on activities of the kind specified by paragraphs 12, 16, 28 or 64 by entering as agent into a transaction for the sale of Units of a Passported Fund, or arranging or providing advice in relation to the sale of Units of a Passported Fund if the Non Abu Dhabi Global Market Person is licensed and supervised by the financial services regulator in the U.A.E. responsible for the jurisdiction in which the Passported Fund is domiciled.

(9) There is excluded from paragraph 70 any agreement made by a Non Abu Dhabi Global Market Person to carry on an activity of the kind specified by paragraph 12, 16(1) or (2), 28 or 64 if the agreement is made in relation to the promotion of a Passported Fund and the Non Abu Dhabi Global Market Person is licensed and supervised by the financial services regulator in the U.A.E. responsible for the jurisdiction in which the Passported Fund is domiciled.

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2. Short title, extent and commencement

- (1) These Regulations may be cited as the Financial Services and Markets (Amendment) Regulations 2019.
- (2) These Regulations shall apply in the Abu Dhabi Global Market.
- (3) These Regulations come into force on the date of their publication.