



# **AUTHORISATION MODULE**



<b>MODULE:</b>	<b>AU (Authorisation)</b>
<b>Table of Contents</b>	

		<b>Date Last Changed</b>
<b>AU-A</b>	<b>Introduction</b>	
AU-A.1	Purpose	07/2015
AU-A.2	Module History	04/2018
<b>AU-B</b>	<b>Scope of Application</b>	
AU-B.1	The Public	01/2013
AU-B.2	Licensees and Authorised Persons	07/2010
<b>AU-1</b>	<b>Authorisation Requirements</b>	
AU-1.1	Licensing	10/2016
AU-1.2	Approved Persons	04/2018
AU-1.3	[This Section deleted 07/2007]	07/2007
AU-1.4	Definition of Regulated Investment Services	03/2019
AU-1.5	Definition of Financial Instruments	04/2006
<b>AU-2</b>	<b>Licensing Conditions</b>	
AU-2.1	Condition 1: Legal Status	04/2006
AU-2.2	Condition 2: Mind and Management	01/2012
AU-2.3	Condition 3: Controllers and Close Links	01/2012
AU-2.4	Condition 4: Board and Employees	04/2006
AU-2.5	Condition 5: Financial Resources	07/2010
AU-2.6	Condition 6: Systems and Controls	04/2006
AU-2.7	Condition 7: External Auditors	07/2010
AU-2.8	Condition 8: Other Requirements	04/2006
<b>AU-3</b>	<b>Approved Persons Conditions</b>	
AU-3.1	Condition 1: 'Fit and Proper'	01/2016
AU-3.2	[This Section was deleted in January 2016]	01/2016
<b>AU-4</b>	<b>[This Chapter deleted 07/2007]</b>	
<b>AU-5</b>	<b>Information Requirements and Processes</b>	
AU-5.1	Licensing	04/2018
AU-5.2	Approved Persons	04/2018
AU-5.3	[This Section deleted 07/2007]	07/2007
AU-5.4	Amendment of Authorisation	07/2007
AU-5.5	Cancellation of Authorisation	07/2015
AU-5.6	Publication of the Decision to Grant, Cancel or Amend a License	07/2017
<b>AU-6</b>	<b>License Fees</b>	
AU-6.1	License Application Fees	07/2010
AU-6.2	Annual License Fees	07/2013



<b>MODULE</b>	<b>AU:</b>	<b>Authorisation</b>
<b>CHAPTER</b>	<b>AU-1:</b>	<b>Authorisation Requirements</b>

## **AU-1.4      Definition of Regulated Investment Services (continued)**

### *Advising on Financial Instruments*

**AU-1.4.41**

Advising on financial instruments means giving advice to an investor or potential investor (or a person in his capacity as an agent for an investor or potential investor) on the merits of buying, selling, subscribing for or underwriting a particular financial instrument or exercising any right conferred by such a financial instrument.

**AU-1.4.41A**

For the purpose of Rule AU-1.4.41, advising on financial instruments includes giving digital investment advice also known as 'robo-advice' or 'automated advice' using a computer program and algorithm to generate the advice.

**AU-1.4.42**

The activity defined in Rule AU-1.4.41 above does not include advising on mergers and acquisitions, unless otherwise agreed with the CBB on a case by case basis.

**AU-1.4.43**

The activity defined in Rule AU-1.4.41 above does not include advising on corporate finance.

AU-1.4.44

The following are examples of activities, which may be regarded as an activity as defined by Rule AU-1.4.41:

- (a) A person may offer to tell a client when shares reach a certain value on the basis that when the price reaches that value it would be a good time to buy or sell them;
- (b) Recommendation on the size or timing of transactions; and
- (c) Advice on the suitability of the financial instrument, or on the characteristics or performance of the financial instrument or credit facility concerned.

**AU-1.4.45**

A person does not carry on an activity specified in Rule AU-1.4.41 by giving advice in any newspaper, journal, magazine, broadcast services or similar service in any medium if the principal purpose of the publication or service, taken as a whole, is neither:

- (a) That of giving advice of the kind mentioned in Rule AU-1.4.41; nor
- (b) That of leading or enabling persons to buy, sell, subscribe for or underwrite a financial instrument.