



Central Bank of Bahrain

Form 3: ODC Filing Form

**(Application for Filing of Overseas Domiciled
Expert and Exempt CIUs from Recognised Jurisdictions)**

Form 3 : OCD Filing Form
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Form 3 : INSTRUCTIONS

1. The application for filing of overseas domiciled Expert and Exempt Collective Investment Undertaking ("CIU") from recognised jurisdictions consists of submitting a completed ODC Filing Form under a formal cover letter signed by one authorised signatory of the applicant, together with all supporting documentation. The application form should be completed by referring to Module ARR of Volume 7 (Collective Investment Undertakings) of the CBB Rulebook.
2. Module ARR (Authorisation/Registration Requirements) of CBB Rulebook Volume 7 contains various provisions relevant to Filing. In particular, the timeline and key steps in the filing process.
3. The filing may only be made by the CBB licensee who would offer the CIU within Bahrain.
4. In completing this form, note that where a CIU is structured as a series of separate offerings, such as an umbrella fund with a series of sub-funds, whereby each is a separate offering and financially independent of others established within the same legal vehicle, each sub-fund is treated as a separate CIU.
5. In completing the "Certification" section of the form, note that there are two levels of certification, one provided by the product team or compliance, and one by the internal or external auditor/legal advisor.
6. Complete all sections in full, attaching supporting documentation and continuation sheets where appropriate. The application should be written in BLOCK CAPITALS or typed.
7. Failure to provide all the required information at the outset will delay processing of the filing. The CBB does not accept responsibility for any loss caused to the applicant by such delays. Note that where information or documents are missing, and the CBB has requested these, that the applicant has 5 business days in which to supply the missing information, failing which the application will be cancelled by CBB (refer to Module ARR).
8. If any question is not applicable given the applicant's particular circumstances, please clearly indicate by marking 'N/A', with an explanation as to why it does not apply. Please also provide a full explanation for any question that cannot be answered at this stage. Please note that failure to provide all the required information may prejudice an application and will cause delay.
9. The original completed form, together with supporting documentation and the cover letter, should be submitted to:

The Director of Financial Institutions Supervision Directorate
 Central Bank of Bahrain
 P.O.Box 27
 Manama
 Kingdom of Bahrain



CIU Application Form: INSTRUCTIONS (continued)

10. Queries should be addressed to the Director, on Telephone: +973 1754 7967/7968, Fax: +973 1753 1636 or e-mail: mutualfunds@cbb.gov.bh.
11. Applicants are reminded that providing any information which is false or misleading to the CBB, or omitting to provide significant information which should have been provided to the CBB, may result in the refusal of the application or revocation of the filing.



Form 3: Contact Information

Please provide full contact details of a person with whom the CBB can communicate, regarding this application.

Name	
Title	
Institution	
Capacity*	
Tel	
Fax	
E-mail	

*Must be an authorised signatory



Form 3 : Details of CIU

1. Name of the overseas domiciled CIU for which the application is made:

2. Type and category of overseas domiciled CIU for which this application is made.
Please tick the appropriate box within each group.

(a)

☐ Expert

☐ Exempt

(b)

☐ Conventional

☐ Shari'a Compliant

3. The currency of denomination of the CIU:

4. Minimum initial subscription and minimum holding limits to be applied:

5. CIU investment focus:

☐ Fixed Income

☐ Equity

☐ Balanced

☐ Money Market

☐ ETF

☐ Index

☐ REITs

☐ Physical Commodities

☐ Fund of Funds

☐ Real Estate

☐ Private Equity

☐ Hedge Funds

☐ Other

If other, specify type:

6. Structure of the CIU (please tick appropriate box):

☐ Contractual

☐ Trust

☐ Corporate



Form 3 : Details of CIU (continued)

7. Country of Domicile:

8. Date of establishment:

9. Name and Contact Details of the CIU's home regulator:

10. The financial year end of the CIU:

11. Address where books and records of the CIU are to be kept:

12. Details of relevant persons (where applicable)

Relevant Person	Name	Address	Name of ultimate holding company
Manager			
Administrator			
Custodian or Trustee			



Form 3 : APPLICATION CHECK-LIST

This check-list must be completed in full. Please ensure that all documents are attached and all items are checked.

	Supporting Documentation	Attached
1	<u>Prospectus</u> (and <u>simplified prospectus</u> where applicable)	
2	Draft subscription agreement	
3	Certificate of incorporation (or trust certificate where applicable)	
4	A copy of the authorisation certificate of the <u>CIU</u> concerned from the regulator in its country of domicile, or proof of registration with the authority.	
5	A copy of the representative agreement with the <u>CBB licensee</u> that it will be acting as its distributor within Bahrain.	

	Items	Checked
1	The CIU has not been previously registered in Bahrain by the applicant, neither under its current name nor under any previous name of the CIU.	
2	The CIU is established in a recognised jurisdiction listed in Rule ARR-6.1.1 of Module ARR of CBB Rulebook Volume 7.	
3	The CIU is regulated by the relevant regulatory authority in the jurisdiction of domicile.	
4	The CIU has a separate legal status.	
5	The information provided in the section titled “Form 3: Details of CIU” are accurate and correspond to the information in the supporting documents.	
6	The investment strategy of the CIU, together with the derivative exposure and borrowing limits of the CIU suits the targeted investors’ profile.	



Form 3 : APPLICATION CHECK-LIST Continued

	Items	Checked
7	The investment manager is duly licensed in the jurisdiction where it is based, and is eligible to manage CIUs.	
8	The Fund has an administrator and a custodian that are separate from the investment manager.	
9	The representative agreement with the CBB licensee covers the offering of the CIU for which the application for filing is made.	
10	The prospectus of Sharia compliant CIUs must clearly reflect the specific nature of the CIU being Sharia compliant.	



Form 3 : Certification

1. Product team / compliance certification:

We certify that the information submitted in support of this application is accurate and complete to the best of our knowledge and belief and that there are no other facts relevant to this application of which the Central Bank of Bahrain (CBB) should be aware.

We declare that we are satisfied after having made all reasonable enquiries that the application is in full compliance with the CBB law and the relevant directives stipulated in CBB Rulebook Volume 7.

We confirm that we have maintained within premises all documents supporting the due diligence process undertaken to ensure the eligibility of the CIU for marketing in Bahrain, and the suitability of such CIU for the specific category of targeted investors, and we authorise the CBB to inspect the same.

We authorise the CBB to make such enquiries and seek further information it deems necessary in considering this application for filing of the overseas domiciled collective investment undertaking.

We are aware that providing to the CBB any information which is false or misleading, or omitting to provide significant information which should have been provided to the CBB, may result in the refusal of the application or cancellation of the CIU filing.

We undertake to inform the CBB of any material changes to the application that may arise while the CBB is considering the application. We further undertake that, in the event that the filing of the overseas domiciled collective investment undertaking is acknowledged, we will notify the CBB of any material changes to or affecting the completeness or accuracy of the information provided in this Form (ODC Filing Form) as soon as possible, but in any event no later than 15 calendar days from the date that the changes come to our attention.

This certification must be signed by an authorised signatory of the applicant. Note that the application may only be made by the CBB licensee who will distribute the CIU concerned.

Name	
Title	
Institution	
Capacity*	
Tel	
Fax	
E-mail	

Signature

Date



Form 3 : Certification continuation

2. Internal or external auditor/ legal advisor certification:

We certify that, after having made all reasonable enquiries, the information submitted by the applicant in support of this application is accurate and complete to the best of our knowledge and belief, and that there are no other facts relevant to this application of which the Central Bank of Bahrain (CBB) should be aware.

We declare that we are satisfied after having made all reasonable enquiries that the application is in full compliance with the CBB law and the relevant directives stipulated in CBB Rulebook Volume 7.

We confirm that the applicant has maintained the documents supporting the due diligence process in relation to the offering of holdings of the CIU within premises.

We undertake to provide all such information that may be required by the CBB in relation to this application.

This certification must be signed by the applicant's internal or external auditor / legal advisor.

Name	
Title	
Institution	
Capacity*	
Tel	
Fax	
E-mail	

Signature

Date

* Must be an authorised signatory