Retail Investor AIF Application Form Section 9 Sub-Fund

February 2021

APPLICATION FORM FOR

APPROVAL OF A NEW SUB-FUND/NEW SUB-FUNDS

**Name of Sub-Fund(s):**

**Name of Retail Investor AIF:**

**Date of Application:**

This application is supported by the information requirements of the Central Bank of Ireland (the ‘Central Bank’) as set out in the AIFMD Regulations. I confirm that the information supplied is complete and accurate, the attached check list has been completed and the application is ready for approval under the Unit Trusts Act, 1990, the Companies Act, 1990, Part XIII, the Investment Limited Partnerships Acts 1994 and 2020, Irish Collective Asset-management Vehicles Acts 2015 and 2020 or the Investment Funds, Companies and Miscellaneous Provisions Acts 2005 and 2020 (for Common Contractual Funds) (delete as applicable)

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### Authorised signatory of Applicant or its appointed representative

**Name: Date:**

**E-mail address:**

**Proposed Approval Date:**

**FOR CENTRAL BANK USE ONLY**

This application is supported by the information requirements of the Central Bank as set out in the AIFMD Regulations. The attached check list was checked and the application is ready for approval under the Unit Trusts Act, 1990, the Companies Act, 1990, Part XIII, the Irish Collective Asset-management Vehicles Acts 2015 and 2020, the Investment Limited Partnerships Acts 1994 and 2020, or the Investment Funds, Companies and Miscellaneous Provisions Acts 2005 and 2020 (delete as applicable)

**Signature: Date:**

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is (are) recommended for approval as a sub-fund(s)s of a Retail Investor AIF under *the Unit Trusts Act, 1990, the Companies Act,* *1990, Part XIII, the Irish Collective Asset-management Vehicles Acts 2015 and 2020, the Investment Limited Partnerships Acts 1994 and 2020**or the Investment Funds, Companies and Miscellaneous Provisions Acts 2005 and 2020* **(delete as applicable)**

**Signature: Date:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

is (are) approved as a sub-fund(s) of a Retail Investor AIF under *the Unit Trusts Act, 1990, the Companies Act,* *1990, Part XIII, the Irish Collective Asset-management Vehicles Acts 2015 and 2020, the Investment Limited Partnerships Acts 1994 and 2020* *or the Investment Funds, Companies and Miscellaneous Provisions Acts 2005 and 2020* **(delete as applicable)**

**Signature: Date:**

**SECTION 9**

**NEW SUB-FUND(S)**

Retail Investor AIF

Note:

This section must be completed for all sub-funds being launched by way of a prospectus supplement and all sub-funds seeking approval subsequent to the authorisation of the Retail Investor AIF

Applicants are reminded of the provisions of Regulations 129 of the UCITS Regulations 2011/Section 29 of the Investment Limited Partnerships Act 1994 and 2020 which allows the Central Bank to revoke authorisation issued to an alternative investment fund including in situations where the Central Bank has been furnished with false, inaccurate or misleading information. Applicants are also advised that they should not omit information which is likely to be relevant to the Central Banks assessment of the application. Issues arising within applications of this nature are likely to be relevant to any future assessment of individuals under the Fitness and Probity Standards.

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|  |  | **Applicant** |  |  |
| 9.1 | Information Regarding the Retail Investor AIF |  |  |  |
|  | State: |  |  |  |
| 9.1.1 | Name of Retail Investor AIF: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |
|  |  |  |  |  |
| 9.1.2 | Date of authorisation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |
|  |  |  |  |  |
| 9.1.3 | Name of existing sub-fund(s):  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| 9.1.4 | Legal structure |  |  |  |
| a) | Investment Company, Irish Collective Asset-management Vehicle (“ICAV”), Unit Trust, Investment Limited Partnership (‘ILP’), Common Contractual Fund (‘CCF’) |  |  |  |
|  |  |  |  |  |
| b) | open-ended, closed-ended, open-ended with limited liquidity |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| 9.1.5 | Name of the following parties to the sub-fund(s): |  |  |  |
| a) | Name and address of the Investment Manager if appointed to specific sub-  |  |  |  |
|  | funds (Indicate if this is a change of address to that previously notified to the Central Bank. In the case of a change of address the completion of this form will be regarded as formal notification in this regard). |  |  |  |
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| b) | Name and address of any other entities appointed specifically to the sub-fund,  |  |  |  |
|  | indicate if this is a change of address to that previously notified to the Central Bank. (In the case of a change of address of any of the below service providers the completion of this form will be regarded as formal notification in this regard). |  |  |  |
|  |  |  |  |  |
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|  |  |  |  |  |
| 9.1.6 | State name of AIFM’s nominated contact and e-mail address thereof: |  |  |  |
|  |  |  |  |  |

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| --- | --- | --- | --- | --- |
|  |  | **Applicant** |  |  |
| 9.2 | Information relating specifically to the sub-fund(s) |  |  |  |
|  |  |  |  |  |
| 9.2.1 | State number of new sub-funds proposed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |
|  |  |  |  |  |
| 9.2.2 | State name(s) of new sub-fund(s) |  |  |  |
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| 9.2.3 | Where a supplement to the prospectus is issued the supplement must state  |  |  |  |
|  | that the Retail Investor AIF is constituted as an umbrella Retail Investor AIF and name the other existing sub-funds or provide that these will be available upon request. |  |  |  |
|  |  |  |  |  |
| 9.2.4 | Is it intended to promote the sale of units/shares of the sub-fund(s) to Irish  |  |  |  |
|  | Residents? |  |  |  |
|  |  |  |  |  |
| 9.2.5 | Confirm that the documentation will be submitted to the Irish Stock  |  |  |  |
|  | Exchange if the the sub-fund(s) is(are) seeking a listing |  |  |  |
|  |  |  |  |  |
| 9.2.6 | Is the Fund an exchange-traded fund? |  |  |  |
|  |  |  |  |  |
|  |  | Yes/No |  |  |
| 9.2.7 | Will the sub-fund(s) be marketed in Japan and constitute a public offer? |  |  |  |
|  | If yes, confirm (on behalf of the Board) that: |  |  |  |
| a) | An SRS will be issued; |  |  |  |
| b) | It contains all information set out in the Central Bank’s AIF Rulebook; and |  |  |  |
| c) | It does not contain information that conflicts with the prospectus or the AIF  |  |  |  |
|  | Rulebook |  |  |  |
|  |  | Yes/No |  |  |
| 9.2.8 | A Short-Term Money Market Fund (as per Part II of Chapter 2 of the AIF  |  |  |  |
|  | Rulebook) which follows an amortised cost valuation methodology must: |  |  |  |
|  | (i) Provide confirmation that the Short-Term Money Market fund is obtaining a triple-A rating from an internationally recognised rating agency |  |  |  |
|  |  |  |  |  |
|  | OR |  |  |  |
|  | (ii) Attach a letter from the manager/investment manager confirming that it is currently managing, or has previously managed, a triple-A rated money market fund |  |  |  |
|  |  |  |  |  |
|  | OR |  |  |  |
|  | (iii) Confirm that the manager or the investment manager has supplied sufficient information to the Central Bank to demonstrate appropriate expertise in the operation of this type of money market fund and the Central Bank has indicated that the fund application may be submitted |  |  |  |

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| 9.3 | Documentation to accompany Application |  |  |  |
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| 9.3.1 | Draft letter of application |  |  |  |
| a) | Letter of application from the AIFM together with the Investment Company or ICAV or Management Company or the General Partner and Depositary as appropriate seeking approval of the sub-fund(s); and |  |  |  |
| b) | Detailing any derogations granted, including proposed limits etc. |  |  |  |
|  |  |  |  |  |
| 9.3.2 | If additional exchanges/markets are being added to list of markets/exchanges provided for in the prospectus Retail Investor AIF |  |  |  |
|  | Letter from Custodian confirming that it can provide for the safekeeping of the  |  |  |  |
|  | assets of the Retail Investor AIF, in relation to each additional stock exchange and markets provided for in the supplement in accordance with the conditions set down by the Central Bank  |  |  |  |
|  |  |  |  |  |
| 9.3.3 | A copy of the Prospectus |  |  |  |
|  |  |  |  |  |
| 9.3.4 | Draft Prospectus Supplement(s) |  |  |  |
|  |  |  |  |  |
| 9.3.5 | All relevant sections from Section 2, as applicable. (All of section 2 is required  |  |  |  |
|  | in the case of a separate prospectus for a sub-fund or for each separate prospectus for share classes within a sub-fund.) |  |  |  |
|  |  |  |  |  |
| 9.3.6 | All relevant letters of confirmation from Section 1, as applicable |  |  |  |
|  |  |  |  |  |
| 9.3.7 | If applicable, any other documentation, e.g. Supplement Trust Deed, Side Letters to existing agreements, etc.  |  |  |  |
|  |  |  |  |  |
| 9.3.8 | Please provide the name and a valid email address for a Director of the RIAIF  |  |  |  |
|  | (in the case of an Investment Company or ICAV) or a Director of the management company (in the case of a Unit Trust or Common Contractual Fund) or a Director or partner of the General Partner (in the case of an Investment Limited Partnership). Please note that the Additional Supervisory Levy notice under The Central Bank Act 1942 (Section 32D) (Additional and Supplementary Supervisory Levies – Regulated Entities) Regulations 2019 will issue to this individual. |  |  |  |
|  | Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Email address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |
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| 9.3.9 | State the email address and for whose attention the Central Bank’s  |  |  |  |
|  | correspondence and scanned version of the letter of authorisation should issue. Please note if this point of contact changes during the review, the Central Bank should be notified in writing |  |  |  |
|  |  |  |  |  |
|  |  | Yes/No |  |  |
| 9.3.10 | On approval date will you require the original letter of approval? |  |  |  |
|  |  |  |  |  |

Any personal data provided by you may be processed by the Central Bank in connection with the performance of its statutory functions. If you have any questions in relation to the processing of your personal data by the Central Bank, you may contact our Data Protection Officer at dataprotection@centralbank.ie. A copy of the Central Bank’s Data Protection Notice is available at [www.centralbank.ie/fns/privacy-statement](http://www.centralbank.ie/fns/privacy-statement).



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