

Application form for AIFM to market shares or units of non-EU AIFs in Denmark

Application letter

In order for an AIFM to market shares or units of non-EU AIFs in Denmark the AIFM has to submit the following application to the Danish FSA. The AIFM can start to market units or shares of the non-EU AIFs they manage towards professional investors in Denmark when notified by the Danish FSA.

Part A

Name of the AIFM:

Address or registered office/domicile:

Identification code:

Details on contact person

Name:

Position:

Telephone number:

Email address:

Additional information (if necessary):

Part B

Name of the non-EU AIF that the AIFM intends to market towards professional investors in Denmark:

Address or registered domicile:

Inception date of the non-EU AIF or date of authorisation:

Identification code of the non-EU AIF (LEI, ISIN, RIC, ECB, SEDOL, CUSUIP):

Details on how the AIFM will ensure that the AIF or sub-funds of the non-EU AIF that the AIFM manages will not be marketed towards retail investors in Denmark:

Information on the measures the AIFM intends to implement in Denmark with a view to securing the investors' rights to receive dividends and redeem units:

Does the non-EU AIF contain compartments?

Yes No

Is the non-EU AIF part of a master-feeder structure?

Yes No

Name of the non-EU AIF and/or sub-funds	Home country	Legal form	Name of depositary	Investment strategy	Name and home country of the master AIF
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				<input type="text"/> <input type="text"/>	
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Part
C

Attachments:

1) Documentations that the AIFM is authorised to manage EU AIFS pursuant to Directive 2011/61/EU if the AIFM is domiciled within the EU/EEA:

(title of document or name of electronic attachment)

2) Program of operations identifying the non-EU AIF the AIFM intends to market in Denmark:

(title of document or name of electronic attachment)

3) The latest version of the fund rules or instruments of incorporation:

(title of document or name of electronic attachment)

4) Description of, or any information, on the non-EU AIF available to investors (please fill out annex 1):

(title of document or name of electronic attachment)

5) The latest published annual report and any subsequent half-yearly report:

(title of document or name of electronic attachment)

6) A statement from the Supervisory Authorities of the non-EU AIF to that the home country is prepared to grant similar Danish AIFs access to market their units or shares in the country in question:

(title of document or name of electronic attachment)

7) Information on whether, and if so the extent to which, the non-EU AIF is allowed to market its shares or units towards the public in the home country of the AIFM and the home country of the non-EU AIF:

(title of document or name of electronic attachment)

8) Information the non-EU AIF is required to provide for its investors according to the regulation of its home country, including the information the non-EU AIF is required to provide if it ceases marketing:

(title of document or name of electronic attachment)

9) Other information the non-EU AIF is obligated to publish in its home country:

(title of document or name of electronic attachment)

Part D

Confirmation by the AIFM

We hereby confirm that the documents attached to this application letter contain all relevant information as provided in Executive Order no. 798 of 26 June 2014 on authorisation for alternative investments fund managers to market alternative investment funds established in a third country in Denmark. The text of each document is the same as that previously submitted to the competent authorities of the home country, or is a translation that faithfully reflects that text.

(The application letter shall be signed by an authorised signatory of the AIFM or a third person empowered by a written mandate to act on behalf of the applying AIFM. The signatory shall state his/her full name and capacity, and shall ensure the confirmation is dated).

Name:

Position:

Date:

Signature:

Annex I

<p>AIFMD 23(1)(a) FAIF Section 62(1)(1-9)</p>	<p>A description of the investment strategy and objectives of the AIF, information on where any master AIF is established and where the underlying funds are established if the AIF is a fund of funds, a description of the types of assets in which the AIF may invest, the techniques it may employ and all associated risks, any applicable investment restrictions, the circumstances in which the AIF may use leverage, the types and sources of leverage permitted and the associated risks, any restrictions on the use of leverage and any collateral and asset reuse arrangements, and the maximum level of leverage which the AIFM are entitled to employ on behalf of the AIF:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(b) FAIF Section 62(1)(10)</p>	<p>A description of the procedures by which the AIF may change its investment strategy or investment policy or both:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(c) FAIF Section 62(1)(11)</p>	<p>A description of the main legal implications of the contractual relationship entered into for the purpose of investment, including information on jurisdiction, the applicable law and the existence or not of any legal instruments providing for the recognition and enforcement of judgment where the AIF is established:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(d) FAIF Section 62(1)(12)</p>	<p>The identity of the AIFM, the AIF's depository, auditor and any other service providers and a description of their duties and the investors' rights:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(e) FAIF Section 62(1)(13)</p>	<p>A description of how the AIFM is complying with the requirements of Article 9(7) of the AIFMD:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(f) FAIF Section 62(1)(14)</p>	<p>A description of any delegated management function as referred to in Annex I by the AIFM and of any safekeeping function delegated by the depository, the identification of the delegate and any conflicts of interest that may arise from such delegations:</p>

Disclosure to investors:	
Information found in:	
AIFMD 23(1)(g) FAIF Section 62(1)(15)	A description of the AIF's valuation procedure and of the pricing methodology for valuing assets, including the methods used in valuing hard-to-value assets in accordance with Article 19 of the AIFMD:
Disclosure to investors:	
Information found in:	
AIFMD 23(1)(h) FAIF Section 62(1)(16)	A description of the AIF's liquidity risk management, including the redemption rights both in normal and in exceptional circumstances, and the existing redemption arrangements with investors:
Disclosure to investors:	
Information found in:	
AIFMD 23(1)(i) FAIF Section 62(1)(17)	A description of all fees, charges and expenses and of the maximum amounts thereof which are directly or indirectly borne by investors:
Disclosure to investors:	
Information found in:	
AIFMD 23(1)(j) FAIF Section 62(1)(18-19)	A description of how the AIFM ensures a fair treatment of investors and, whenever an investor obtains preferential treatment or the right to obtain preferential treatment, a description of that preferential treatment, the type of investors who obtain such preferential treatment and, where relevant, their legal or economic links with the AIF or AIFM:
Disclosure to investors:	
Information found in:	
AIFMD 23(1)(k) FAIF Section 62(1)(20)	The latest annual report referred to in Article 22 of the AIFMD:
Disclosure to investors:	
Information found in:	
AIFMD 23(1)(l) FAIF Section 62(1)(21)	The procedure and conditions for the issue and sale of units or shares:
Disclosure to investors:	
Information found in:	

<p>AIFMD 23(1)(m) FAIF Section 62(1)(22)</p>	<p>The latest net asset value of the AIF or the latest market price of the unit or share of the AIF in accordance with Article 19 of the AIFMD:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(n) FAIF Section 62(1)(22)</p>	<p>Where available, the historical performance of the AIF:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(o) FAIF Section 62(1)(22)</p>	<p>The identity of the prime broker and a description of any material arrangements of the AIF with its prime brokers and the way the conflicts of interest in relation there are to managed and the provision in the contract with the depositary on the possibility of transfer and reuse of AIF assets and information about any transfer of liability to the prime broker that may exist:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	
<p>AIFMD 23(1)(p) FAIF Section 62(1)(22)</p>	<p>A description of how and when the information required under Article 23(4) and (5) of the AIFMD will be disclosed:</p>
<p>Disclosure to investors:</p>	
<p>Information found in:</p>	