

## Appendix B



### Format for providing public comments to DIFCA on Consultation paper No.6 of 2017 Proposed Foundations Law, DIFC Law No. 8 of 2017

**Note 1:** DIFCA reserves the right to publish, including on its website, any comments you provide. However, if you wish to remain anonymous, you must expressly request at the time of making comments that this should be the case.

**Note 2:** The column 'comments on proposed policy' relates to the policy explained in the Consultation Paper ("CP"). The column, 'comments on proposed legislation' refers to the draft legislation reflecting the proposed policy.

**Note 3:** It is possible that you may not have any comments, either on the proposed policy or legislation, or may have comments on one and not the other. You may leave a blank column if you either agree to the proposed position, or you have no concerns relating it.

**Note 4:** If there are any ambiguities relating to the proposed policy or legislation, you may raise those in your comments.

Name of individual / entity providing comments:

No.	Comments on proposed policy	Comments on proposed legislation
<b>The proposed Foundations regime</b>		
<b>Q1: Do you have any concerns about the proposed categories of foundations? If so, what are they, and how should they be addressed?</b>		
<b>Private international law issues</b>		

No.	Comments on proposed policy	Comments on proposed legislation
<b>Q2: Are there any concerns in relation to the proposed exclusions of foreign law? If so, what are they, and how should they be addressed?</b>		
<b>Q3: In particular, do the contemplated provisions in the Proposed Law sufficiently address this issue?</b>		
<b>Local representation of Foundations in the DIFC</b>		
<b>Q4: Are there any concerns relating to the proposed arrangements in relation to the presence of a DIFC Foundation in the DIFC? If so, what are they, and how should they be addressed?</b>		
<b>Governance controls</b>		
<b>Q5: Are there any concerns in relation to the proposed duties of members of the Council? If so, what are they, and how should they be addressed?</b>		

No.	Comments on proposed policy	Comments on proposed legislation
<p><b>Q6: Are there any other aspects relating to duties of members of the Council which should also be included in the Proposed Law? What are they, and how should they be included?</b></p>		
<p><b>Q7: Are the proposed arrangements in relation to the appointment and powers of the Guardian satisfactory? If not, why and what changes should be made?</b></p>		
<p><b>Depository receipts</b></p>		
<p><b>Q8: Do you have any concerns relating to the provisions relating to depository receipts for foundations? If so, what are they, and how should they be addressed?</b></p>		
<p><b>Foundation's accounting and audit requirements</b></p>		
<p><b>Q9: Do you have any concerns relating to the requirements relating to accounting and reporting for all foundations? If so, what are they, and how should they be addressed?</b></p>		

No.	Comments on proposed policy	Comments on proposed legislation
<b>Q10: Do you agree with the proposed lack of requirement for audit and permitting lodgments of accounts with a Registered Agent where there is one? If not, what are your reasons?</b>		
<b>DIFC Registrar's powers</b>		
<b>Q11: Do you have agree with the proposed alignment of the Registrar's position under the DIFC Companies Law to the Proposed Law? Are there other objectives that need to be added, or any proposed ones that need to be removed? What are your reasons?</b>		
<b>Disclosure of relevant information in relation to the Foundations</b>		
<b>Q12: Do you have any concerns relation to the proposed approach relating to the disclosure of information in respect of Foundations in the DIFC? If so, what are they, and how should they be addressed?</b>		
<b>Role of the Court</b>		
<b>Q13: Are the provisions of the Proposed Law relating to the role of the Courts appropriate? Are there other powers that need to be added, or any proposed ones that need to be removed? What are your reasons?</b>		

No.	Comments on proposed policy	Comments on proposed legislation
<b>Q14: Are there any concerns relating to the proposed provisions relating to the consequences of mistakes? If so, what are they, and how should they be addressed?</b>		
<b>Q15: Are the provisions of the Proposed Law adequate to ensure effective conduct of an arbitration? If not, what are the deficiencies, and how should they be addressed?</b>		
<b>Miscellaneous</b>		
<b>Q16: Do you have any other concerns relating to any one or more proposed provisions? If so, what are they and how should they be addressed?</b>		
<b>Q17: Are there any other concerns that are not addressed relating to the Proposed Law? If so, what are they, and how should they be addressed?</b>		