

# Annex B

#

# Format for providing public comments to DIFCA on Consultation Paper No. 2 of 2022

# Proposed Amendments to the Prescribed Company Regulations

|  |
| --- |
| 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 second column, ‘comments on proposed policy’ relates to the policy explained in the CP paragraphs specified. The third column, ‘comments on 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 draft 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 draft legislation, you may raise those in your comments. |

| **Name of individual / entity providing comments:** |  |
| --- | --- |

| No.  | Comments on proposed policy | Comments on legislation |
| --- | --- | --- |
| Formalising, expanding and consolidating the definition of Qualifying Applicant |
| Q1: Do you foresee any difficulties arising from the proposed expansion of the Qualifying Applicants that may establish a Prescribed Company? If so, how should they be addressed? |
|  |  |  |
|  |  |  |
| Q2: Do you agree with the exclusion of NPIOs from the definition of DIFC Registered Entities. If not, why not? |
|  |  |  |
|  |  |  |
| Q3: Do you think the Qualifying Applicants should be expanded even further? If so, can you please specify these. |
|  |  |  |
|  |  |  |
| Q4: What are your views on the requirements and definition of Common Control?  |
|  |  |  |
|  |  |  |
| Formalising, consolidating and expanding the definition of Qualifying Purpose  |
| Q5: What are your views on the expanded list of Qualifying Purposes and do you foresee any difficulties arising with the proposed criteria for each Qualifying Purpose? If so, please specify these, as applicable. |
|  |  |  |
|  |  |  |
| Q6: What are your views on the new Innovation Structure? Are there any specific innovation entities or types of innovation entity that you think should be included in the DIFCA Board Resolution? If so, please specify these, as applicable. |
|  |  |  |
|  |  |  |
|  |  |  |
| Q7: Do you think the Qualifying Purposes should be expanded even further? If so, please specify these and your reasons for this. |
|  |  |  |
|  |  |  |
| Disapplying certain provisions of the Companies Law |
| Q8: What are your views on the proposed exemptions under Regulation 3.2.5? Do you think any further legislative carve-outs are required under the Companies Law to facilitate this addition to the Prescribed Companies Regulations? If so, please specify these, as applicable. |
|  |  |  |
|  |  |  |
| Q9: What are your views on the amended Structured Financing definition? Do you think any other types of financing transaction should be included within the definition and are there any further carve-outs required under the Companies Law to facilitate such transactions? If so, please specify these, as applicable. |
|  |  |  |
|  |  |  |
| Miscellaneous  |
|  |
| Q10: Do you have any issues, proposed amendments or other suggestions in respect of any of the miscellaneous changes proposed? |
|  |  |  |
|  |  |  |
| Q11: Are there any other issues, not included in the Proposed Regulations, which warrant attention? If so, what are they, and why, and how, should they be addressed? |
|  |  |  |
|  |  |  |
| Other or general comments |
|  |  |  |
|  |  |  |