

Private Fund Licence

Application Form



FINANCIAL SERVICES AUTHORITY

Bois De Rose Avenue
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Victoria
Mahé
Seychelles

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Website: www.fsaseychelles.sc
Email: enquiries@fsaseychelles.sc

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Private Fund Licence Application Form

Instructions for completing the application form

- Applicants are advised to refer to the Mutual Fund and Hedge Fund Act, 2008 when completing the application form.
- The form should be completed in English and the answers to ALL questions should be TYPED or written in INK and in BLOCK LETTERS.
- No question should be left unanswered. Where the Applicant believes that a question does not apply, the Applicant should write “**Not Applicable**” or “**N/A**”.
- If there is insufficient space to answer a question, additional information may be provided on an attachment page and identify the continuation of an answer by stating the question number.
- Please ensure that full particulars requested are properly numbered and is relevant to the question asked.
- All dates should be completed in the form: Day / Month / Year.
- The declaration on this form must be signed by a director or other duly authorised person.
- If there are any changes in the information furnished in the application prior to the completion of the review of this application, the Authority should be notified immediately.
- The Authority requires that forms are completed in its entirety. The Authority shall return forms that are incomplete or does not disclose full information and as such, this may result in delays.
- This application form must be accompanied by the documents specified in the check-list.
- Categories of Acceptable Certifiers (the certifier must be independent from the applicant):
 - (i) a judge;
 - (ii) a magistrate;
 - (iii) a notary public;
 - (iv) a barrister-at-law;
 - (v) a Solicitor;
 - (vi) an attorney-at-law; or
 - (vii) a Commissioner of Oaths.
- The completed application form and any supporting material, should submitted to:

The Chief Executive Officer
Financial Services Authority
Bois de Rose Avenue
P.O. Box 991
Victoria
Mahé
Seychelles

Attn: Capital Markets and Collective Investment Schemes Supervision Section

NOTE: Failure to disclose and submit all necessary information may lead to the Authority rejecting the application

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Section one: Details of The Applicant

1. Name or proposed name of Fund

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2. Type of Fund entity (i.e. company, partnership or unit trust)

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3. Details of incorporation

Country of incorporation or establishment	
Date of incorporation or establishment	
The law under which the applicant is incorporated or established	

4. Details of registered office, business address and service address

Address of the registered Office	
Service address in Seychelles (if the fund is not incorporated in Seychelles)	
Business address in Seychelles (if the fund is not incorporated in Seychelles)	

5. State the full name and address of each director, trustee, general partner (and each director of the general partner) of the applicant (as applicable)

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6. Is the fund listed on a Stock Exchange?

Yes No

If "Yes", state the stock exchange and provide proof of listing.

7. If the fund is already operating outside Seychelles –

(a) State the date the fund commenced business as a mutual fund

(b) Provide details of current overseas licensing or registration

Type of fund licence or authorization issued	
Place and date of issue	
Licence/Registration No.	

(c) Provide details of the overseas regulatory body issuing the above licence or authorization

Name	
Section/Department	
Address	
Telephone No.	
Fax No.	
E-mail	

(d) Provide details of all past overseas licensing or registration as a mutual fund (i.e. Place and date of issue, type of licence or authorisation issued)

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Section Two: Operations of The Applicant

1. State the relevant provisions of the constitutional documents providing that the Fund will have no more than 50 investors OR that invitation to the public to subscribe for a purchase equity interest in the Mutual Fund is prohibited

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2. Provide the method(s) of making any invitation

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3. Details of the auditor

Name	
Address	
Telephone No.	
Fax No.	
E-mail	
Qualification	
Body from which qualification was obtained	

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4. If the applicant is not incorporated or established in Seychelles, provide details of its agent for service in Seychelles

Name	
Contact Person	
Address	
Telephone No.	
Fax No.	
E-mail	

5. State the address of the place of business that the fund has or will have outside of Seychelles

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6. State how the annual reports of the fund will be made available to investors

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7. State the full name, details of incorporation (if applicable), address of place of business of the following service providers

Fund Administrator	
Manager (where different from Fund Administrator)	
Custodian	
Promoter(s)	
Investment or Trading Manager(s)	
Investment or Trading Advisor(s)	
Underwriter (if any)	
Others (Legal Adviser, advertising agent etc.)	

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Section Three: Umbrella Fund

THIS SECTION MUST ONLY BE COMPLETED BY UMBRELLA FUND APPLICANTS

- 1. In case of an existing umbrella fund, please state the licence number and jurisdiction from which the licence was obtained**

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- 2. State the name or proposed name and the address of the place of business of each sub-fund**

	Name or Proposed Name	Place of business
Sub-fund 1		
Sub-fund 2		
Sub-fund 3		
Sub-fund 4		

- 3. State the intended launch date of each of the proposed sub-fund**

Sub-fund 1	
Sub-fund 2	
Sub-fund 3	
Sub-fund 4	

- 4. State how the annual reports of each sub-funds will be made available to investors**

Sub-fund 1	
Sub-fund 2	
Sub-fund 3	
Sub-fund 4	

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CONSENT

By signing and submitting this application form you hereby understand and consent that in the event that the application is successful the Financial Services Authority may publish on its website or other publications, the name of the licensee.

DECLARATION

(by director or other duly authorized person for and on behalf of the applicant)

I declare that to the best of my knowledge, information and belief the information provided above and in the accompanying documents is true and correct.

Signed:

Name:

Position held:

Date:

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Checklist

Below is a checklist which has been designed to assist applicants to ensure that all of the information required by Financial Services Authority is submitted when making an application for a Private Fund Licence under the Mutual Fund and Hedge Fund Act, 2008. This checklist is to serve only as a guide. The Authority may contact the applicant should it require further information.

1. All blank spaces in the Application Form has been filled in.	<input type="checkbox"/>
2. Payment of the Private Fund application fee (i.e. US\$750) has been made or attached.	<input type="checkbox"/>
3. Certified true copies of the constitutional documents (i.e. Memorandum and Articles of Association, Partnership agreement, Certificate of Incorporation, trust deed, Certificate of Good Standing) of the applicant have been attached.	<input type="checkbox"/>
4. Declaration for offering document has been submitted	<input type="checkbox"/>
5. Proof of listing has been attached (in the case of a fund listed on a Stock Exchange).	<input type="checkbox"/>
6. The audited financial statements for the past three years have been attached (in the case of an existing fund).	<input type="checkbox"/>
7. Personal Questionnaire Forms completed by each director, compliance officer and any other key person of the applicant.	<input type="checkbox"/>
8. Questionnaire Forms for Shareholders and Beneficial Owners completed by each individual shareholder and beneficial owner of the applicant.	<input type="checkbox"/>
9. The written consent by the proposed Fund Administrator has been attached.	<input type="checkbox"/>
10. The written consent by the auditor has been attached.	<input type="checkbox"/>
11. Certified true copies of the Auditor's certificate of membership and certificate of Good Standing as per section 2 of the Act	<input type="checkbox"/>
12. The written consent by the custodian has been attached.	<input type="checkbox"/>
13. Custodian declaration form has been attached	<input type="checkbox"/>