



**AIFC SPECIAL RULES DECLARING CERTAIN PROVISIONS OF AIFC REGULATIONS AND RULES TO BE
SUBJECT TO SECTION 195 OF THE AIFC COMPANIES REGULATIONS**

AIFC RULES NO. FR0037 OF 2018

**Consolidated Version
(December 2018)**



**AIFC SPECIAL RULES DECLARING CERTAIN PROVISIONS OF AIFC REGULATIONS AND RULES
TO BE SUBJECT TO SECTION 195 OF THE AIFC COMPANIES REGULATIONS**

**AIFC SPECIAL RULES DECLARING CERTAIN PROVISIONS OF AIFC REGULATIONS AND RULES TO BE
SUBJECT TO SECTION 195 OF THE AIFC COMPANIES REGULATIONS**

PART 1: GENERAL

1.1 Name

These Rules are the *Special Rules Declaring Certain Provisions of AIFC Regulations and Rules to be Subject to Section 195 of the AIFC Companies Regulations*.

1.2 Commencement

These Rules commence on 16 June 2018.

1.3 Legislative Authority

These Rules are adopted by the Board of Directors of the AFSA under section 181 (Power to adopt Rules etc.) of the AIFC Companies Regulations.

1.4 Application of these Rules

These Rules apply within the jurisdiction of the AIFC.

1.5 Definitions, etc.

The term ***relevant provision*** as used herein shall have the meaning provided in Section 195(1) of the AIFC Companies Regulations.

**PART 2: PROVISIONS OF AIFC REGULATIONS AND RULES SUBJECT TO SECTION 195 OF THE AIFC
COMPANIES REGULATIONS**

2.1 The provisions of AIFC Regulations and Rules specified in Schedule 1 are hereby subject to Section 195 (Waivers and modifications of certain provisions) of the AIFC Companies Regulations.

2.2 Where a waiver or modification of relevant provision is granted pursuant to Section 195 of the AIFC Companies Regulations, any other provisions referencing such relevant provision shall be read with the necessary changes being made in order to give effect to such waiver or modification.

2.2.1 **Example:** if a waiver is granted from the requirement of Section 147(1)(b) of the AIFC Companies Regulations that a Recognised Company must have a place of business in the



**AIFC SPECIAL RULES DECLARING CERTAIN PROVISIONS OF AIFC REGULATIONS AND RULES
TO BE SUBJECT TO SECTION 195 OF THE AIFC COMPANIES REGULATIONS**

AIFC, then the requirement of Section 147(1)(c)(ii) of the AIFC Companies Regulations that a Recognised Company must file with the Registrar the address of its principal place of business in the AIFC shall be read as permitting such Recognised Company to file the address of its principal place of business outside of the AIFC.

Schedule 1

1. Section 24(1) of the AIFC Companies Regulations
2. Section 147(1)(b) of the AIFC Companies Regulations
3. Section 16(1) of the AIFC General Partnership Regulations
4. Section 16(1) of the AIFC Limited Partnership Regulations
5. Section 46(b) of the AIFC Limited Partnership Regulations
6. Section 15(1) of the AIFC Limited Liability Partnership Regulations
7. Section 37(b) of the AIFC Limited Liability Partnership Regulations
8. Section 12(1) of the AIFC Non-Profit Incorporated Organisations Regulations