

INVESTMENT SERVICES RULES FOR ALTERNATIVE INVESTOR FUNDS

PART B

APPENDIX VI: DECLARATION FORMS

This Appendix includes relevant information regarding the Declaration Forms to be completed by prospective professional and qualifying investors.

Annex I
Pro Forma Professional Investor Declaration Form

Name of Scheme:

Section I: This section should be completed by the Professional Investor or his/ her duly authorised agent

[tick as appropriate]

Name of Investor/ duly authorised agent:

The investment is being made directly by the investor

- I hereby confirm that I am eligible to be treated as a “Professional Investor”, since I satisfy the definition thereof as prescribed in Paragraph I of Annex II of Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments as may be amended from time to time; and
- I hereby confirm that I possess the experience, knowledge and expertise to make my own investment decisions and properly assess the risks involved in investing in the AIF; and
- I hereby confirm that I have read and understood the Offering Document including the mandatory risk warnings and that even though I have been warned that I may request non-professional treatment, I have still opted to be treated as a professional investor.

OR

- I hereby confirm that I have requested to be treated as a “Professional Investor”, in terms of Paragraph II of Annex II of Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments as may be amended from time to time, since I fulfil at least two of the following criteria:
1. I have carried out transactions, in significant size, on the relevant market at an average frequency of 10 per quarter over the previous four quarters
 2. the size of my financial instrument portfolio, defined as including cash deposits and financial instruments exceeds EUR 500,000,
 3. I work or have worked in the financial sector for at least one year in a professional position, which requires knowledge of the transactions or services envisaged.

The investment is being made through a duly authorised agent

- I hereby confirm that I have been properly appointed as a duly authorised agent of a prospective investor in the AIF described above.
- I hereby confirm that my principal:
1. is eligible to be treated as a “Professional Investor”, since he/she satisfies the definition thereof as prescribed in Paragraph I of Annex II of Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments as may be amended from time to time; and
 2. possesses the experience, knowledge and expertise to make his/her own investment decisions and properly assess the risks involved in investing in the AIF; and
 3. has read and understood the Offering Document including the mandatory risk warnings and that even though he/she has been warned that he/she may request non-professional treatment, my principal has still opted to be treated as a professional investor.

OR

- I hereby confirm that my principal has requested to be treated as a “Professional Investor”, in terms of Paragraph II of Annex II of Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments as may be amended from time to time, since he/she fulfils at least two of the following criteria:
1. my principal has carried out transactions, in significant size, on the relevant market at an average frequency of 10 per quarter over the previous four quarters,
 2. the size of my principal’s financial instrument portfolio, defined as including cash deposits and financial instruments exceeds EUR 500,000,
 3. my principal works or has worked in the financial sector for at least one year in a professional position, which requires knowledge of the transactions or services envisaged

Note: Other reasons should be mentioned here:

Name of investor/ duly authorised agent	
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Signature	
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Title/ Capacity in which signed	
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Date	
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Section II: This section should be completed by the AIFM/ Sales Agent/ third party selling Units of the Scheme

[tick as appropriate]

I hereby confirm that:

I have satisfied myself that the investor has the necessary experience and knowledge in order to understand the risks involved;

OR

I have **not** satisfied myself that the investor has the necessary experience and knowledge in order to understand the risks involved and that I have warned the investor/ duly authorised agent accordingly.

Name	
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Signature	
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<i>Name of AIFM/ Sales Agent/ Third Party</i>	
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Date	
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Annex II
Pro Forma Qualifying Investor Declaration Form

Scheme:

This section should be completed by the Qualifying Investor or his/ her duly authorised agent

Name of Investor/ duly authorised agent:

The investment is being made directly by the investor

I hereby confirm that I am eligible to be treated as a “Qualifying Investor”, since I satisfy the definition thereof in light of the positive response(s) that I have given to the question(s) below. I certify that I have read and understood the Offering Document including the mandatory risk warnings.

The investment is being made through a duly authorised agent

I hereby confirm that I have been properly appointed as a duly authorised agent of a prospective investor in the AIF described above. I certify that my principal is eligible to be treated as a “Qualifying Investor” since my principal satisfies the definition thereof in light of the positive response(s) that I have given to the question(s) below in respect of my principal. I certify that my principal has read and understood the Offering Document including the mandatory risk warnings.

I qualify / My Principal qualifies [*delete as applicable*] as a “Qualifying Investor”, as I am/ he/ she/ it is:

	<i>Yes</i>	<i>No</i>
i. compliant with the minimum investment requirement of EUR 100,000 or its currency equivalent, which minimum investment may not be reduced below this minimum amount;	<input type="checkbox"/>	<input type="checkbox"/>
And		
ii. satisfying at least one of the following criteria:		
(a) is a body corporate which has net assets in excess of EUR750,000 or which is part of a group which has net assets in excess of EUR750,000;	<input type="checkbox"/>	<input type="checkbox"/>
(b) is an unincorporated body of persons or association which has net assets in excess of EUR750,000;	<input type="checkbox"/>	<input type="checkbox"/>
(c) a trust where the net value of the trust’s assets is in excess of EUR750,000;	<input type="checkbox"/>	<input type="checkbox"/>
(d) an individual whose net worth or joint net worth with that		

- | | <i>Yes</i> | <i>No</i> |
|---|--------------------------|--------------------------|
| person's spouse or civil partner, exceeds EUR750,000; | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) a senior employee or director of a service provider to the AIF; | <input type="checkbox"/> | <input type="checkbox"/> |

Name of investor/ duly authorised agent	
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Signature	
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Title/ Capacity in which signed	
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Date	
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