

# Cubbon & Associates

## Schedule I - Conditions

The following conditions are imposed in respect of the regulated activities undertaken.

- I. The licenceholder is permitted to conduct the following regulated activities:-
  - Class 2 – investment business - sub-classes (3) and (7);
    - (a) for the purpose of activities undertaken under Class 2 sub-class (3) the licenceholder is only permitted to arrange deals on an execution-only or advisory basis relating to long-term insurance, or units or shares in –
      - i. collective investment schemes that are authorised schemes or international schemes in accordance with the Collective Investment Schemes Act 2008 (or comparable retail collective investment schemes in another jurisdiction); and
      - ii. UK listed or quoted securities, or the application to purchase or subscribe for securities on the occasion of their admission to dealings on the London Stock Exchange or other recognised investment exchange.
    - (b) for the purposes of activities undertaken under Class 2 sub-class (7) the licenceholder is only permitted to advise on long-term insurance or units or shares in –
      - i. collective investment schemes that are authorised schemes or international schemes in accordance with the Collective Investment Schemes Act 2008 (or comparable retail collective investment schemes in another jurisdiction).
2. The licenceholder is not permitted to hold client money or client assets
3. The licenceholder is to deposit and maintain in a separate bank account or in another liquid investment approved by the Commission for this purpose and which is free from any charge or pledge, a sum which is not less than the amount specified as its minimum share capital requirement in column 5 of Schedule 2.2.

\_\_\_\_\_ Commissioner

\_\_\_\_\_ Commissioner

1<sup>st</sup> January 2009

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## Schedule 2 - Exceptions and Modifications

Pursuant to section 7(3)(b) of the Financial Services Act 2008, the Rule Book applies with the following exceptions and modifications -

### Exceptions

#### Part 2 – Financial Resources and Reporting

- (a) Rule 2.8(3) (c) – Annual financial statements
- (b) Rule 2.9(4) – Annual financial return
- (c) Rule 2.10 – Accounting standards
- (d) Rule 2.37(1) (a) – Financial resources requirement

#### Part 5 – Audit

- (a) Rule 5.6 – Audit of annual financial statements

### Modifications

#### Part 2 – Financial Resources and Reporting

- (a) In Rule 2.9(2) (a) delete the word “audited”.
- (b) Rules 2.13 and 2.14 shall apply to the licenceholder as though the licenceholder was incorporated in the Isle of Man.
- (c) In Rule 2.33 add new paragraph (4):
  - (4) This rule does not apply to a mortgage or charge upon the principal residence of a natural person who is the licenceholder or who is a partner in the licenceholder.
- (d) In Rule 2.35 add new paragraph (4):
  - (4) This rule does not apply to a mortgage or charge upon the principal residence of a natural person who is the licenceholder or who is a partner in the licenceholder.
- (e) In Rule 2.40(1) (a) delete the word “audited”
- (f) In Rule 2.40(1) add new paragraph (d):
  - (d) A signed statement by the licenceholder that to the best of his knowledge and belief he is able to meet his financial commitments as they fall due.

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### Part 5 – Audit

(a) Rules 5.2, 5.3, 5.5, 5.7, 5.8, 5.9, 5.10, 5.11 and 5.20 shall apply to the licenceholder as though the licenceholder was incorporated in the Isle of Man.

Replace “auditor” with “reporting accountant” or “an auditor” with “a reporting accountant” throughout, except where the word is retained in the rules modified below:

(b) In Rule 5.2(c) delete the words “being audited”

(c) Rule 5.2 (3) (a) (v) is modified to read:

(v) declared by the Commission to be ineligible to act as a reporting accountant of the licenceholder, or as an auditor of any description of licenceholders which includes the licenceholder or of licenceholders generally;

(d) Rule 5.2 (3) (b) (i) is modified to read:

(v) declared by the Commission to be ineligible to act as a reporting accountant of the licenceholder, or as an auditor of any description of licenceholders which includes the licenceholder or of licenceholders generally;

(e) In Rule 5.10 delete paragraphs 1(a) and 1(b) and (2). Add 1(d):

(d) a segregated bank account or other liquid investment has been maintained in accordance with the relevant licence condition.

\_\_\_\_\_ Commissioner

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1<sup>st</sup> January 2009