

## Application For Subordination to the Code of Professional Conduct

Dear Sir/Madam,

We are pleased that you as asset manager would like to subject yourself to the Code of Professional Conduct of SRO PolyReg, and we thank you for your interest.

The Code of Professional Conduct has been reviewed and approved by the Swiss Financial Market Supervisory Authority FINMA. This means that the asset management customers of the asset manager, who is subject to this Code of Professional Conduct, are considered qualified investors pursuant to art. 10 para. 3<sup>ter</sup> CISA (Collective Investment Schemes Act), and that therefore the offer of collective investments, which are not approved for distribution in Switzerland, does not represent distribution pursuant to art. 3 para 2 letter c. CISA. However, it also means that the member pursues and ensures the interests of the investors without restriction.

To submit a subordination application, please complete the following form and enclose the required documents and send it to the address below.

Please note: By signing and submitting the declaration of subordination, you will be subject to the Code of Professional Conduct and the associated Regulations.

PolyReg is looking forward to a good co-operation with you.

With regards on behalf of the executive board,



Denise Pezzatti, Director SRO PolyReg

Send or deliver to:

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**PolyReg**  
General Self-Regulatory Organisation  
Florastrasse 44  
**8008 Zürich**  
**043 - 488 52 80**

## Details of the Applicant

Individuals without registered company should enter their first and last names under „company“, if applicable with the initials of additional first names, and the trade name they commonly use in the course of business.

As place of business the main place of business in Switzerland must be entered. If the main place of business is abroad, this one must be entered and also the place of the main branch office in Switzerland.

Company:	
Legal form:	
Place of business:	
Branch offices:	
Place of effective performance of activity:	
Telephone numbers:	
Fax numbers:	
E-mail address:	

*Enclosures: (unless already submitted to PolyReg)*

**Copy of the Statutes;** all applicants entered into the Register of Companies or subject to registration (the general partnership and all legal forms selected in the following table) must also enclose a **copy of the excerpt of the Register of Companies** with their application.

## Additional Details of the Company

Please describe the actual field of activity in the area of asset management, the targeted customer segment and the main investment categories.

Listed as beneficial owners must be shareholders, partners and stockholders or dormant partners with a share of 20% or more.

Business address (unless identical with the place of business stated on page 2):	
Detailed description of the areas, in which you perform your activity of asset management:	
Beneficial owners of the business:	
Membership in professional associations:	
Home page:	

# Contact

Please name the person responsible for the entire flow of information between the member and PolyReg with regard to the implementation of the Code of Professional Conduct. This person shall be entitled to represent the company legally in dealings with SRO PolyReg.

The contact must be available via a direct telephone number or via mobile.

Under address, please enter the address of the private residence and the address of the workplace, unless this is identical with the address of the main place of business.

Name:	
First name:	
Date of birth:	
Home town / nationality:	
Address (private):	
Address (workplace):	
Business telephone (direct):	
Mobile (NATEL):	
Tel / Fax (private):	
E-mail address:	

# Company Declaration Regarding Penal, Sanction and Administrative Proceedings

Company:	
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We hereby declare that within the last five years:

- no penal or administrative proceedings in connection with the business or professional activity have been instituted or closed;
- in particular: no sanction or exclusion proceedings of a SRO or an authority in connection with the MLA supervision have been instituted or closed, and
- no investigation or sanction proceedings of a financial market supervisory authority have been instituted or closed

against the company mentioned above.

We are unable to make the present declaration for the following reasons:

Penal, sanction or administrative proceedings against:	
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Place & date:

Company signature(s):

You may copy this page if you need more space for more names. In this case, please number the individual pages with consecutive numbers.

**No.**

## Personal Declaration of the Governing Bodies:

All governing bodies, members of the management, partners, signatories and executive employees of the asset manager must sign the following personal declaration.

I,

First name, last name:	
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Date of birth:	
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hereby declare in my role as

Role:	
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of the asset manager

Company:	
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that I recognise as binding for me § 23 of the Regulations regarding Control and Sanctioning of the Code of Professional Conduct (indemnity clause regarding the liability of the association) and

- that I am not involved in current penal nor administrative proceedings against my person in connection with my business activity;
- that within the last five years no penal or administrative proceedings against me in connection with my professional activity have been instituted or closed.

I am unable to make a declaration with regard to the two items above, for the following reasons:

Subject of the proceedings:	
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Place & date:

Signature:

## Designation of the Inspection Agency

For the performance of the periodical audits regarding the compliance with the Code of Professional Conduct pursuant to §9 of the Regulations regarding Control and Sanctioning of the Code of Professional Conduct, we appoint as inspection agency:

Company:	
Address:	
Post code / Place:	
Telephone:	
Responsible inspectors:	

## Declaration of the Inspection Agency

We accept the mandate as inspection agency for the monitoring of the compliance with the Code of Professional Conduct by

Asset manager:	
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and declare: We know the Code of Professional Conduct and the Regulations regarding Control and Sanctioning of the Code of Professional Conduct of SRO PolyReg. We undertake to carry out the inspection according to the provisions of these Regulations. We are independent of the asset manager to be inspected and have the specialist knowledge necessary for the performance of the inspection.

We declare that we enjoy a good reputation and provide guarantee of a proper inspection activity. With regard to SRO PolyReg, we undertake to give full disclosure of all findings of an inspection. The inspection is carried out on behalf and at the expense of the asset manager and for the attention of SRO PolyReg.

Place & date:

Signature of the inspection agency:

# Declaration of Subordination to the Code of Professional Conduct

*I/we, by signing and submitting the present subordination declaration, declare:*

- *we have received the Code of Professional Conduct, the Regulations regarding Control and Sanctioning of the Code of Professional Conduct and the Statutes of SRO PolyReg in the currently relevant versions and have acquainted ourselves with their content;*
- *we declare to perform our activity as asset managers pursuant to the Code of Professional Conduct, to subject ourselves to the provisions of the Code of Professional Conduct and the Regulations regarding Control and Sanctioning of the Code of Professional Conduct as amended respectively, and to acknowledge them as applicable;*
- *we declare to have taken the necessary internal organisational measures to implement the Code of Professional Conduct and undertake to implement it;*
- *we acknowledge in particular §§ 35 et seqq. and § 45 of the Statutes and §§ 15 et seqq., § 20 and § 23 of the Regulations regarding Control and Sanctioning of the Code of Professional Conduct, providing an indemnity clause, an arbitral tribunal and sanction system, and subject ourselves to these provisions;*
- *we undertake to pay the additional member's fee for asset managers, who have acknowledged the Code of Professional Conduct, set by the executive board according to the Regulations;*
- *we confirm that our statements contained in the application form and supplementary pages are complete and truthful;*
- *we undertake to inform SRO PolyReg immediately of any changes to the submitted information.*

*Based on the above declarations, I/we apply to the executive committee of SRO PolyReg for approval of the subordination to the Code of Professional Conduct.*

*Place & date*

*Company signature(s)*



## Index of annexes:

This index can be used as checklist for all required annexes. Please mark the number of annexes supplied for each category and strike out non pertinent items.

- Statutes of ... (copy)
- Letter of reference (issued by bank or commercial partner)
- Enforced payment collection register record of ...
- Companies House certificate of facts, status report of ... (certified original!)
- General terms and condition used for client contracts
- Specimens of standard contracts
- Personal declarations (page 6)
- Extracts from the criminal register (original!)
- dated and signed copies of passport / ID-card
- curriculum vitae of owners / members of the management board
- Diploma of owners / members of the management board
- List of participation quota
- List of participations in other companies
- Organisational diagram
- Extract from the register of commerce regarding the inspection agency
- List of employees
- Declaration of Subordination to the Code of Professional Conduct (page 8)