

manager’s declaration in respect of a new cell / sub-fund / share class for a route 1 private investment fund

This form is for use by the Manager of a Private Investment Fund (“PIF”) when a new cell, sub-fund or share class is to be added to any scheme, which applied for its registration as a PIF under Route 1, or which was registered as a PIF prior to 21 April 2021. The form facilitates the provision by the Manager of the relevant declarations to the Commission in respect of investors in the new cell, sub-fund or share class

This form should be completed in full and signed on the relevant pages. Once complete the form should be submitted electronically together with the associated notification in respect of the new cell / sub fund / share class and all supporting documents, where applicable to:

For open ended schemes: authorisations@gfsc.gg.

For closed ended schemes: IFPD@gfsc.gg

In the case of each new cell / sub-fund / share class for an open-ended PIF, the relevant fee should also be submitted.

Prescribed fee (where applicable): Send by BACS to:

Bank: HSBC Guernsey Branch

Address: 20-22 High Street, St Peter Port, Guernsey GY1 2LB

Sort code: 40-22-25

Account Number: 91460722

IBAN: GB53MIDL40222591460722

Swift: MIDLGGS1XXX

Account Name:  Guernsey Financial Services Commission

Reference: *“Applicant’s name”*

|  |
| --- |
| 1. name of the private investment fund to which the new cell / sub-fund / share class is to be added:       |

|  |
| --- |
| 2. is the scheme open ended or closed ended?OPEN ENDED [ ]  CLOSED ENDED [ ]  |

|  |
| --- |
| 3. name of the Licensed manager of the Private Investment Fund:       |

|  |
| --- |
| 4. name(s) of the proposed new cell / sub-fund / share class:       |

|  |
| --- |
| 5. are there information particulars or equivalent in respect of the new cell / sub-fund / share class(es)?: yes [ ]  No [ ] IF YES PLEASE PROVIDE A COPY. INCLUDED? yes [ ]  N/A [ ]  |

**DECLARATIONS BY THE LICENSED MANAGER OF THE ROUTE 1 PRIVATE INVESTMENT FUND IN RELATION TO THE NEW CELL / SUB-FUND / SHARE CLASS:**

1. We affirm that the investors, of whom we know, are intending to invest, in the private investment fund (including the new cell/sub fund/share class to which this form relates), and after having made careful and appropriate enquiries are, as far as we have reasonably been able to ascertain, able to sustain any losses incurred on this product at the time of their investment.
2. We further undertake that, upon our becoming aware of further investors intending to invest in the private investment fund (including the new cell/sub-fund/share class to which this form relates), we will ascertain that they are able to sustain any losses incurred on this product at the time of their investment.
3. In cases where this form relates to a new cell of a private investment fund, we certify that that the new cell will contain no more than 50 legal or natural persons holding an ultimate economic interest in the new cell/ save in the instances set out in Schedule 1 to The Private Investment Fund Rules 2021 and associated Guidance. Where this form relates to a new sub-fund or class of a private investment fund, we certify that the private investment fund as a whole (including the new sub-fund or share class) will contain no more than 50 legal or natural persons holding an ultimate economic interest in the private investment fund save in the instances set out in Schedule 1 to The Private Investment Fund Rules 2021 and associated Guidance.
4. In the case of an open-ended scheme, the relevant application fee for each new cell/sub-fund/share class as required under the relevant fees regulations, has been submitted by BACS payment to the Guernsey Financial Services Commission’s bank account.
5. We declare that the information given in and with this application is complete and correct to the best of our knowledge and belief and that we are aware of no other facts of which the Commission should be aware. We undertake to inform the Commission promptly of any changes material to the application which occur before the application has been determined.
6. In making the above declarations on the ability of investors to sustain loss, where we have relied, or will rely, upon a declaration from an investor or prospective investor, we undertake to document our assessment of such investor declaration and make evidence of this assessment available to the Commission upon request.
7. We are aware it is an offence, under the legislation in respect of which the Commission exercises its statutory functions, to knowingly or recklessly provide the Commission with information which is false or misleading in a material particular.

|  |  |
| --- | --- |
|  |  |
|  |  |
| Name of first signatory:  |       |
|  |  |
| Position: (see Note 3) |       |
|  |  |
| Signature: |  |
|  |  |
| Name in block capitals: |       |
|  |  |
| Date: |       |
|  |  |

|  |  |
| --- | --- |
|  |  |
| Name of second signatory:  |       |
|  |  |
| Position: (see Note 1) |       |
|  |  |
| Signature: |  |
|  |  |
| Name in block capitals: |       |
|  |  |
| Date: |       |

**The Data Protection (Bailiwick of Guernsey) Law, 2017**

For the purpose of the Data Protection (Bailiwick of Guernsey) Law, 2017 please note that any personal data provided to the Commission will be used by the Commission to discharge its regulatory activities and statutory functions. Further information, relating to the Commission’s Data Protection policy, can be located on the website at [www.gfsc.gg/data-protection](http://www.gfsc.gg/data-protection)

**Note 1:** This form must be signed by two of the directors of the Licensed Manager or in relation to an unincorporated body, any member of the committee or similar governing body.