



## **AMENDMENTS No. 1**

# **AIFC NON-PROFIT INCORPORATED ORGANISATION RULES**

Approval Date: 2 December 2018

Commencement Date: 1 March 2019



In this section, the underlining indicates new text and the striking through indicates deleted text in the proposed amendments.

## PART 3: MISCELLANEOUS

### 3.1. Public registers of organisations

The Registrar of Companies must, in the relevant register kept by the Registrar under section 38 (Public registers) of the AIFC Non-profit Incorporated Organisations Regulations, record the following details, so far as relevant, in relation to each Incorporated Organisation (the **organisation**) that is, or has been, registered in the AIFC:

- (a) the organisation's current registered name or, if the organisation is no longer registered, its last registered name;
- (b) the organisation's identification number;
- (c) the organisation's date of incorporation and, if the organisation is no longer registered, the date it ceased to be registered;
- (d) the organisation's former registered names;
- (e) the date of registration of every change of name;
- (f) the organisation's current registered office or, if the organisation is no longer registered, its last registered office;
- (g) the organisation's former registered offices;
- (h) the date of registration of former registered offices;
- (i) current Founding Members and Ordinary Members or, if the organisation is no longer registered, the last Founding Members and Ordinary Members;
- (j) the dates of registration of the current or last Founding Members and Ordinary Members
- (k) the former Founding Members and Ordinary Members;
- (l) the dates of registration and cessation of former Founding Members and Ordinary Members;
- (m) the current secretary, if applicable;
- (n) the date of registration of the current secretary, if applicable;
- (o) the former secretaries, if applicable;
- (p) the dates of registration and cessation of former secretaries, if applicable;
- (q) the organisation's financial year end;
- (r) the dates of commencement and cessation of each scheme of arrangement,



receivership or liquidation under the AIFC Insolvency Regulations in relation to the organisation;

- (s) the name and address, and dates of appointment and cessation (however described), of:
  - (i) each Nominee or Supervisor of a Voluntary Arrangement under the AIFC Insolvency Regulations in relation to the organisation; and
  - (ii) each Administrator of the organisation under the AIFC Insolvency Regulations;
- (t) the date of dissolution of the Incorporated Organisation, if applicable.

### **3.2 Evidence of matters**

- 3.2.1 A certificate that appears to be signed by or on behalf of the Registrar of Companies, and states any matter that appears in a register kept by the Registrar under section 38 (Public registers) of the AIFC Non-profit Incorporated Organisations Regulations, is evidence of the matter.
- 3.2.2 The Court must accept a certificate under subrule 3.2.1 as proof of the matters stated in it if there is no evidence to the contrary.
- 3.2.3 A Document that appears to be a copy of the certificate of registration of an Incorporated Organisation, and to be certified by the Registrar of Companies, is evidence of the matters stated in it.
- 3.2.4 The Court must accept a Document mentioned in subrule 3.2.3 as evidence of the matters stated in it unless the contrary is established.

#### **3.2(A) Retention**

All Documents filed with the Registrar must be retained by the Registrar for a minimum of six years from the date of filing, irrespective of the status of the Non-Profit Incorporated Organisation to which such Documents relate.

### **3.3. Fine limits**

The maximum fine that may be imposed on a Person by the Registrar of Companies for a Contravention of a provision of the AIFC Non-profit Incorporated Organisations Regulations mentioned in column 2 of an item of the table in Schedule 2 (Fine limits) is the amount specified in column 4 of the item.