



FORM CR05

COMPANIES REGISTRATION OFFICE

Application for the establishment of a
Foundation in the QFC

Name of applicant

Date application made

Reference No

Date received

Received by



COMPANY REGISTRATION OFFICE
QATAR FINANCIAL CENTRE



BACKGROUND AND PURPOSE OF THIS FORM

A Person may apply for the establishment of a Foundation for the purpose of carrying on activities in or from the QFC by signing and providing the QFC Authority with the Prescribed Form together with such other documents and Prescribed Fee as may be specified in the QFC Foundations Regulations (“Foundations Regulations”) and the QFC Foundations Rules (“Foundations Rules”).

For the purposes of the Foundations Regulations, this form constitutes the establishment document of the Foundation.

WHERE CAN I FIND GUIDANCE ON COMPLETING THIS FORM?

Please refer to the “Notes for completing form CRO5” at the end of this form.

WHO SHOULD COMPLETE THIS FORM?

This form should be completed by applicants who wish to establish a Foundation in the QFC in accordance with the Foundations Regulations.

DEFINED TERMS IN THIS FORM

This application uses certain terms that are defined in the Foundations, the QFC Companies Regulations and the QFC Data Protection Regulations. Defined terms are identified throughout this form by the capitalisation and italicisation of the term.

COMPLETING THIS FORM

Please refer to Part 2 and 3 of the Foundations Regulations and Part 2 and 3 of the Foundations Rules for the requirements in respect of completing this form.



SUBMITTING THIS FORM

This form should accompany form Q01 (Application for Licensing), and should be sent to:

QFC Authority,
QFC Tower 1,
PO Box 23245,
West Bay, Doha, Qatar
T: +974 4496 7764
F: +974 4496 7752
E: licensing@qfc.qa

PERSONAL DATA

The Personal Data provided in this form will be processed by the CRO in accordance with the Data Protection Regulations.

HOW WILL INFORMATION SUPPLIED IN THIS FORM BE USED?

By submitting this form and any attachment to the CRO you agree that the information provided to the CRO may be shared between the QFC Regulatory Authority, the QFC Authority and the CRO under arrangements between them and that the information provided will be used to establish and update registers and databases kept by the QFC Regulatory Authority, the QFC Authority and the CRO.



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APPLICANT'S CONTACT DETAILS

- 1.1 Name of applicant (see notes)

- 1.2 Name of the Foundation to be established within the QFC (see notes)

- 1.3 Name and position of main contact for this application

- 1.4 Office address of main contact

- 1.5 Telephone and fax number of main contact (include country and area codes)

- 1.6 Email address of main contact

- 1.7 Preferred method of contact for matters relating to this form

- 1.8 Address of the Foundation's registered office in the QFC (see notes)

- 1.9 The term (duration) of the Foundation (see notes)



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WHAT ARE THE FOUNDATION'S OBJECTS

Please describe the Objects of the Foundation



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INFORMATION ON THE REGISTERED REPRESENTATIVE

Please provide the full name and address of the Registered Representative of the Foundation.

Name and registered number

Address



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INFORMATION ON MEMBERS OF THE COUNCIL

Please provide the full name, address, date of birth, nationality, business occupation and any directorships held within the last five years of all the persons who are to be the Members of the Council of the Foundation. Please attach extra pages if necessary.

a) Member 1

Name

Address

Date of birth

Nationality

Business occupation

Directorships held in the last 5 years

b) Member 2

Name

Address

Date of birth

Nationality

Business occupation

Directorships held in the last 5 years

c) Member 3

Name

Address

Date of birth

Nationality

Business occupation

Directorships held in the last 5 years



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DECLARATION AND CONSENT OF MEMBERS OF THE COUNCIL

5.1 Declaration of Members(s) of the Council

Please attach extra pages if necessary.

I declare that:

- I am a Member of the Council of [insert name of the foundation to be established].
- I am qualified to act as a Member of the Council of a Foundation pursuant to the Foundation Regulations.

5.2 Consent of Member(s) of the Council

I acknowledge that it may be necessary for the CRO to obtain information from other regulators, law enforcement agencies or other persons (whether in the State or elsewhere) to properly consider and decide this application. Accordingly, I consent to the CRO obtaining any information from third parties that the CRO considers is necessary for the purpose of considering and deciding this application.

All Personal Data provided to the CRO will be processed in accordance with the Data Protection Regulations and by signing this form you consent to the CRO sharing the information with the QFC Authority or the QFC Regulatory Authority

IMPORTANT

It is a contravention of the QFC regulations to knowingly or recklessly give false or misleading information to the CRO or to conceal information if the concealment is likely to mislead or deceive the CRO.

Name of Member 1

Signature of Member 1

Date Member 1 signed

Name of Member 2

Signature of Member 2

Date Member 2 signed

Name of Member 3

Signature of Member 3

Date Member 3 signed

Name of Member 4

Signature of Member 4

Date Member 4 signed



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DECLARATION AND CONSENT OF THE REGISTERED REPRESENTATIVE

6.1 Declaration of the Registered Representative

I declare that [insert name of the Registered Representative]:

- is qualified to act as the Reregistered Representative of a Foundation established under the Foundation Regulations and the Constitution of the Foundation;
- will become the Registered Representative of the Foundation on its establishment;
- the address of the Applicant specified below shall become the address of the Foundation, on its establishment:

Address

- Has duly appointed Mr. / Mrs [insert name and the address of the individual duly authorised by the Registered Representative] to sign this form on behalf of the Registered Representative.



6.2 Consent of proposed Registered Representative

We acknowledge that it may be necessary for the CRO to obtain information from other regulators, law enforcement agencies or other persons (whether in the State or elsewhere) to properly consider and decide this application. Accordingly, we consent to the CRO obtaining any information from third parties that the CRO considers is necessary for the purpose of considering and deciding this application.

All Personal Data provided to the CRO will be processed in accordance with the Data Protection Regulations and by signing this form you consent to the CRO sharing the information with the QFC Authority or the QFC Regulatory Authority.

IMPORTANT

It is a contravention of the QFC Regulations to knowingly or recklessly give false or misleading information to the CRO or to conceal information if the concealment is likely to mislead or deceive the CRO.

Name of the Registered Representative

Name of the authorised signatory of the Registered Representative

Signature of the authorised signatory of the Registered Representative

Date the authorised signatory of the Registered Representative signed



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DECLARATION AND CONSENT OF THE AUTHORISED SIGNATORY OF THE REGISTERED REPRESENTATIVE

7.1 Declaration of the authorised signatory of the Registered Representative (See notes)

I declare that:

- I have the authority to make this application on behalf of the Applicant.
- all the information given in this application form (including any attachments) is, to the best of my knowledge and belief and after having made all reasonable inquiries, true and complete; and
- if, at any time after making this declaration, I become aware of a material change in any information given in this application form (including any attachment) that is reasonably likely to be relevant to the CRO's consideration of this application, I will inform the CRO in writing about the change without delay.

7.2 Consent of the authorised signatory of the Registered Representative

I acknowledge that it may be necessary for the CRO to obtain information from other regulators, law enforcement agencies or other persons (whether in the State or elsewhere) to properly consider and decide this application. Accordingly, I consent to the CRO obtaining any information from third parties that the CRO considers is necessary for the purpose of considering and deciding this application.

All Personal Data provided to the CRO will be processed in accordance with the Data Protection Regulations, and by signing this form you consent to the CRO sharing the information with the QFC Authority.

IMPORTANT

It is a contravention of the QFC Regulations to knowingly or recklessly give false or misleading information to the CRO or to conceal information if the concealment is likely to mislead or deceive the CRO.

The authorised signatory of the Registered Representative 1

Name

Signature

The authorised signatory of the Registered Representative 2

Name

Signature



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DECLARATION AND CONSENT OF THE AUTHORISED SIGNATORY OF THE REGISTERED REPRESENTATIVE

Document

Included

1. The Constitution of the Foundation. This must be signed by the Founder and certified by the Registered Representative.
2. A copy of the certificate of incorporation and constitutional documents of the Founder, (i.e. articles of association, partnership deed or members agreement, etc.), certified as a true copy by the company secretary, if the Founder is a body corporate.
 - If this document is not in the English language, this must be accompanied by a translation – that is certified as a true and accurate translation of the document by a professional translator.
3. Resolution of the board of directors of the Body Corporate:
 - authorising the establishment of the Foundation in the QFC; and
 - appointing the Registered Representative
 - Authorising the issuance of a power of attorney giving a named individual the powers to sign all documents in connection with the establishment of the Foundation.
4. A duly issued power of attorney from the Registered Representative giving a named individual the powers to sign all documents in connection with the establishment of the Foundation.
5. Other documents (if applicable) as may be requested by the CRO.

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NOTES FOR COMPLETING FORM CRO5

This form must be completed based on the applicant's knowledge of the proposed foundations objects and other details and the applicant must provide full and complete information.

Each section of this form must be completed fully and in English, by individuals with appropriate knowledge and expertise. If any question or section is left blank it may prompt a question or query from the CRO. A nil return should be indicated by N/A

Question 1.1

The applicant must be the proposed Registered Representative of the Foundation. Article 15(2) of the Foundation Regulations describes the criteria for acting as a Registered Representative, as follows:

- (1) A Foundation must have a Registered Representative appointed in accordance with the Constitution.
- (2) Subject to such further requirements as may be prescribed by Rules by the QFC Authority, the Registered Representative of a Foundation —
 - (A) Must be a Licensed Firm with permission to carry on one or more of the following activities under Part 2 of Schedule 3 of the QFC Law:
 - i. professional services limited to auditing, accounting, or legal services;
 - ii. The business activities of administration of Trusts and similar arrangements of all kinds.
 - (B) Must be a DNFPB under the AML/CFTR Rules;
 - (C) Must be appointed in accordance with the Foundation's Constitution; and
 - (D) has, in respect of the Foundation, the functions and duties specified in the Foundation's Constitution.
- (3) The Registered Representative must be a Member of the Council of the Foundation.

Question 1.2

The name of the Foundation must comply with Article 11 of the Foundation Regulations.

The Foundation Regulations, Article 11 deals with the registration of the name of a Foundation with the CRO. It states that:

- (1) The name of Foundation must:
 - (A) be written using letters of the English alphabet or such other characters acceptable to the CRO; and
 - (B) End with the expression "Foundation".
- (2) A Foundation shall not be registered by a name:
 - (A) which includes, other than at the end of the name, the expression "Foundation";
 - (B) which is the same as a name appearing on the index of names maintained by the CRO or by the Ministry of Economy and Commerce in the State; or
 - (C) Which in the opinion of the CRO is offensive or otherwise undesirable.
- (3) Except with the approval of the CRO, a Foundation shall not be registered by a name which in the opinion of the CRO would be likely to give the impression that it is connected in any way with the State.



QUESTION 1.3 TO 1.7

The CRO may require further information to process this application and if so, will contact the Individual identified in question 1.3.

QUESTION 1.8

Please refer to Foundation Regulations Article 16, for requirements in relation to location of the Foundation's registered office.

QUESTION 1.9

Please refer to Foundation Regulations Article 21 for requirements in relation to Term of the Foundation.

QUESTION 2

Please indicate here the objects for which the Foundation is to be established. Please refer to Foundation Regulations Article 13 and Rule 3.1 of Foundation Rules for requirements in relation to Objects of the Foundation.

QUESTION 3

Please provide full details of the proposed Registered Representative. This must include the full name, registered number and registered address of the Registered Representative
This information will be placed in the public register at the time of incorporation of the Foundation.

SECTION 4

Please provide full information on the members of the council, including any directorships held in the last 5 years, If, none, please indicate this by stating "Not Applicable" or "None"

SECTIONS 5, 6 AND 7

This declaration must be signed by each member of the council, and authorised signatory of the Registered Representative as the case may be, and the original signatures must be attached to this form.

SECTION 8

Please ensure that all the required supporting Documents are included.