

Chapter 7

THE MANAGEMENT COMPANY

Corporate information

- 7.01 The corporate information of the management company that must be disclosed, includes–
- (a) the name of each director and their designation, whether independent or non-independent; and
 - (b) the management company's experience in operating a fund.
- 7.02 There must also be a disclosure of–
- (a) the roles, duties and responsibilities of the management company; and
 - (b) all current material litigation and arbitration, including those pending or threatened, and any facts likely to give rise to any proceeding which might materially affect the business and financial position of the management company.

Shariah adviser

- 7.03 Where a Shariah adviser is appointed, the following information must be disclosed:
- (a) Names and experience of the Shariah adviser. Where the Shariah adviser is a corporation, to also state the name and experience of the Shariah officer responsible for Shariah matters of the fund;
 - (b) Roles and primary functions of the Shariah adviser; and
 - (c) Frequency of review on the fund's investments by the Shariah adviser to ensure compliance with Shariah principles or any other relevant principle at all times.

Fund management function

- 7.04 A prospectus must disclose relevant information on the designated person responsible for the fund management function of the fund, including his relevant experience.
- 7.05 Where the fund management function is undertaken by an external party, the prospectus must in addition to the disclosure requirement under paragraph 7.04, disclose the following:
- (a) Name of the fund manager;
 - (b) Roles and duties of the fund manager;
 - (c) The fund manager's experience in fund management; and
 - (d) All current material litigation and arbitration, including those pending or threatened, and any facts likely to give rise to any proceeding which might materially affect the business or financial position of the fund manager.

Other information

- 7.06 The management company must include a statement to inform investors that further information on the management company, Shariah adviser, and fund manager is provided in the management company's website (e.g. the qualification of the Shariah adviser and other corporate information).
- 7.07 The information as required under the following paragraphs may be incorporated in the prospectus by referencing the location on the management company's website where the information can be found:
- (a) Paragraph 7.01;
 - (b) Sub-paragraph 7.02(b);
 - (c) Sub-paragraph 7.03(a);
 - (d) Paragraph 7.04; and
 - (e) Sub-paragraphs 7.05(c) and (d).