

# Annex F

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# Format for providing public comments to DIFCA on Consultation Paper No. 4 of 2019

# Proposed New Financial Collateral Regulations and Security Regulations

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| Note 1: DIFCA reserves the right to publish, including on its website, any comments you provide. However, if you wish to remain anonymous, you must expressly request at the time of making comments that this should be the case. Note 2: The second column, ‘comments on proposed policy’ relates to the policy explained in the CP paragraphs specified. The third column, ‘comments on legislation’ refers to the draft legislation reflecting the proposed policy.Note 3: It is possible that you may not have any comments, either on the proposed policy or draft legislation, or may have comments on one and not the other. You may leave a blank column if you either agree to the proposed position, or you have no concerns relating it. Note 4: If there are any ambiguities relating to the proposed policy or draft legislation, you may raise those in your comments. |

| **Name of individual / entity providing comments:** |  |
| --- | --- |

| No.  | Comments on proposed policy | Comments on legislation |
| --- | --- | --- |
| Financial Collateral in the DIFC |
| **Q1: What other types of asset classes in the nature of cash and dematerialized securities should be covered in the Proposed Financial Collateral Regulations?**  |
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| Scope of Coverage |
| **Q2: Should there be a limitation of “qualifying parties” who benefit from the enhanced security regime afforded by the Proposed Financial Collateral provisions? Should these provisions exclude individuals and trustees?** |
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| **Q3:** **Do you have any comments on the definition of “Control” in the Proposed Financial Collateral Regulations? Are further refinements required in the context of Financial Collateral in order to more accurately reflect the arrangements used by market participants?** |
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| Substitution, Release and Enforcement of Financial Collateral |
| **Q4: Are the provisions in the Proposed Financial Collateral Regulations relating to the substitution, release of excess and enforcement of Financial Collateral sufficient? Are further refinements required?** |
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| Proposed Security Regulations |
| **Q5: Should the Approved Forms in Appendix 1 of the Current Regulations be improved or enhanced in the Proposed Security Regulations? If so, please provide suggestions.****Do you agree with the adoption of a fixed fee for the filing and amendment of financing statements?**  |
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| **Q6: Do you agree with the adoption of a fixed fee for the filing and amendment of financing statements?**  |
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| Miscellaneous |
| **Q7: Are there any other issues, not included in the Proposed Regulations the subject of this Consultation Paper, which warrant attention? If so, what are they, and why, and how, should they be addressed?** |
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| Q8: Are there any other aspects of the Proposed Regulations which can be improved? |
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