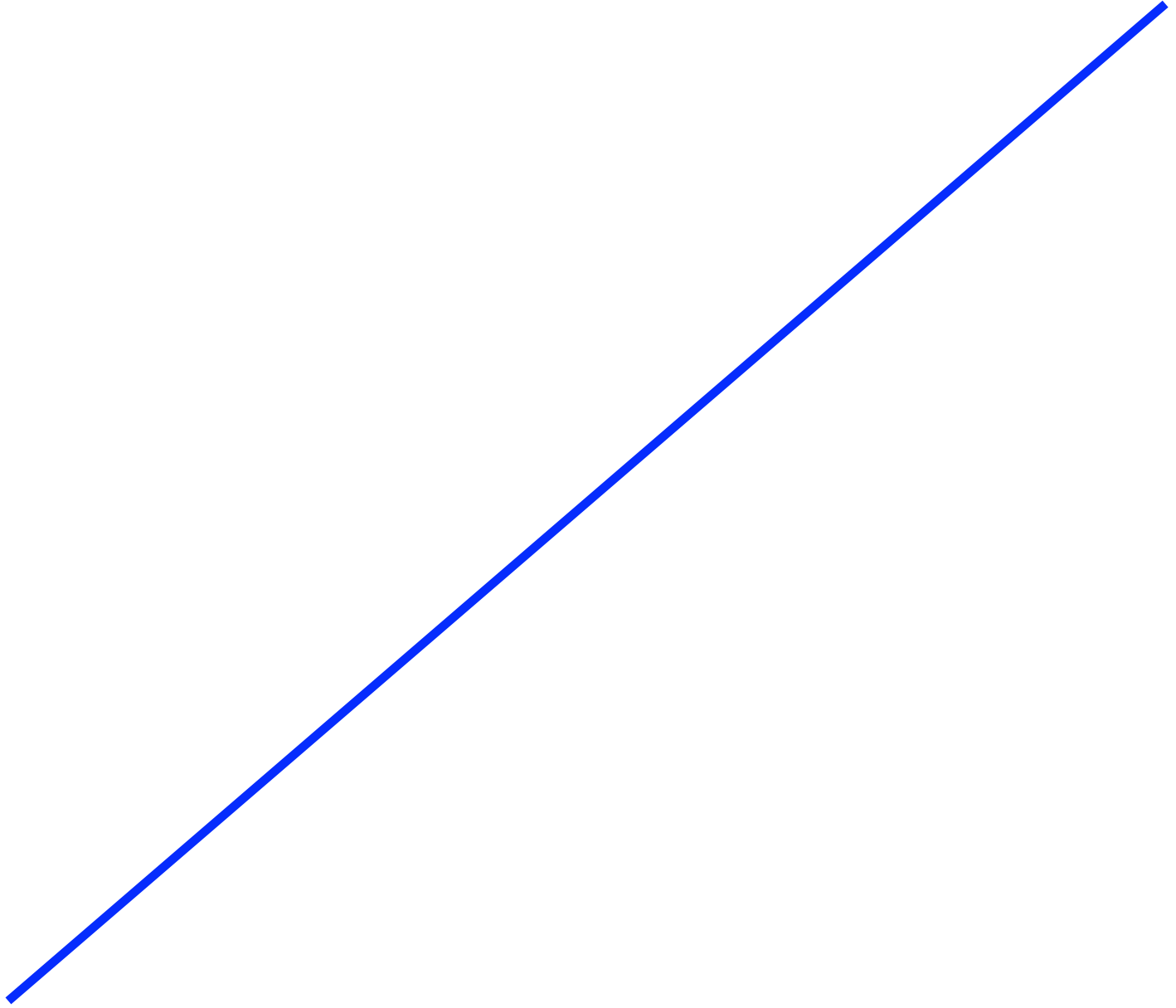




2022

# Operational Procedures for Transfer of Share Margin Financing.



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# Operational Procedures for Transfer of Share Margin Financing.

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## Document History

#	Date	Change Details
1.	25/12/2018	First version issuance
2.	08/08/2019	Second version
3.	30/09/2021	Update timing in relation to extending trading hours
4.	<a href="#">05/10/2022</a>	<a href="#">Update bank account details</a>



## 1. Overview

- 1.1 The scope of this document is to explain the procedures to be complied with by Clearing Members (CMs) intending to transfer share margin financing facility from the existing CM to a new CM.
- 1.2 The procedures for transfer of share margin financing facility can only be initiated by Clearing Members. Trading-only Members must go through their Clearing members to submit requests.

## 2. Terminologies used in this document

- 2.1 CM means a Clearing Member of Dubai Clear Company.
- 2.2 CTC means certified true copy.
- 2.3 MF means margin financing.
- 2.4 MFF means margin financing facility.
- 2.5 MFF Securities means the securities underlying the MFF to be transferred to the Transferee.
- 2.6 TM means a trading member of the DFM stock exchange.
- 2.7 Transferor means the CM transferring the MFF to the new CM.
- 2.8 Transferee means the new CM taking over the MFF from the Transferor.
- 2.9 Liability sum means the value of the MFF to be paid by the Transferee to the Transferor for taking over the MFF securities.

## 3. Who Qualifies to Submit Requests

- 3.1 Request shall only be submitted by CMs. For TMs, the TM must go through its CM to complete the transfer request.
- 3.2 Dubai Clear Company will not accept requests directly from a TM.

## 4. Submission of Requests Transferor

The following are procedures to be complied with the Transferor:

- 4.1 Complete the request from attached herewith as Appendix 1.
- 4.2 Ensure that request form is:
  - 4.2.1 Signed by:
    - 4.2.1.1 MF investor;
    - 4.2.1.2 Authorized signature of the Transferor as per records with Dubai Clear Company.
  - 4.2.2 Completed with all necessary information.
  - 4.2.3 Submitted to Dubai Clear Company by the cut-off times described in the section below.



4.3 Please note that Dubai Clear Company will only process the Transferor's request if the Transferee's completed request is also received by Dubai Clear Company, and same in order for processing.

## 5. Submission of Request by Transferee

The following are procedures to be complied with by the Transferee:

5.1 Complete the request from attached herewith as Appendix 2.

5.2 Ensure that the request form is:

5.2.1 Signed by

5.2.1.1 MF investor;

5.2.1.2 Authorized signatories of the Transferee as per records with Dubai Clear Company.

5.2.2 Completed with all necessary information

5.2.3 Accompanied by a CTC of the Transfer Financed Margin Agreement, which must be signed by Transferor, Transferee and MF investor and attached with the request from submission. DUBAI Clear Company will not process the request if a CTC of the agreement is not submitted to Dubai Clear Company.

5.2.4 Submitted to Dubai Clear Company by the cut-off times described in the section below.

5.3 The Transfer of Margin Trading Account Agreement must contain the following minimum information:

5.3.1 Name of Transferor and Transferee Trading Members;

5.3.2 Name of Margin Investor;

5.3.3 Total securities and liabilities value to be settled;

5.3.4 Signatures of Transferor and Transferee Trading Members and Margin Investor.

5.3.5 Any other clauses directed by Dubai Clear Company as the minimum requirements to be included in the Transfer of Margin Trading Account Agreement.

5.4 Please note that Dubai Clear Company will only process the Transferee's request if the Transferor's Completed request is also received by Dubai Clear Company, and same is in order for processing.

5.5 Transferee must ensure that the liability sum are deposited to the ~~Dubai Clear Company Settlement~~ [Dubai Financial Market](#) account with Emirates NBD bank IBAN # [AE380260000592063720902-AE 200260000512063720939](#) and the Dubai Clear Company fees are deposited to the fee account with Emirates NBD bank (IBAN No. [AE370260000412063720929](#)) by the cut-off time.



- 5.6 Transferee should open MF account to receive the MFF Securities to be transferred from the Transferor.
- 5.7 Cut-off Time for Submission of Requests and Conditions for Dubai Clear Company to Complete Transfer of MFF Both request from Transferor and Transferee must be received by 03:00 p.m. UAE time.
- 5.8 Both requests from Transferor and Transferee must be complete and in order. Dubai Clear Company would validate the transfer request and inform the Transferor and Transferee in case the request requirements are incomplete.
- 5.9 The Transferee must ensure that both the Liability Sum and Dubai Clear Company Fees have been deposited in the designated bank account of Dubai Clear Company.
- 5.10 The MFF Securities must be available under Owned status in the designated MF account of the Transferor for Dubai Clear Company to be placed under restriction. Failure to ensure this condition will result in Dubai Clear Company not processing both requests.
- 5.11 The total fees payable must be received in Dubai Clear Company's designated bank account. Please note that proof of transfer of fees is not acceptable for Dubai Clear Company to process the requests.
- 5.12 Submissions should be to Dubai Clear Company Clearing at:  
clearing&settlement@dubaiclear.ae

## 6. Completion of process

- 6.1 Dubai Clear Company will take a maximum of 5 business days to complete the transfer of MFF Securities and liability sum from the time all conditions mentioned in Point 6 above are fulfilled.

## 7. Fees

- 7.1 The following is a summary of fees payable by the respective market participants:

Fee Type	To be paid by	Fee Amount
Transfer of MFF liability sum and MFF Securities	Either Transferor or Transferee	AED 26.25 inclusive of VAT (ie, AED25 + 5% VAT) per listed company

- 7.2 The Transferee must ensure that the Dubai Clear Company Fee and the Liability Sum have been credited into the designed ~~Dubai Clear Company~~ [Dubai Financial Market](#) bank account.



## 8. Bulk Transfers

8.1 Where the transfer of MFF Securities per investors exceed 6 different securities of listed companies or has many investors to be transferred, both the transferor and transferee may prepare the list of securities to be transferred in MS Excel as per the following format subject to condition in 9.2 below:

No.	Investor NIN	Investor Name	Transferor (CM) Name	Investor Margin A/C with transferor	Symbol	No. of Securities	Total liabilities	Transferee (CM) Name	Investor Margin A/C with transferee	fees

8.2 Condition for submitting MS Excel spreadsheet:

8.2.1 A printout of the MS Excel format must be signed by the authorized signatories and stamped by the Transferor or Transferee as the case may be.

8.2.2 Each investor in the MS Excel sheet must sign the Request forms.

## 9. Procedure for certifying true copies of supporting documents:

9.1 The following persons can certify true copy (CTC) of supporting documents:

9.1.1 Compliance Officer together with the Operations Manager.

\*\*\* END \*\*\*





## Appendix 1 – Transferor's Request Form format

طلب المحول منه (عضو تداول/ تداول وتقاص) لتحويل الأوراق المالية الممولة بالهامش

### Transferor's Request (Trading/Trading Clearing Member) to Transfer Securities Financed by Margin

Application Date:  تاريخ الطلب:

Investor's Details	تفاصيل المستثمر
(if more than one investor, please complete separate form):	(في حال كان المستثمر أكثر من شخص واحد، يرجى تعبئة نموذج آخر):
Investor name:	اسم المستثمر:
Investor number (NIN):	رقم المستثمر:
Total liabilities value (AED):	إجمالي قيمة الذمم (بالدرهم):
Transferor's settlement bank name:	اسم بنك التسوية الخاص بالمحول منه:
Transferor's Settlement Account Number:	رقم حساب التسوية الخاص بالعضو المحول منه:
Transferor's clearing member: (if transferor is trading only member):	اسم عضو التقاص الخاص بالمحول منه: (في حال كان المحول منه عضو فقط للتداول):

\*Investor's signature:

\*توقيع المستثمر:

Transferee Member Details:	بيانات العضو المحول إليه:	Transferor's Member Details:	بيانات العضو المحول منه:
Member's name:	اسم العضو:	Member's name:	اسم العضو:
		Margin account no:	رقم حساب الهامش:

Authorized signature of transferor member

توقيع المخول عن العضو المحول منه

And company stamp:

وختم الشركة:

Fees	الرسوم	Number of Securities	عدد الأوراق المالية	Listed Security Name	الشركة المساهمة العامة	No.	م
						1.	
						2.	
						3.	
						4.	
						5.	
						6.	

### Declaration and Undertaking: التعهدات والالتزامات:

I/ we, the signed above, hereby agree to the following:

أنا/ نحن، الموقعين أعلاه، أوافق/ نوافق على ما يلي:

- All information provided by the transferor to Dubai Clear Company is true and correct and the Client has not concealed any facts that may affect Dubai Clear Company.
- The Investor and the transferor will undertake not to commit to any obligations or liabilities related to the margin-financed shares that may affect the Client's liabilities and obligations and/or would reduce the Client's ability of fulfilling his/her obligations.
- We are full responsible for the correctness of the all details set above and the signatures.
- We agree to be bound by the regulations, rules and procedures as may be issued from time to time.
- Dubai Clear Company shall not be liable for any loss suffered directly or indirectly by any person; acting in reliance upon the Information contained herein and shall be indemnified and protected accordingly.

كافة المعلومات المقدمة من المحول منه إلى شركة دبي للمقاصة حقيقية وصحيحة ولم يتم العمل بإخفاء أية حقائق قد تؤثر على شركة دبي للمقاصة

يتعهد المستثمر والمحول منه بعدم الالتزام بأي التزامات أو تعهدات متعلقة بالأسهم الممولة من الهامش والتي قد تؤثر على التزامات العميل وتعهداته و/أو قد تقلل من قدرة العميل على الوفاء بالتزاماته.

نحن نتحمل المسؤولية الكاملة عن صحة البيانات المذكورة أعلاه والتوقيع.

نوافق على الالتزام بالنظم والقواعد والإجراءات التي قد تصدر من وقت لآخر.

لا تتحمل شركة دبي للمقاصة أية مسؤولية عن أي خسارة يتكبدها، بشكل مباشر أو غير مباشر، من قبل أي شخص يعمل بالاعتماد على المعلومات الواردة في هذا الطلب وعليه، يتم تعويض وحماية شركة دبي للمقاصة وفقاً لذلك.

### For Official Use Only

### للاستخدام الرسمي

Signature:	التوقيع:	Officer name:	اسم المسؤول:
		Date:	التاريخ:
Dubai Clear	ختم الشركة	Dubai Clear Company decision:	قرار الشركة
		Rejected <input type="checkbox"/> الرفض	Approved <input type="checkbox"/> الموافقة



Company  
stamp:

دبي  
للمقاصة:

Reason for rejection:

سبب الرفض:

\*In case of representative or guardian (other than father), please attach copy of the power of attorney or custody documented authenticated by a public notary.

\* في حال وجود وكيل أو وصي (غير الأب)، يرجى إرفاق نسخة من الوكالة أو الوصاية مصدقة من كاتب العدل.



## Appendix 2 – Transferee's Request Form format

طلب المحول إليه (عضو تداول/ تداول وتقااص) لتحويل الأوراق المالية الممولة بالهامش

### Transferee's Request (Trading/Trading Clearing Member) to Transfer Securities Financed by Margin

Application Date:  تاريخ الطلب:

Investor's Details	تفاصيل المستثمر
(if more than one investor, please complete separate form):	(في حال كان المستثمر أكثر من شخص واحد، يرجى تعبئة نموذج آخر):
Investor name:	اسم المستثمر:
Investor number (NIN):	رقم المستثمر:
Total liabilities value (AED):	إجمالي قيمة الذمم (بالدرهم):
Transferee's settlement bank name:	اسم بنك التسوية الخاص بالمحول إليه:
Transferee's settlement account number:	رقم حساب التسوية الخاص بالعضو المحول منه:
Transferee's clearing member: (if transferee is trading only member):	اسم عضو التقااص الخاص بالمحول إليه: (في حال كان المحول إليه عضو فقط للتداول):

\*Investor's signature:

\*توقيع المستثمر:

Transferee Member Details:	بيانات العضو المحول إليه:	Transferor's Member Details:	بيانات العضو المحول منه:
Member's name:	اسم العضو:	Member's name:	اسم العضو:
Margin account no:	رقم حساب الهامش:		

Authorized signature of transferee member

توقيع المخول عن العضو المحول إليه

And company stamp:

وختم الشركة:

Fees	الرسوم	Number of Securities	عدد الأوراق المالية	Listed Security Name	الشركة المساهمة العامة	No.	م
							.7
							.8
							.9
							.10
							.11
							.12

#### Declaration and Undertaking:

#### التعهدات والالتزامات:

I/ we, the signed above, hereby agree to the following:

أنا/ نحن، الموقعين أعلاه، أوافق/ نوافق على ما يلي:

- We agree to be bound to the terms and conditions of the applicable Transfer Financed Margin Agreement as if it was set forth here in its entirety.
- We are full responsible for the correctness of the all details set above and the signatures.
- We agree to be bound by the regulations, rules and procedures as may be issued from time to time.
- Dubai Clear Company shall not be liable for any loss suffered directly or indirectly by any person; acting in reliance upon the Information contained herein and shall be indemnified and protected accordingly.

- نوافق على الالتزام ببنود وشروط اتفاقية نقل التمويل بالهامش السارية كما لو كانت مدرجة هنا بالكامل.
- نحن نتحمل المسؤولية الكاملة عن صحة البيانات المذكورة أعلاه والتوقيع.
- نوافق على الالتزام بالنظم والقواعد والإجراءات التي قد تصدر من وقت لآخر.
- لا تتحمل شركة دبي للمقاصة أية مسؤولية عن أي خسارة يتكبدها، بشكل مباشر أو غير مباشر، من قبل أي شخص يعمل بالاعتماد على المعلومات الواردة في هذا الطلب وعليه، يتم تعويض وحماية شركة دبي للمقاصة وفقاً لذلك.

#### Attachment:

#### المرفقات:

- Attach certified true copy of the Margin Finance Transfer Agreement signed by the investor, the Transferor and Transferee.
- Copy of transfer receipt of the liabilities value to Dubai Clear Company's "settlement\_DFM\_" account with Emirates NBD Bank (IBAN: AE200260000512063720939) by the Dubai Clear Company specified cut-off time.
- Copy of transfer receipt of Transfer fees: AED 26.25 per listed company inclusive of VAT (AED25+AED1.25VAT).

- نسخة من اتفاقية نقل التمويل بالهامش مصدقة وموقعة من المستثمر والمحول منه والمحول إليه.
- نسخة من إيصال التحويل لقيمة الذمم (المديونية) في حساب التسوية الخاص بشركة دبي للمقاصة سوق دبي المالي لدى بنك الامارات دبي الوطني (IBAN: AE200260000512063720939) في الوقت المحدد من قبل شركة دبي للمقاصة.
- نسخة من إيصال تحويل الرسوم: 26.25 درهم لكل شركة مدرجة شاملة ضريبة القيمة المضافة (25 درهم + 1.25 درهم كضريبة).

#### For Official Use Only

#### للاستخدام الرسمي

Signature: \_\_\_\_\_ Officer name: \_\_\_\_\_ اسم المسؤول:



	Date:	التاريخ:
Dubai Clear Company stamp:	ختم الشركة دي للمقاصة:	Dubai Clear Company decision: Reason for rejection:
	Rejected <input type="checkbox"/> الرفض	الموافقة <input type="checkbox"/> Approved
		قرار الشركة دي للمقاصة: سبب الرفض:

\*In case of representative or guardian (other than father), please attach copy of the power of attorney or custody documented authenticated by a public notary.

\* في حال وجود وكيل أو وصي (غير الأب)، يرجى إرفاق نسخة من الوكالة أو الوصاية مصدقة من كاتب العدل.

