



AFSA NOTICE № AFSA-N-NB-2021-0001

ON CLASS WAIVER IN RESPECT OF

AGENT FOR SERVICE OF PROCESS

Date of issue: 11 January 2021

Nur-Sultan, Kazakhstan



ON CLASS WAIVER IN RESPECT OF AGENT FOR SERVICE OF PROCESS

NOTICE No. AFSA-N-NB-2021-0001

THE ASTANA FINANCIAL SERVICES AUTHORITY (AFSA) HEREBY GIVES NOTICE THAT:

The Rules specified in Table A herein do not apply to the Authorised Market Institutions and its Members including Recognised Non-AIFC Members (RNAMs) incorporated outside the Republic of Kazakhstan, Persons who seek to have Securities or Units in a Listed Fund admitted to trading and issuers of Securities or Units in a Listed Fund.

RULES WAIVED

TABLE A	
AIFC Act	Waived Rule
AIFC AUTHORISED MARKET INSTITUTION RULES (AMI)	2.6.4 (d) An Authorised Market Institution may not admit a Recognised Non-AIFC Member as a Member unless, where the Recognised Non-AIFC Member is incorporated outside the Republic of Kazakhstan, it appoints and maintains at all times, an agent for service of process in the AIFC.
	3.2.3 (d) An Authorised Investment Exchange may not admit Securities or Units in a Listed Fund to trading unless the Person who seeks to have such Investments admitted to trading, appoints and maintains at all times, an agent for service of process in the AIFC and requires such agent to accept its appointment for service of process.
	3.6.6 (d) An Authorised Investment Exchange may not admit Securities or Units in a Listed Fund to an Official List unless the issuer of such Investments appoints and maintains at all times, an agent for service of process in the AIFC and requires such agent to accept its appointment for service of process.

CONDITIONS

Astana International Exchange Limited, Recognised Non-AIFC Members incorporated outside the Republic of Kazakhstan and Persons who seek to have Securities or Units in a Listed Fund admitted to trading and Issuers of Securities or Units in a Listed Fund enter into enforceable undertaking:

- a) to treat any service of process addressed to designated electronic mail address as a proper service of process where any possible defenses against these arrangements to the service of process cannot be used as a basis for judicial actions;
- b) to acknowledge all the emails received from either the Astana International Exchange Limited or AFSA;
- c) to appoint and maintain at all times an agent for service of process in the AIFC after the lapse of this waiver or until the further notice.



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EFFECTIVE PERIOD

This notice comes into effect on the date of issue and remains in force for 12 (twelve) months thereafter or until the further notice, whichever is the earlier.

INTERPRETATION

Defined terms are identified in this notice by the capitalisation of the initial letter of a word or of each word in a phrase and are defined in the AIFC Glossary. Unless the context otherwise requires, where capitalisation of the initial letter is not used, an expression has its natural meaning.

THIS NOTICE IS ISSUED PURSUANT TO SECTION 9 OF THE FINANCIAL SERVICES FRAMEWORK REGULATIONS BY THE ASTANA FINANCIAL SERVICES AUTHORITY.