



The Manager – Applications
Australian Securities and Investments Commission

Our reference

AZT/AZT/359053/1
AUM/1206998620.1

25 July 2014

By email Applications@asic.gov.au

Dear Sir/Madam

**ASIC CLASS ORDER 03/1099 UK REGULATED FINANCIAL SERVICE
PROVIDERS
CAPITAL FUND MANAGEMENT LLP - APPLICATION FOR RELIEF**

We act for Capital Fund Management LLP (CFM).

CFM seeks relief under ASIC Class Order 03/1099 (**Class Order**) for a UK regulated financial service provider from the need to hold an Australian financial services licence.

We **enclose** the following documents in accordance with the requirements of the Class Order:

- 1 A certified copy of CFM's Certificate of Incorporation of a Limited Liability Partnership issued by the Registrar of Companies for England and Wales.
- 2 Evidence that CFM hold a current Part 4A Permission pursuant to paragraph 2(a) of Schedule B of the Class Order, namely, a certified copy of CFM's Part 4A permission as set out in an extract from the Financial Conduct Authority's (FCA) Financial Services Register accessed on 8 July 2014.
- 3 CFM's Limited Liability Partnership Deed dated 6 April 2013.
- 4 A list of persons currently authorised to sign documents on behalf of CFM.
- 5 Signed notice that CFM will provide financial services in this jurisdiction in reliance on the Class Order, pursuant to paragraph 2(b) of Schedule B of the Class Order.
- 6 Executed Deed Poll in accordance with paragraph 2(c) of Schedule B of the Class Order.
- 7 Signed written consent to the disclosure by the FCA to ASIC and ASIC to the FCA of information relating to CFM, pursuant to paragraph 2(d) of Schedule B of the Class Order.

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- 8 Executed Deed Poll entered into by CFM in respect of its local agent,
Tanoa Pty Ltd.
- 9 Signed notice confirming that:
- 9.1 Neither CFM nor its agent has been notified by ASIC that CFM
is excluded from relying on the Class Order;
- 9.2 CFM has not notified ASIC that it will not rely on the Class
Order; and
- 9.3 CFM's primary business is the provision of financial services.

We have separately arranged for the original executed copy of the Deed Poll referred
to in paragraph 6 above to be mailed to ASIC.

Please contact us if you have any questions in relation to this matter.

Yours sincerely

A handwritten signature in cursive script that reads 'DLA Piper'.

s 22

Solicitor
DLA PIPER AUSTRALIA

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Partner
DLA PIPER AUSTRALIA

Direct s 22

s 22 @dlapiper.com

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