

## **COURSE OFFERING: AVELALAW AG – Initial Training Course for Client Advisers in the Field of Rules of Conduct according to FINSA**

Zurich, in January 2022

### **AVELALAW AG is an accredited provider of an initial training in the field of FINSA Rules of Conduct**

AVELALAW AG ("AVELALAW") offers an initial training course for client advisers who must be entered in a Register of Advisers in accordance with Art. 28 et seq. of the Federal Act on Financial Services of 15 June 2018 ("FINSA"). To this end, AVELALAW has been accredited by BX Swiss AG, one of three FINMA-approved Registration Bodies, as a provider of an accepted initial training in the field of the FINSA Rules of Conduct and has been added to the corresponding list of BX Swiss AG [<https://www.regservices.ch/en/required-knowledge/>].

### **Client Advisers' Duty to enter in the Register of Advisers**

Client advisers of Swiss financial service providers not subject to supervision as well as of certain foreign financial service providers may only carry out their activity in Switzerland if they are entered in a Register of Advisers. This registration requirement applies in particular to client advisers who provide financial services that are not in themselves an activity requiring authorization, for instance investment advice or the acquisition or disposal of financial instruments for clients (formerly known as "distribution").

The Register of Advisers is maintained by Registration Bodies approved by the Swiss Financial Market Supervisory Authority FINMA. Approved Registration Bodies are BX Swiss AG, Zurich, PolyReg Services GmbH, Zurich, and the Association Romande des Intermédiaires Financiers (ARIF), Geneva.

The conditions for registration in the Register of Advisers are met by anyone who can provide the following evidence:

- the existence of a professional indemnity insurance or of equivalent collateral;
- affiliation to an Ombudsman's Office (as far as no exemption applies);
- absence of exclusion criteria (relevant criminal conviction, activity ban, ban on practicing a profession);
- Existence of the required knowledge according to art. 6 FINSA, i.e. (i) the professional expertise required to perform the activities and (ii) sufficient knowledge of the rules of conduct set out in the FINSA for rendering financial services. Thereby, professional expertise and knowledge of the rules of conduct must be evidenced separately.

AVELALAW will be pleased to assist you if you are in doubt whether or not you are subject to the duty to register as well as with the registration itself.

### **Course Offering: AVELALAW AG – Initial training in the field of FINSA Rules of Conduct**

As mentioned, AVELALAW has been accredited by BX Swiss AG as provider of the course “AVELALAW AG – Initial Training in the field of FINSA Rules of Conduct”. This means that the completion of the course, i.e., the certificate issued upon completion, is accepted by BX Swiss AG, but also by the other Registration Bodies, the Polyreg Services GmbH and the ARIF, as proof of the necessary knowledge in accordance with Art. 6 FINSA in the field of the FINSA Rules of Conduct.

The course “AVELALAW AG – Initial Training in the field of FINSA Rules of Conduct” is structured as follows:

**Training Institute / Place:** AvelaLaw AG, Fraumünsterstrasse 15, 8001 Zurich

**Nature of the course:** Classroom course “Initial Training in the field of FINSA Rules of Conduct” in the business premises of AVELALAW with a maximum of 4 participants per course. The knowledge transfer is carried out by one of AVELALAW's partners.

Upon request, the course may be held over video conference. If there are at least 4 participants, we will gladly hold the training in your business premises.

**Duration of the training:** one half day (4.5 hours)

**Course language:** German; upon request, also in English

**Course dates:** each of the following days from 8.30 to approximately 13.00 o'clock and, for groups of at least 4 participants, by individual arrangement

Wednesday, 5 January 2022	Friday, 14 January 2022
Friday, 21 January 2022 (in English)	Friday, 4 February 2022
Friday, 11 February 2022	Friday, 4 March 2022
Friday, 11 March 2022	Friday, 25 March 2022
Friday, 1 April 2022	Friday, 8 April 2022
Friday, 6 May 2022	Friday, 13 May 2022
Friday, 20 May 2022	Friday, 3 June 2022
Friday, 10 June 2022	Friday, 17 June 2022
Friday, 24 June 2022	Friday, 1 July 2022
Friday, 8 July 2022	Friday, 15 July 2022

**Course Fee per person:**

For one participant:	CHF 620.- (+VAT, if any)
For two participants:	CHF 550.- (+VAT, if any)
From three participants:	CHF 490.- (+VAT, if any)

**Form of evidence:** Course participants will receive a personalized certificate which will confirm the course attendance, date, duration and content of the course.

**Content of the course “AVELALAW AG – Initial Training in the field of FINSA Rules of Conduct”:**

Introduction: <ul style="list-style-type: none"> <li>• Definition „financial services“ / distinction from the „offer“ concept / distinction from „advertising“ (special focus on distribution of investment funds, newly “offer”)</li> <li>• Financial instruments</li> <li>• Client segmentation; opting-in / opting-out</li> </ul>	40'
Rules of Conduct in the narrower sense (pursuant to art. 7-19 FINSA) <ul style="list-style-type: none"> <li>• Duty to provide information</li> <li>• Appropriateness and suitability test for investment advice or portfolio management</li> <li>• Documentation and rendering of account</li> <li>• Transparency and care in client orders; incl. best execution</li> </ul>	60'
Conflicts of interest (particularly own-account transactions and retrocessions)	30'
COFFEE BREAK	[15']
Introduction to the Register of Advisers; particularly adviser's duties	20'
Financial Institutions Act (FINIA): Introduction / activities which require authorization	20'
Ombudsman's Office	15'
Agency matters (Code of Obligations)	15'
Collective Investment Schemes Act: particular provisions on foreign collective investment schemes	20'
Prospectus and Key Information Document (KID)	20'
Q&A	30'
Total (break not included)	270'

## Registration Form

Registrations are gladly accepted with immediate effect. Please send a scan of the completed registration form by e-mail to either [patrick.moser@avelalaw.com](mailto:patrick.moser@avelalaw.com) or [dirk.spiegel@avelalaw.com](mailto:dirk.spiegel@avelalaw.com) or register via our homepage [www.avelalaw.com](http://www.avelalaw.com). We will contact you as soon as possible regarding the course confirmation or if you should have any special requests.

Prenome, Name: \_\_\_\_\_ Address: \_\_\_\_\_

Company: \_\_\_\_\_

**For identification purposes, please bring an ID or passport to the course.**

Phone (daytime): \_\_\_\_\_ E-mail: \_\_\_\_\_

Course date: \_\_\_\_\_

Preferred date: \_\_\_\_\_ Alternative date: \_\_\_\_\_

I acknowledge that the registration will be binding as from receipt of the course confirmation. We kindly ask you to make any subsequent requests for postponement as soon as possible. If you cancel on Monday or Tuesday of the week in which the course date falls, half of the course fee will be charged. If you cancel on or after Wednesday of that week, the entire course fee will be charged. Of course, we always try to find a flexible solution. We thank you for your registration and wish you an interesting and entertaining course!

Date / Signature: \_\_\_\_\_

### **AvelaLaw AG**

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AVELALAW is a Zurich-based advisory firm specialising in financial market law (with a particular focus on asset management as well as Swiss and foreign collective investment schemes). AVELALAW covers the full spectrum of legal advice, compliance and risk management for its clients. AVELALAW's clients include asset managers, fund managers, fund management companies, investment advisors, banks, insurance companies and other financial service providers from Switzerland and abroad. We are happy to advise you in German, English, Spanish and Italian.

*The content of this document does not constitute legal or tax advice and may not be used as such. If you would like advice based on your circumstances, please contact one of the people at AVELALAW listed above.*