

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

Zurich, January 2024

### **AvelaLaw AG is an accredited provider of an Initial Training as well as of a Refresher Course in the field of FINSA Rules of Conduct**

In addition to the popular "Initial Training in the field of FINSA rules of conduct", within the framework of which the specialists of AvelaLaw AG have trained more than 300 people, AvelaLaw AG also offers the mandatory Refresher Courses (recurrent training) for client advisers, who, in accordance with Art. 28 et seq. of the Federal Act on Financial Services of 15 June 2018 ("FINSA"), are already entered in a Register of Advisers and must renew this entry every two years.

AvelaLaw AG is accredited by BX Swiss AG, one of the Registration Bodies approved by FINMA, as a provider of both, an Initial Training and a Refresher Course, and is listed on BX Swiss AG's two lists "Basic Training" and "Recurrent Training" [<https://www.regservices.ch/en/required-knowledge>].

### **Information on the Initial Training: 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 trainings offered here are accepted by all three Registrations Bodies.**

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 AG 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.

### **Information on the Refresher Course: Client Advisers' Duty to renew their entry in the Register of Advisers**

Client advisers who are already entered in a Register of Advisers must, in application of FINSO 41/2, renew this registration after two years at the latest otherwise the entry in the Register will be cancelled. In this context, recurrent training must be completed by which the knowledge is deepened and changes in the legal regulations are dealt with.

According to the requirements of the Registration Bodies, the Refresher Course shall last at least two hours and cover the following content:

- changes in legal regulations since completion of the Initial Training;
- deepening knowledge of the rules of conduct;
- practice and jurisprudence on the topics of the Initial Training;
- Further financial market laws (CISA, AMLA, FMIA, etc.) and their effects on the activities of client advisers.

On request, AvelaLaw AG will also be happy to assist you with the renewal of the registration itself.

### Course Offerings:

**“AvelaLaw AG – Initial Training in the field of FINSA Rules of Conduct”** and  
**“AvelaLaw AG – Refresher Course for Client Advisers according to FINSA”**

The courses “AvelaLaw AG – Initial Training in the field of FINSA Rules of Conduct” and “AvelaLaw AG – Refresher Course for Client Advisers according to FINSA” are structured as follows:

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

**Type of the course:** Classroom course in the business premises of AvelaLaw AG with a maximum of 5 participants per course. If there are more than 3 participants, we will gladly hold the training in your business premises.

Upon request, the courses may be held over video conference.

The knowledge transfer is carried out by one of AvelaLaw AG's partners with more than 20 years of professional experience.

**Duration of the training:** Initial Training: one half day (4.5 hours)  
Refresher Course: 2 hours

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

**Course Fee per person:**

**Initial Training:**

- For one participant: CHF 650.- \*)
- For two participants: CHF 550.- \*)
- From three participants: CHF 490.- \*)

**Refresher Course:**

- For one participant: CHF 400.- \*)
- For two participants: CHF 350.- \*)
- From three participants: CHF 300.- \*)

\*) in each case plus 3% expenses flat rate and VAT (if applicable)

**Course dates:**

On each day indicated below from 8.30 to approximately 13.00 CET (Initial Training) or, as the case may be, from 10.00 to 12.00 CET (Refresher Course). For groups of at least 3 participants, we will be glad to organize courses also by individual arrangement.

<b>Initial Training:</b>	<b>Refresher Course:</b>
Friday, 12. January 2024	Friday, 5 January 2024
Friday, 26 January, 2024	Friday, 19 January 2024
Friday, 9 February 2024	Friday, 2 February 2024 (11am to 1 pm)
Friday, 23 February 2024	Friday, 16 February 2024
Friday, 8 March 2024	Friday, 1 March 2024
Friday, 22 March 2024	Friday, 15 March 2024
Friday, 5 April 2024	Thursday, 28 March 2024
Friday, 19 April 2024	Friday, 12 April 2024
Friday, 17 May 2024	Friday, 3 May 2024
Friday, 31 May 2024	Friday, 24 May 2024
Friday, 14 June 2024	Friday, 7 June 2024
Wednesday, 26 June 2024	Friday, 21 June 2024
Friday, 12 July 2024	Friday, 5 July 2024

**Form of evidence:**

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

**AvelaLaw Ltd. now also offers mandatory continuing training for Qualified Managers, other members of the executive board or the board of directors (guarantors of irreproachable business conduct) of portfolio managers under FinIA and other prudentially supervised financial institutions (areas FinSA/FinIA, CISA, AMLA and Data Protection Act).**

**Please contact us for a non-binding offer ([patrick.moser@avelalaw.com](mailto:patrick.moser@avelalaw.com))!**

## 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 (CISA): particular provisions on foreign collective investment schemes	20'
Prospectus and Key Information Document (KID)	20'
Q&A	30'
Total (break not included)	270'

## Content of the course "AvelaLaw AG – Refresher Course for Client Advisers according to FINSA "

Introduction <ul style="list-style-type: none"> <li>• Definition of financial services / offer / advertising</li> <li>• Financial instruments</li> <li>• client segmentation; opting-in / opting-out</li> </ul>	20'
Rules of conduct in the narrower sense (Art. 7-19 FINSA) <ul style="list-style-type: none"> <li>• Duty to provide information</li> <li>• Appropriateness and suitability test for investment advice and portfolio management</li> <li>• Documentation and rendering of account</li> <li>• transparency and care in client orders; incl. best execution</li> </ul>	30'
Conflicts of Interest	10'
Register of Advisors and Ombudsman's Office: repetition of current duties	10'
Collective Investment Schemes Act (CISA): <ul style="list-style-type: none"> <li>• Distribution of Swiss collective investment schemes</li> <li>• Distribution of foreign collective investment schemes</li> <li>• Introduction to the Limited Qualified Investor Fund (L-QIF)</li> </ul>	20'
Anti-Money Laundering Act (AMLA)	10'
Financial Market Infrastructure Act (FMIA)	10'
Overview of changes to relevant laws since 01.01.2020	10'
Questions	
Total	120'

## 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 type desired:         Initial Training         Refresher Course

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

I acknowledge that the registration will be binding as from receipt of the course confirmation.

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

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!

### **AvelaLaw AG**

Fraumünsterstrasse 15  
8001 Zurich

[www.avelalaw.com](http://www.avelalaw.com)



[patrick.moser@avelalaw.com](mailto:patrick.moser@avelalaw.com)  
(+41) (0)44 281 92 06



[dirk.spiegel@avelalaw.com](mailto:dirk.spiegel@avelalaw.com)  
(+41) (0)44 281 92 50

AvelaLaw AG 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 AG covers the full spectrum of legal advice, compliance and risk management for its clients. AvelaLaw AG '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 AG listed above.*