

25 September 2025

ACM Limited
Unit 1, 9/F
Al Maqam Tower
Abu Dhabi Global Market Square
Al Maryah Island
Abu Dhabi
United Arab Emirates

Attention:

[REDACTED]

[REDACTED]

Sent by e-mail:

[REDACTED]

Dear Sirs

AMENDMENT OF DECISION IN RELATION TO PENALTY IMPOSED FOR CONTRAVENTIONS OF THE COMMON REPORTING STANDARD REGULATIONS 2017

1. On 13 June 2025, the FSRA of ADGM gave ACM Limited (“ACM”) written notice (“June Notice”) of its decision to impose a penalty pursuant to subsection 9(1) of the CRS Regulations.
2. On 14 July 2025, ACM submitted an appeal against the penalty set out in the June Notice.
3. The FSRA has considered ACM’s appeal and decided to impose an amended penalty as set out in this notice. Accordingly, this notice is issued pursuant to Article 7(5) of the CRS Cabinet Resolution which applies pursuant to the CRS Regulations.

DEFINED TERMS

4. The meaning of any defined term used in this notice is provided either at its first occurrence in parentheses or in Annexure A.

SUMMARY

5. The FSRA considers that ACM has classified itself as a CRS RFI and a FATCA RFI for the purposes of the CRS Regulations.
6. The FSRA considers that ACM having classified itself as a CRS RFI for the purposes of the CRS Regulations:

- a. opened accounts without collecting a valid Self-Certification with respect to three (3) Reportable Persons; and
 - b. failed to report information as required by the CRS Regulations in a complete and accurate manner.
7. Accordingly, the FSRA has decided to impose a penalty of AED 13,000 on ACM pursuant to subsection 9(1) of the CRS Regulations, and the penalties set out in the CRS Cabinet Resolution.

BACKGROUND

8. On 12 June 2023, ACM registered as a CRS RFI and FATCA RFI on the AEOI Portal.
9. On 24 June 2024 ACM submitted a Nil Return for the purposes of the FATCA Regulations and on 6 September 2024 ACM submitted an Annual Return for the purposes of the CRS Regulations.
10. On 13 August 2024, the FSRA sent an email with a letter to ACM informing ACM that it had been selected for a Review. The letter detailed the information that ACM would be required to provide during the Review. The FSRA requested ACM's acknowledgement of the FSRA's email by 16 August 2024. On 14 August 2024, ACM acknowledged the FSRA's email.
11. On 31 October 2024, the FSRA conducted the Review.

FAILURE TO COLLECT VALID SELF-CERTIFICATIONS FOR CRS

12. Subsection 6(1) of the CRS Regulations requires CRS RFIs to collect and report all information in accordance with the CRS Regulations, the CRS Cabinet Resolution and the CRS.
13. Section IV subparagraph A of the CRS (New Individual Accounts) and Section VI subparagraph A of the CRS (New Entity Accounts) requires an RFI to obtain a Self-Certification from an Account Holder at account opening.
14. Section VI subparagraph A(2) of the CRS requires a CRS RFI to determine in relation to New Entity Accounts whether an Account Holder is a Passive NFE (as defined in the CRS) with one or more Controlling Persons that are Reportable Persons (as defined in the CRS) and determine the residence of such Reportable Persons. In determining whether a Controlling Person is a Reportable Person, section VI subparagraph A(2)(c) of the CRS sets out that an RFI may rely on a self-certification form from the Account Holder or such Controlling Person.
15. Subsection 3(1) of the CRS Regulations applies any commentary published by the OECD for the purposes of assisting with the interpretation of the CRS. Paragraph 18 of Section VI of the

OECD's Commentaries on the Common Reporting Standard¹ provides (by reference to earlier sections of the Commentary) that self-certifications of the Controlling Person are only valid if they contain the jurisdiction of residence for tax purposes and TIN with respect to each Reportable Jurisdiction.

Client 1

16. ACM had opened a New Entity Account for Client 1, as identified in Annexure B to the June Notice, on 26 May 2023. In its Self-Certification, Client 1 had declared that it was a Passive NFE, with two (2) Controlling Persons. CP1, as identified in Annexure B to the June Notice, was one of its Controlling Persons. However, the section providing jurisdiction of tax residence was not completed in CP1's Self-Certification. Accordingly, ACM failed to collect a valid Self-Certification for CP1.

Client 2

17. The Review found that ACM opened a New Entity Account for Client 2, as identified in Annexure B to the June Notice, on 29 September 2023. In its Self-Certification, Client 2 had declared that it was a Passive NFE. In its Self-Certification, Client 2 failed to name its Controlling Persons. However, ACM reported two (2) Controlling Persons in its Annual Return without collecting a Self-Certification with respect to each of CP2 and CP3, as identified in Annexure B to the June Notice.
18. Accordingly, the FSRA considers that ACM has contravened subsection 6(1) of the CRS Regulations.

FAILURE TO REPORT IN A COMPLETE AND ACCURATE MANNER FOR CRS

19. Section I subparagraph A(1) of the CRS requires each CRS RFI to report the name, address, jurisdiction(s) of residence, TIN(s) and date and place of birth (in the case of an individual) of each Reportable Person for each Reportable Account.

Client 3

20. In its Self-Certification, Client 3 declared that it was a Passive NFE with two (2) Controlling Persons. The Review found that ACM had failed to report CP4 and CP5, as identified in Annexure B to the June Notice, as the Controlling Persons of Client 3 in its Annual Return.

Alleged failure in relation to Client 4

21. In her Self-Certification, Client 4 (as identified in Annexure B to the June Notice) declared that her country of tax jurisdiction was Russia with a TIN. The Review found that ACM failed to report Client 4 in its Annual Return.

¹ OECD (2017), *Standard for Automatic Exchange of Financial Account Information in Tax Matters, Second Edition*, OECD Publishing, Paris

22. Accordingly, the FSRA considered that ACM had contravened subsection 6(1) of the CRS Regulations.

OTHER OBSERVATIONS

23. During the Review, the FSRA observed that ACM's approach to confirming the Account Holder's status for the purposes of the FATCA Regulations could have been more robust in relation to Clients 1 and 5, and CP6 (as identified in Annexure B to the June Notice). Upon this occasion, the FSRA has not found a contravention by ACM, however, it would be good practice for ACM to review those files and where appropriate adapt its practices accordingly.

CONSIDERATION OF APPEAL

24. In the June Notice, the FSRA imposed a penalty of AED 18,000 on ACM.
25. Under subsection 9(2) of the CRS Regulations and Article 7(1) of the CRS Cabinet Resolution, ACM had the opportunity to appeal against the FSRA's decision set out in the June Notice.
26. On 14 July 2025, ACM submitted its appeal.
27. In its appeal, ACM asked the FSRA to take certain matters into consideration, as follows:
- a. As regards Client 3, ACM acknowledged that CP4 and CP5 were declared in the self-certification for Client 3 but were inadvertently omitted from the Annual Return due to a manual reconciliation error. Upon identification of the issue, ACM immediately undertook a full reconciliation and data validation exercise across its reportable client base. Enhanced controls and revised procedures have since been implemented to ensure full alignment in subsequent reporting cycles. ACM requested the FSRA to consider this as an isolated human error that was remediated, and to reduce the AED 5,000 penalty on the grounds of demonstrated compliance improvement.
 - b. As regards Client 4, on 25 August 2022 a valid self-certification was obtained from Client 4 in which Client 4 declared their tax residency as Russia with a valid Russian TIN. Based on this, Client 4 was classified as reportable and was included in the 2023 CRS Annual Return submission for RY2022. On 22 December 2023, Client 4 submitted a new valid CRS self-certification declaring their tax residence as UAE, together with supporting documents. The updated self-certification was subject to the required reasonableness checks and was found to be consistent with available information. ACM did not include Client 4 in the CRS Annual Return submission for RY2023 as they were no longer reportable.
 - c. ACM has, among other things, established and maintains a robust and comprehensive compliance framework designed to ensure full adherence to CRS and FATCA requirements. ACM regularly evaluates its compliance processes, incorporating regulatory updates and industry best practices into its operational framework, supported by staff training and used of automated systems to enhance data integrity and mitigate the risk of non-compliance. Regular and comprehensive updates on CRS and FATCA compliance activities including risk assessments, audit findings and

remediation measures are provided to its Board of Directors to enable the Board to maintain effective oversight, make informed strategic decisions and reinforce ACM's commitment to regulatory compliance and ethical conduct.

28. The FSRA has considered the grounds and documents in support of ACM's appeal.
29. In relation to ACM's representations in paragraph 27 above, the FSRA notes that:
 - a. In response to paragraph 27(a), ACM's representations are noted. However, whilst the FSRA is prepared to accept that the contravention resulted from a manual error and recognises ACM's prompt remediation, the penalty for the contravention is prescribed in the CRS Cabinet Resolution.
 - b. In response to paragraph 27(b), the FSRA accepts ACM's representations that Client 4 is not reportable.
 - c. In response to paragraph 27(c), ACM's representations are noted. However, whilst the FSRA recognises ACM's cooperation in this matter and continuous efforts to improve its CRS and FATCA related processes, including its prompt remediation in response to issues identified from the Review. The penalties for the CRS contraventions referenced in this notice are prescribed in the CRS Cabinet Resolution and the FSRA therefore does not consider it appropriate to consider a reduction or waiver of the penalty (as amended) in this matter.
30. In light of the foregoing, the FSRA has decided to uphold ACM's appeal in certain aspects and vary the decision set out in the June Notice as follows:
 - a. The FSRA has decided not to impose a penalty of AED 5,000 on ACM for:
 - i. failing to report information as required by the CRS Regulations in a complete and accurate manner in relation to Client 4;
 - b. The FSRA has decided to confirm its decision in relation to other aspects and impose a penalty of AED 13,000 on ACM for:
 - i. opening accounts without collecting a valid Self-Certification with respect to three (3) Reportable Persons; and
 - ii. failing to report information as required by the CRS Regulations in a complete and accurate manner.

PENALTY

31. The FSRA considers that ACM contravened subsection 6(1) of the CRS Regulations and accordingly subsection 9(1)(b) of the CRS Regulations applies.
32. The penalties for the relevant contraventions are set out in Articles 5(2) and 5(4)(a) of the CRS Cabinet Resolution.

33. The total penalty imposed by the FSRA on ACM is AED 13,000.

34. The breakdown of the penalty imposed on ACM by the FSRA is as follows:

Reference	Contravention	Penalty (AED)
Article 5(2) of the CRS Cabinet Resolution	A CRS RFI that opens an Account to an Account Holder or Controlling Person (as applicable) without obtaining a valid self-certification and/or failing to validate such self-certification.	1,000 per contravention x 3
Article 5(4)(a) of the CRS Cabinet Resolution	A CRS RFI that fails to report any information that is required to be reported in a complete and accurate manner.	5,000 x 2

PROCEDURAL MATTERS

Manner and time for payment of penalty

35. Pursuant to Article 6(1) of the CRS Cabinet Resolution, the penalty imposed pursuant to this notice is to be paid by ACM within fifteen (15) business days after the date of this notice, i.e. on or before **17 October 2025**.

36. Payment of the penalty can be made by electronic funds transfer into the following account:

Account Name	[REDACTED]
Account Number	[REDACTED]
IBAN Number	[REDACTED]
Account Type	[REDACTED]
Bank Name	[REDACTED]
Swift Code	[REDACTED]
Reference	[REDACTED]

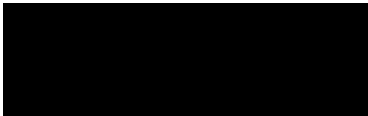
37. If the penalty or any part of it remains outstanding on the date it must be paid, the obligation to make the payment is enforceable as a debt by the FSRA.

Publicity

38. The FSRA will generally publish, in a manner we consider appropriate and proportionate, information and statements relating to enforcement action. Accordingly, the FSRA will

publish relevant information about the decision in this notice, including the notice itself, as the FSRA considers appropriate. The publication of enforcement outcomes is consistent with the FSRA's commitment to open and transparent processes and our objectives.

Yours sincerely,



Mr. Adrian Bock
Executive Director – Enforcement
Abu Dhabi Global Market Financial Services Regulatory Authority

ANNEXURE A

In this notice, unless the context otherwise requires -

ADGM	means Abu Dhabi Global Market.
AEOI portal	means the Automatic Exchange of Information portal made available by the MOF.
Account Holder	has the meaning set out in the CRS for the purposes of compliance with the CRS Regulations, and the meaning set out in the IGA, for the purposes of compliance with the FATCA Regulations.
Annual Return	means the annual information return required to be filed pursuant to the CRS Regulations or the FATCA Regulations, as applicable, and includes a Nil Return.
Controlling Person	has the meaning set out in the CRS for the purposes of compliance with the CRS Regulations, and the meaning set out in the IGA for the purposes of compliance with the FATCA Regulations.
CRS	means the Common Reporting Standard, as defined in the CRS Regulations.
CRS Cabinet Resolution	means the UAE's Cabinet of Ministers Resolution No. 93 of 2021 Implementing Certain Provisions of the Multilateral Administrative Agreement for Automatic Exchange of Information.
CRS Regulations	means the Common Reporting Standard Regulations 2017.
CRS RFI	means a Reporting Financial Institution, as defined in the CRS Regulations.
FATCA Cabinet Resolution	means the UAE's Cabinet of Ministers Resolution No. (63) of 2022 Concerning the Implementation of Federal Decree No. (9) of 2016 Ratifying the Agreement between the Government of the United States of America to Improve International Tax Compliance and to Implement the Foreign Account Tax Compliance Act (FATCA).
FATCA Regulations	means the Foreign Account Tax Compliance Regulations 2022.

FATCA RFI	means a Reporting UAE Financial Institution, as defined in the FATCA Regulations.
FSRA	means the Financial Services Regulatory Authority.
IGA	has the meaning set out in the FATCA Regulations
MOF	means the Ministry of Finance.
New Entity Account	has the meaning set out in the CRS for the purposes of compliance with the CRS Regulations, and the meaning set out in the IGA, for the purposes of compliance with the FATCA Regulations.
New Individual Account	has the meaning set out in the CRS for the purposes of compliance with the CRS Regulations, and the meaning set out in the IGA, for the purposes of compliance with the FATCA Regulations.
Nil Return	has the meaning set out in the CRS Cabinet Resolution for the purposes of compliance with the CRS Regulations, and means a Nil Report, as defined in the FATCA Cabinet Resolution, for the purposes of compliance with the FATCA Regulations.
Reportable Account	has the meaning set out in the CRS for the purposes of compliance with the CRS Regulations, and means a U.S. Reportable Account (as that term is defined in the IGA) for the purposes of compliance with the FATCA Regulations.
Reportable Person	has the meaning set out in the CRS for the purposes of compliance with the CRS Regulations, and means a Specified U.S. Person (as that term is defined in the IGA) for the purposes of compliance with the FATCA Regulations.
Review	means a review of compliance with the CRS Regulations and/or FATCA Regulations, as applicable, in relation to RY2023
RY2023	means the 2023 reporting year for the purposes of compliance with the Regulations.
Self-Certification	means the self-certification required to be collected at account opening for the purposes of compliance with the CRS Regulations, or

	a Self-Certification Form as defined in the FATCA Cabinet Resolution for the purposes of compliance with the FATCA Regulations.
TIN	Taxpayer Identification Number (or functional equivalent in the absence of a Taxpayer Identification Number).