

Law № 240/2013 Coll / Zákon č. 240/2013 Sb.

Zákon o investičních společnostech a investičních fondech

Investment Companies and Investment Funds Law

Chapter eight

FUNDS OF QUALIFIED INVESTORS

SECTION I

BASICS

Article 272.

Qualified investor

(1) A share in a qualified investor fund may only be acquired by agreement, and in the case of a trust fund, it may also be a founder of a qualified investor fund or a contractual augmentor of a qualified investor fund, as well as a tacit partner of a qualified investor fund.

- a) the person specified in subsection 2a (1) of the Capital Market Act,
- b) the person specified in section 2a (2) of the Capital Market Law,
- c) a manager or comparable foreign person on behalf of an investment fund or foreign investment fund that he manages,
- d) the pension company on behalf of the participating fund or the transformed fund that it manages,
- e) a person carrying out activities in accordance with § 2 letter b),
- f) a legal entity subordinate to the central government body,
- (g) a person who, under the laws of the capital market or the laws of another EU Member State, is considered a professional client in relation to investments in this fund by qualified investors,
- (h) a person who has made a declaration that he is aware of the risks associated with investing in this fund by qualified investors if he is a shareholder, founder or member of another investment fund or foreign investment fund managed by the same manager as this fund, and whose administration is carried out by the same administrator as this fund, and if this corresponds to the amount of the returned deposit or returned investment in these funds, as well as the assets managed in accordance with § 11 para. (c) if it is managed by the same manager as the fund for an aggregate amount of at least

1.125,000 euros, or

2. 1,000,000 CZK, if the manager or administrator of this qualified investor fund or a person authorized by him confirms in writing that, based on information received from the investor, similar to the provision of the basic investment service referred to in § 4 para. (d) or (e) the Capital Market Business Act reasonably believes that the investment is consistent with the investor's financial position, investment objectives, and investment knowledge and experience, or

(i) a person who has made a declaration that he is aware of the risks associated with investing in this fund by qualified investors, and whose paid-up deposit or paid-up investments in this fund correspond to an amount of at least

1.125,000 euros, or

2. 1,000,000 CZK, if the manager or administrator of this qualified investor fund or a person authorized by him confirms in writing that, based on information received from the investor, similar to the provision of the basic investment service referred to in § 4 para. d) or e) of the Capital Market Business Law, reasonably believes that the investment is consistent with the financial background, investment objectives, and the investor's investment knowledge and experience.