

Client assets key information document

RBC Brewin Dolphin Ireland



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1. Introduction

As you are aware RBC Brewin Dolphin Wealth Management Limited (“RBC Brewin Dolphin”, “RBCBD”, the “Firm”, “we”, “us” or “our”) provides an investment management service to you as our client under our Terms and Conditions.

The Firm provides investment management services and financial planning and retirement services. Assets held on behalf of clients in the provision of investment management services will fall within the scope of CAR except where the Firm is instructed by a client to hold an asset related to an unregulated activity. The Firm does not hold assets in connection with the provision of financial planning and retirement services.

We have appointed Pershing Securities International Limited (“PSIL”) as the main custodian and settlement agent of all our client business and the primary holder of Client Funds. As agent for our clients, we have entered into contracts, with PSIL and clients, whereby PSIL is the custodian and settlement agent in respect of clients’ financial instruments and Client Funds. When client assets are held by PSIL, PSIL is providing the service directly to you as its client, and it has regulatory responsibility for them. When client assets (both funds and financial instruments) in your portfolio account are held by us we have regulatory responsibility for them.

2. An explanation of the Regulations

The manner in which we handle your assets is governed by the relevant client assets sections of the European Union (Markets in Financial Instruments) Regulations 2017 and the Central Bank (Supervision and Enforcement) Act 2013 (Section 48(1)) (Investment Firms) Regulations 2023, as same may be amended or superseded from time to time, collectively referred to as the “Regulations”, and the Central Bank of Ireland Guidance on Client Asset Requirements. These documents can be found at the following web addresses.

www.irishstatutebook.ie/eli/2017/si/375/made/en/print

www.irishstatutebook.ie/eli/2023/si/10/made/en/print

www.centralbank.ie/regulation/industry-market-sectors/client-assets/regulatory-requirements-and-guidance

The Regulations require RBCBD to provide you with a Client Assets Key Information Document (“CAKID”) with the following objectives:

- (i) Explain certain key features of the Regulations;
- (ii) Provide you with information pertaining to the arrangements to ensure that your assets are protected; and
- (iii) Highlight any risks relating to your arrangements with us.

Please read this CAKID in conjunction with RBCBD’s Terms and Conditions. PSIL’s CAKID can be found at www.bny.com/assets/pershing/documents/pdfs/uk-client-asset-key-information-document-ireland.pdf

Key Principles of the Client Asset Regulations

The purpose of the Regulations is to regulate and safeguard the handling of client assets as defined (see below). The Regulations also enable swift and safe return of these assets to the clients in the event of insolvency of an investment firm. However, it is important to note that all risks relating to client assets, some of which are identified in Section 6 below, can never be fully eliminated.

The key principles of these Regulations, and the protections afforded to clients are:

- Client assets are segregated from RBCBD’s and PSIL’s own assets through registration of client assets in designated Client Asset Accounts with the relevant institution holding the assets;
- RBCBD and PSIL respectively ensure the accuracy of their own records and those of the institutions holding the assets, through regular reconciliations and daily calculations;
- RBCBD inform you, through RBCBD’s and PSIL’s respective terms and conditions and this CAKID, about the arrangements in place in relation to Client Assets and where relevant, obtain your consent to the manner in which your assets are held;
- RBCBD and PSIL have appropriate risk management processes and systems, including documented policies and procedures, to ensure that a risk based approach is adopted in safeguarding your assets;
- RBCBD and PSIL respectively engage an external auditor to provide an assurance report on an annual basis in relation to the their respective safeguarding of Client Assets.

3. An explanation of what constitutes client assets under the Regulations (Client Assets)

RBCBD Client Assets include both:

- (i) Client Funds:- Any money, to which you are beneficially entitled, which we have received from you or on your behalf. It includes cash, cheques or other payable orders, current and deposit accounts including pledged accounts you may have.
- (ii) Client Financial Instruments:- Any financial instrument (for example, shares, bonds and units held in collective investment schemes) held by us on your behalf, including any held with a nominee, but excluding any of your assets held by PSIL under their client relationship with you, and any assets in your own name.

The Regulations are not designed to protect the value of client assets.

4. The circumstances in which the Regulations apply and do not apply

It is important to note that the Client Asset Regulations:

Do apply:

- (i) To funds or financial instruments that have been received in respect of activities which are regulated financial services.
- (ii) Once a cheque or other payable order is received by RBCBD or PSIL, except where it is payable to a third party and transmitted by RBCBD or PSIL to that party.
- (iii) Once interest is received where it has been agreed in writing that it is payable on your Client Funds.
- (iv) Until a cheque sent to you by us or PSIL has been cashed.

Do not apply:

- (i) Where funds or financial instruments have been received in respect of activities which are not regulated financial services.
- (ii) Where you have transferred full ownership of funds or financial instruments to cover or secure present or future, actual or contingent or prospective obligations.
- (iii) Where RBCBD or PSIL receive a cheque or other payable order from you or on your behalf payable to a third party and we transmit it to the third party.
- (iv) To funds that are due and payable to RBCBD or PSIL in accordance with RBCBD's or PSIL's terms and conditions.
- (v) Where a cheque or other payable order received from you on your behalf is not honoured by the bank.
- (vi) Where funds have been paid to you or a nominated third party (within the limited circumstances such instructions can be undertaken). Please note that payments to third parties can only be carried out on written instruction from you. Completion of an order or application form is considered a request to pay a third party.
- (vii) Where financial instruments are registered in your own name and RBCBD or PSIL are not providing safe custody.

Under the Regulations, Client Assets cease to be client assets where:

- (i) they are paid, or transferred, to you whether directly or into an account with a third party or a relevant party in your name (not being an account which is also in the name of the investment firm); or
- (ii) they are paid, or transferred, to a third party on your written instruction and are no longer under the control of RBCBD or PSIL. In addition, acting in accordance with the terms of an investment management agreement or the completion of an

order or application form will be considered to be a request from you to pay your assets to a relevant third party.

5. An explanation of the circumstances in which the Firm will hold Clients Assets, hold Client Assets with a third party and hold Client Assets in another jurisdiction

Client Assets held by RBCBD may be held with the following institutions:

- (i) An authorised credit institution (i.e. a regulated bank).
- (ii) A nominee company owned by RBCBD.
- (iii) A nominee company of a relevant party (e.g. a Stockbroker).
- (iv) An eligible custodian.
- (v) A qualifying money market fund.

Client Assets may also be held directly by RBCBD in specific circumstances or where they have been received as part of a settlement process.

Client Assets held by PSIL may be held with the following institutions:

- (i) An authorised credit institution (i.e. a regulated bank).
- (ii) A qualifying money market fund.
- (iii) A nominee company owned by PSIL.
- (iv) A member of PSIL's Group.
- (v) An eligible custodian.
- (vi) A relevant party (e.g. an exchange which is a regulated market or clearing house).

All Client Asset Accounts are clearly designated as "Client Asset Accounts" in both RBCBD's or PSIL's internal records and the records of any of the institutions actually holding the assets.

5.1. Client Funds:

Clients of the Firm are provided with PSIL's Client Asset account details to ensure that Funds received are lodged to a Client Asset Account with a regulated bank, a qualifying money market fund, an eligible custodian, or a relevant party by PSIL. In the limited circumstances where RBCBD receive Client Funds they will be lodged to a Client Asset Account with a regulated bank.

Funds are lodged to an account in the same currency as they are received unless RBCBD or PSIL respectively does not have a Client Asset Account in that currency and it would be unduly burdensome to open one. As a matter of policy, such amounts are converted into an alternative currency at the rates prevailing when lodged to the Client Asset Account.

Where funds are received which include funds not qualifying as Client Funds, the total funds are lodged to

a RBCBD or PSIL Client Funds Account and a transfer is subsequently made of the portion not deemed Client Funds to a non-Client Asset account without delay.

RBCBD Client Funds

RBCBD maintains and operates a client asset account with an Irish regulated bank for the purpose of making payments to or on behalf of clients when requested. This client asset account is a pooled account and we refer to section 6 regarding the risks associated with pooled accounts.

RBCBD may hold Client Funds in accounts with an eligible credit institution or a qualifying money market fund. These accounts are designated as Client Asset accounts.

PSIL Client Funds

Funds held by PSIL are to facilitate settlement of transactions on your account and / or as an integral part of your portfolio. Client Funds held by PSIL are generally held in pooled client accounts. This means that a number of clients' funds are held in the same Client Asset Account with the relevant bank. However PSIL maintains detailed records identifying the amount being held for each client in the account. We refer to section 6 regarding the risks associated with pooled accounts.

5.2 Client Financial Instruments

RBCBD Financial Instruments

RBCBD does not generally provide safe custody arrangements for the holding of share certificates or other physical instruments in your own name. Where RBCBD receives such instruments either from you, or on your behalf as a result of transactions, the Firm passes them to you or the relevant settlement agent without delay. In such cases RBCBD maintains a log of all receipts and dispatches of share certificates.

RBCBD may also hold physical instruments in certain specific circumstances. These instruments will be held in a fire proof safe on our premises and reconciled on a regular basis. Where appropriate and possible, these instruments can be registered in the name of a nominee company owned by RBCBD.

Certain client financial instruments are held with other firms. These Client Assets are normally held in pooled accounts on your behalf and to the order of RBCBD or a RBCBD nominee company. They will not be registered in your name, but may in some instances have a reference to your name in the account title. Pooled nominee structures are more fully described in the following section, PSIL Financial Instruments.

PSIL Financial Instruments

RBCBD's default position is for your financial instruments to be held by PSIL and these will not be registered in your own name. Documents of title to your investments shall be held in physical or dematerialised form by PSIL, an eligible custodian or a relevant party. These entities will be the legal owner of all the instruments registered in their name.

They are, however, only holding the financial instruments in trust for you as the beneficial owner.

In some instances, due to the characteristics of a particular financial instrument, it is not possible for PSIL to hold the assets within the Irish jurisdiction. In such cases they will be held with a custodian in another jurisdiction. It is important to note that where assets are held outside this jurisdiction:

- (i) The Client Assets Regulations applicable may differ to those applicable within this State.
- (ii) The Investor Compensation Scheme in operation in Ireland will not apply to any default by the foreign custodian.

PSIL hold Client Assets on a pooled nominee basis. Under this structure, the share register of the companies in which the underlying investors hold shares (investment companies) will show one entry for the nominee company. This entry will be the aggregate of all the individual investors' holdings. We refer to section 6 regarding the risks associated with pooled accounts and where assets are held outside Ireland or the European Economic Area (EEA) as described above.

PSIL are obliged to keep a detailed breakdown of each individual investor's holding. The total of these holdings must equate to the aggregate on the investment company's register.

6. The arrangements applying to the holding of Client Assets and the relevant risks associated with these arrangements

Your funds and financial instruments are held by RBCBD or PSIL in specifically designated Client Asset Accounts with the institutions outlined above. Transactions in respect of your assets may only be undertaken by the institution based on an instruction from RBCBD.

The principal risks associated with holding your assets in this manner include exposures relating to:

- Loss of financial instrument and/or client funds:- the risk that those charged with safeguarding client assets fail to ensure your assets are released only when authorised by the fund manager or agent on your behalf.
- Administrative risk:- the risk that due to administrative errors, accurate records are not maintained detailing your correct shareholdings.
- Default Risk:- the risk that the owner of the nominee company goes into liquidation or the custodian or bank goes into liquidation.
- Corporate Actions Risk:- the risk that corporate actions are missed by the relevant custodians.
- Negligence or the perpetuation of a fraud by persons employed by either RBCBD, PSIL or the institution holding your assets.

- Misappropriation of your assets.
- Risk associated with the insolvency of RBCBD:- In the unlikely event of the insolvency of RBCBD there is a risk that you may not be able to access your assets held by RBCBD until such time as:
 - (i) a liquidator is appointed;
 - (ii) the liquidator confirms the accuracy of the Firm's records and;
 - (iii) the liquidator distributes your assets.
- Risks associated with pooled accounts:- under a pooled arrangement, your assets are held along with investments belonging to other clients. The risks associated with this arrangement are:
 - a. This involves a possibility where assets held for one client are temporarily used to meet the settlement obligations of another client;
 - b. In the event of an irreconcilable shortfall, you may not receive your full entitlement and you may share in the shortfall in proportion to your original share, or on some other basis in accordance with the applicable law;
 - c. When your investments are pooled, you may not receive the same treatment or options when there is a corporate action or other event as you would if the investment were held in a separately designated account with a nominee company or custodian, or held in your own name. For example, following an allocation or share issue that favours the small investor, your allocation may be less than it otherwise would have been if your investments had been registered in your own name;
 - d. You may forego rights to any company privileges (shareholder perks) to which you may have otherwise been entitled as the registered owner of an investment.
- Risks associated with investments held by sub-custodians outside Ireland or the EEA:- investing in overseas securities may give rise to different settlement, legal and regulatory requirements from those in Ireland or the EEA and different practices for the separate identification of investments. This means that your protection may be less should a default occur on the part of the custodian or sub-custodian. In certain jurisdictions where different laws/regulations apply, your investments will not necessarily be separately identifiable and may be subject to third party claims made against the relevant custodian or sub-custodian.

RBCBD and PSIL endeavour to minimise these risks in respect of the respective assets they hold on your behalf by:

- Undertaking risk assessments, as set out below, of institutions with which your assets are held.
- Having written confirmation, in line with the Regulations, from these institutions that your assets

will be segregated from the relevant institution's, RBCBD's and PSIL's own assets and will be held in separately designated Client Asset Accounts.

- Undertaking regular reconciliations of RBCBD's and PSIL's records with those of the institutions and following up any differences in a timely manner.
- Undertaking daily calculations of the Client Funds held for clients as per RBCBD's and PSIL's records with the Client Funds resource that, should be held with regulated banks.
- Ensuring instructions on your account are passed to the institutions by appropriately authorised members of staff.
- Ensuring Financial Instruments are registered and designated as outlined above.
- Ensuring adequate oversight of your assets is maintained by RBCBD and PSIL through appropriate documented procedures and controls to minimise the risk of loss for clients.
- The appointment of a Head of Client Asset Oversight whose role is to ensure that Client Assets are safeguarded and that the requirements of the Regulations and Guidance are met.
- Where we hold Client Funds or Client Financial Instruments on your behalf, they are also protected by the relevant deposit/investor compensation scheme applicable to the jurisdiction in which the bank or financial institution holding the funds or financial instruments is regulated.
- We are a member of the Investor Compensation Scheme established under the Investor Compensation Act 1998. You may be entitled to compensation from the scheme if we cannot meet our obligations to you. This depends on the type of business and the circumstances of the claim. Currently, the amount of compensation that you may receive will be 90% of the net amount you have lost, subject to a maximum payment of €20,000. The related legislation can be found at www.irishstatutebook.ie/eli/1998/act/37/enacted/en/html.
- Client Funds held by us are held with Irish Credit Institutions are protected by the Irish Deposit Guarantee Scheme (DGS) which offers protection up to €100,000 per individual. More information on the DGS can be found at www.depositguarantee.ie. The related legislation can be found at www.irishstatutebook.ie/eli/2015/si/516/made/en/print.

In selecting relevant institutions to hold RBCBD's Client Assets on behalf of the Firm's clients, RBCBD undertakes an assessment, at least annually, covering:

- (i) The institution's credit rating (where available) and/or the institution's financial stability and capital.
- (ii) Known service levels for the institution (where we have past experience with the institution) and/or the known expertise/market reputation of the institution.

- (iii) Confirmation that it is regulated by the CBI (or equivalent) and complies with the Regulations (where appropriate).
- (iv) Confirmation that it is a member of the Investor Compensation Company in Ireland (where appropriate).
- (v) Whether the institution is independent of the Firm.
- (vi) If the institution is subject to the law of other jurisdictions, including non-EEA jurisdictions, an assessment of those jurisdictions to understand practices which will have an effect on the clients rights, particularly in the event of insolvency of the institution.

Where the relevant institution is regulated in Ireland for only certain of its activities, a similar assessment is undertaken. Particular attention is paid to establishing the relevant regulations and compensation scheme applicable.

RBCBD's Client Assets will only be lodged with an institution where the Firm's Risk Committee has satisfied itself on all of the above criteria.

Once an institution has been selected to hold RBCBD's Client Assets a facilities letter confirming specified details, as set out in the Regulations, will be obtained from the institution. No Client Assets will be lodged prior to receipt of the facilities letter.

7. A list of institutions that have been approved by RBC Brewin Dolphin to hold Client Assets

| Name | Registered Office | Website | Related Party |
|-------------------------------|--|--|---------------|
| AIB Bank plc | 10 Molesworth Street Dublin 2 | www.aib.ie | No |
| Barclays Bank Ireland plc | One 2 Molesworth Pl Dublin 2 | www.barclays.ie | No |
| RBC Europe Limited | 100 Bishopsgate London EC2N 4AA | www.rbcwm.com | Yes |
| DNB Bank ASA | Dronning Eufemias gate 30 0191 Oslo Norway | www.dnb.no | No |
| Goodbody Stockbrokers Limited | 9-12 Dawson Street Dublin 2 | www.goodbody.ie | No |
| J & E Davy | Davy House 49 Dawson Street Dublin 2 | www.davy.ie | No |

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