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## CUSTODIAN AGREEMENT

CAPM IBBL ISLAMIC MUTUAL FUND

CAPM Company Ltd.

Managing Director

Mohammed Shahjahan  
General Manager  
Investment Corporation of Bangladesh  
8, Rajuk Avenue, Dhaka-1000

THIS DEED OF CUSTODIAN AGREEMENT made at Dhaka on the 13<sup>th</sup> day of November of the 2016 Christian era.

BETWEEN

**CAPM (Capital & Asset Portfolio Management) Company Limited**, an Asset Management Company incorporated under the Companies Act, 1994 and registered with the Bangladesh Securities & Exchange Commission on date 22 September 2011, having its registered office at Rupsha Tower (Flat-A23), Plot-07, Road-17, Banani C/A, Dhaka-1213, Bangladesh, represented by its Managing Director and Chief Executive Officer: **Mr. SM Mahmud Hussain** hereinafter referred to as the **ASSET MANAGEMENT COMPANY or ASSET MANAGER or FUND MANAGER** which expression shall, unless there is anything repugnant to the context or meaning thereof, include its representatives, successors-in-interest and assigns of the **FIRST PART**.

AND

**Investment Corporation of Bangladesh**, an Investment Bank, established under the Investment Corporation of Bangladesh Ordinance, 1976 (Ordinance No. XL of 1976) which has been replaced by the Investment Corporation of Bangladesh Act, 2014 (Act No. 12 of 2014) and registered with the Bangladesh Securities & Exchange Commission on 20 August 2002 to act as Custodian, having its registered office at BDBL Bhaban (Level 14-17), 8 RAJUK Avenue, Dhaka-1000, Bangladesh, represented by its General Manager: **Mr. Mohammed Shahjahan** hereinafter referred to as the **CUSTODIAN** which expression shall, unless there is anything repugnant to the context or meaning thereof, include its representatives, successors-in-interest and assigns of the **SECOND PART**.

WHEREAS the party of the FIRST PART, **CAPM (Capital & Asset Portfolio Management) Company Limited**, is an established Asset Management Company, engaged in, among others, asset management businesses having required capabilities, qualifications and adequate skills in



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CAPM Company Ltd.

Managing Director

their concerned field of activities and is the **ASSET MANAGEMENT COMPANY OR ASSET MANAGER** of the **CAPM IBBL ISLAMIC MUTUAL FUND** hereinafter referred to as the Mutual Fund or the Fund or a scheme of the Fund by virtue of an agreement made between **Islami Bank Bangladesh Limited** as **SPONSOR** and **CAPM (Capital & Asset Portfolio Management) Company Limited** as **ASSET MANAGER**.

AND

WHEREAS the party of the SECOND PART, **Investment Corporation of Bangladesh**, is a public sector financial institution and leading investment banker, engaged in, among others, custodial services having required capabilities, qualifications and adequate skills in its concerned field of activities and is the **CUSTODIAN** of the **CAPM IBBL ISLAMIC MUTUAL FUND** by virtue of appointment by the **SPONSOR, Islami Bank Bangladesh Limited**, of the Fund.

NOW, THEREFORE, with the intent to manage the **CAPM IBBL ISLAMIC MUTUAL FUND** in particular established by the Sponsor of the Fund from time to time for the benefit of the general investors both individual and institutional, and for the development of capital market of Bangladesh as are entrusted to the **ASSET MANAGER** from time to time and in consideration of mutual covenants and arrangements hereinafter set forth, it is hereby mutually agreed between the parties hereto as follows:

1. The Custodian shall keep liaison with the Central Depository Bangladesh Limited (CDBL) and collect and preserve information required for ascertaining the movement of securities of the Fund.
2. The Custodian shall keep all the securities (both listed and unlisted) and Assets of the Fund including FDR receipts in safe and separate custody and shall provide highest security for the assets of the Fund.
3. The Custodian, among others, shall preserve the following documents & information and perform the following duties:-
  - a) Details of acquisition and disposal of securities from and to the broker(s);
  - b) Details of receipt and disbursement of Fund;
  - c) Details about the rights of the clients on the securities held on-behalf of the clients;



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CAPM Company Ltd.

Managing Director

Mohammed Shahjahan  
General Manager  
Investment Corporation of Bangladesh  
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- d) Details of transfer & registration of securities;
  - e) Ledger of accounts of the clients;
  - f) Details about the order received from and given to the clients;
  - g) Details about the trade confirmation of the clients;
  - h) Maintain up dated balance position of securities of the Fund;
  - i) Maintain record date/book closure information and to collect/receive dividend warrants, interest and installments which shall accrue against the portfolio from time to time and shall be sent to the office of the Asset Manager of the Fund for depositing the same to the Fund account;
  - j) To furnish all statements/ information to the Asset Manager, Trustee, BSEC as per the সিকিউরিটিজ ও এক্সচেঞ্জ কমিশন (মিউচুয়াল ফান্ড) বিধিমালা, ২০০১ and other relevant laws and rules;
4. The Fund shall pay to the Custodian a safekeeping fee @ 0.15% per annum of balance (dematerialized and non-dematerialized) securities held by the fund calculated on the basis of average month end value per annum.
  5. The Custodian shall provide directly to the Auditors any information that may be required, in writing, by the Auditors.
  6. The Custodian shall have the required physical facilities, infrastructure, system, human resources and adequate skills to offer standard custodial services as required by the Bangladesh Securities & Exchange Commission (Mutual Fund) Rules, 2001.
  7. The Trustee of the Fund shall have the discretion to advise and authorize the Asset Management Company to open and operate the Custody Account and/or enter into necessary arrangements or agreements with the Custodian or with any Central Depository System for providing necessary services to the Fund.
  8. Any loss or damage or expenses resulting from negligence by the Custodian or any of their officers or any person delegated by them, shall not be met out of the Trust property.

CAPM Company Ltd.  
  
Managing Director

  
Mohammed Shahjahan  
General Manager  
Investment Corporation of Bangladesh  
8, Rajuk Avenue, Dhaka-1000

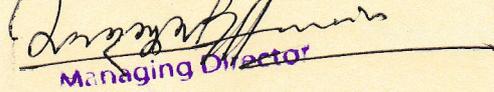
9. The Custodian or its delegate shall not be responsible or liable for any loss, failure, or delay in the performance of its obligations under this Agreement arising out of or caused directly or indirectly by acts of God.

**If any contradiction or confusion arises at any time about any clause or explanation of this Agreement, the সিকিউরিটিজ ও এক্সচেঞ্জ কমিশন (মিউচুয়াল ফান্ড) বিধিমালা, ২০০১ will be conclusive for this agreement and all other documents executed in connection with this Mutual Fund and provisions of this agreement will be deemed as have been changed in accordance with any change or amendment of the সিকিউরিটিজ ও এক্সচেঞ্জ কমিশন (মিউচুয়াল ফান্ড) বিধিমালা, ২০০১. In case of any ambiguity or confusion, the Commission's decision shall be final and binding on all concerned.**

IN WITNESS WHEREOF the Asset Manager and the Custodian have caused their common seals to be affixed to these presents and have hereto set their hands on the day and year first above written.

The party of the First Part,  
the ASSET MANAGER:

CAPM Company Ltd.

  
Managing Director

**CAPM (Capital & Asset Portfolio  
Management) Company Limited**  
represented by the Managing Director &  
CEO: SM Mahmud Hussain

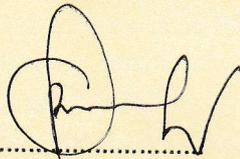
The party of the Second Part,  
the CUSTODIAN:



Mohammed Shahjahan  
General Manager  
Investment Corporation of Bangladesh  
8, Rajuk Avenue Dhaka-1000

**Investment Corporation of Bangladesh**  
represented by the General Manager:  
**Mohammed Shahjahan**

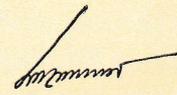
**WITNESS:**



Signature.....

Name: Chandan Wasif  
Designation: SAVP  
Investment Management and Investment Research  
CAPM, Safura Tower (5<sup>th</sup> Floor), 20 Kemal Ataturk  
Avenue, Banani C/A, Dhaka-1213.

**WITNESS:**

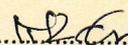


Signature.....

Name: Md. Shakhawat Hossain  
Designation: Assistant General Manager  
Custodial Department  
ICB, Head Office, Dhaka.

Signature.....  


Name: Sumit Paul  
Designation: Assistant Manager  
Investment Management and Investment Research  
CAPM, Safura Tower (5<sup>th</sup> Floor), 20 Kemal Ataturk  
Avenue, Banani C/A, Dhaka-1213.

Signature.....  


Name: Md. Mahbubur Rahman Siddiky  
Designation: Sr. Principal Officer  
Custodial Department  
ICB, Head Office, Dhaka.