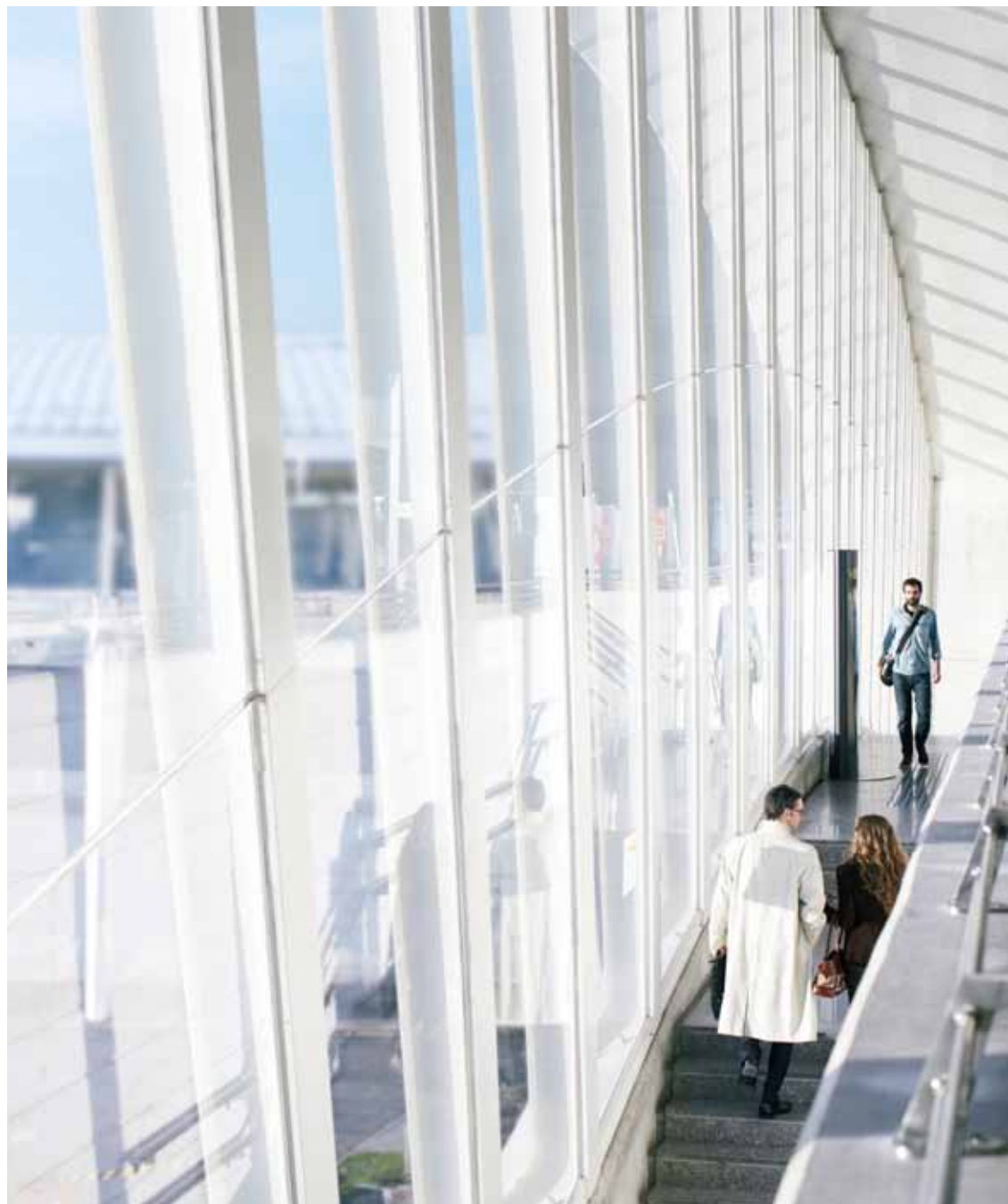


UCITS IV - Management Company regulation

Quick Reference Guide



CSSF Regulation n° 10.4 of 20 December 2010 transposing implementing Directive 2010/43/EU regarding management companies

CSSF Circular 11/508 of 15 April 2011 on new provisions applicable to UCITS management companies and self-managed SICAVs

<i>Chapter I & II - Organisation, administrative procedures and control mechanisms</i>	<i>Article Reg 10-4</i>	<i>Appl. to SIAG?</i>
Subject matter, scope and definitions	1, 2, 3	✓
General requirements on procedures and organization	5	- *
Resources	6	-
Complaints handling	7	✓**
Electronic data processing	8	-
Accounting procedures	9	-
Control by senior management and supervisory function (oversight on delegated activity)	10	-
Permanent compliance, internal audit and risk management functions	11, 12, 13	✓ (RM)
Personal transactions	14	-
Recording of portfolio transactions	15	-
Recording of subscription and redemption orders	16	-
Recordkeeping requirements	17	-
<i>Chapter III - Conflict of interests</i>		
Criteria for the identification of conflicts of interest	19	✓
Conflicts of interest policy	20	✓
Independence in conflicts management	21	✓
Management of activities giving rise to detrimental conflict of interest	22	✓
Strategies for the exercise of voting rights	23	✓
<i>Chapter IV - Rules of conduct</i>		
Duty to act in the best interests of UCITS and their unit-holders	25	✓
Due diligence requirements	26	✓
Reporting obligations in respect of execution of subscription and redemption orders	27	✓
Execution of decisions to deal on behalf of the managed UCITS	28	✓
Placing orders to deal on behalf of UCITS with other entities for execution	29	✓
Handling of orders - General principles	30	✓
Aggregation and allocation of trading orders	31	✓
Safeguarding the best interests of UCITS (Inducements)	33	✓
<i>Chapter V - The standard agreement between a depositary and a management company</i>		
Elements related to the procedures to be followed by the parties to the agreement	34	-
Elements related to the exchange of information and to obligations on confidentiality and money-laundering	35	-
Elements related to the appointment of third parties	36	-
Elements related to potential amendments and the termination of the agreement	37	-
Applicable law	38	-
Electronic transmission of information	39	-
Scope of the agreement	40	-
Service level agreement	41	-
<i>Chapter VI - Risk management</i>		
Risk management policy (incl. connections with KIID)	43	✓
Assessment, monitoring and review of risk management policy	44	✓
Measurement and management of risk	45	✓
Calculation of global exposure	46	✓
Commitment approach	47	✓
Counterparty risk and issuer concentration	48	✓
Procedures for the assessment of the value of OTC derivatives	49	✓
Reports on derivative instruments	50	✓

* CSSF Regulation n° 10.4 has not transposed the recital of Directive 2010/43/EU and notably recital 5 : "[...] administrative procedures and internal control mechanism should, as a matter of good practice, apply both to management companies and investment companies that have not designated a management company, taking into account the principle of proportionality."

** Even if not mentioned in CSSF Regulation n° 10-4, CSSF Circular 11/508 of 15 April 2011 imposes SIAGs to have in place a complaints handling procedure and to designate a person responsible for such handling.