

Global Fund Distribution Services for AIFMs

Get your passport ready for the summer

From AIFM authorisation to marketing

June 2013

On 22 July 2013 starts a new way to sell non-UCITS funds across the European Union. As from July, European AIFMs will be able to use a marketing passport to distribute European based AIFs within the European Union. In 2015, European AIFMs may have the possibility to use the marketing passport for non European AIFs. Finally, in 2018 only the AIFMD passport may be used with National Private Placement Regimes being eliminated.



Your challenges

Whether you are a Fund Manager established in or outside the European Union, a Management Company managing non-UCITS funds or a distributor marketing these products, you will sooner or later be affected by the introduction of the AIFMD and its impact on the distribution of alternative funds. Due to its scope and the use of grandfathering rules, the AIFMD raises a number of initial questions that need to be addressed, including:

- Can I benefit from the marketing passport from 22 July 2013?
- Is private placement still possible after this date?
- Will there still be local marketing requirements to satisfy?
- What if I do not get the passport in July 2013?
- I do not qualify as a professional investor. What will happen to my current investments on 22 July 2013?

Our approach

Since early 2000, we have assisted asset managers in setting up and operating cross-border fund distribution strategies across more than 35 jurisdictions, through our Global Fund Distribution (“GFD”) tailored client service. Our team of more than 40 distribution specialists is wholly dedicated to supporting our clients in overcoming the challenges of cross-border fund distribution in a proactive, efficient and effective manner. Using various IT tools, GFD delivers a service tailored for your specific requirements in a cost effective and efficient way.

As an alternative investment fund manager, we can assist you from the inception of this new EU Directive to the very end of your AIFMD project.

For each specific phase of dealing with the AIFMD as it relates to fund distribution, our GFD team can help you reach your objectives.

1 - Distribution and Marketing analysis

Analysis

Determine the impact of the marketing passport by evaluating all your AIFs, where they are sold, who your investors are, where they are located, where your licensed AIFM is based, and what is your current and future marketing strategy.

What's in it for you?

Provide a clear and detailed status of the AIFM (exempted or not) and on each of the market access possibilities for each AIF.

2 - Definition of the reporting requirements

Analysis

Based on the results of phase 1 above, we will identify the nature and frequency of all reporting to each EU Member State, whether it is the home country of the AIFM or the host country of distribution.

What's in it for you?

An exhaustive roadmap to make sure all your reporting obligations are met for the market access available to you.

3 - Notifications to EU host countries

Action plan

- **Initial registration** - As from July 2013, once authorised, an EU AIFM can only market the EU AIF within the European Union by using the "marketing passport".
- **Ad-hoc notifications** - The AIFMD requires that each time there is a material change in the information previously sent to regulators to initially use the passport, the change(s) must be notified, according to specific rules.
- **Regular reporting** - Ongoing reporting is required depending on the type of AIFM, on the countries of distribution and on the type of investors.
- **Non-UCITS funds distributed through private placement** - The distribution and marketing availabilities under NPPR depend on the laws and regulations of each EU host Member State.

What's in it for you?

Our GFD experts will assist you in the complete notification process of your AIFs in all EU Member States.

Our service offering

Whether you are an alternative fund manager, a member of the Board of Directors or a distributor, we have different service modules that can be customised to your specific needs and objectives. Each of our service modules is based on proven methodologies and clear deliverables.

Assistance to implementation

Our GFD team has deep experience in satisfying local competent authority reporting and dealing with host regulators. We can provide you with full assistance for the entire AIFMD notification process relating to the "marketing passport" in each Member State and for all of your AIFs.

Diagnostic

Together, we'll assess your needs and see where you stand.

Action plan

This phase may include a gap analysis, proposals and recommendations to be in line with all AIFMD requirements and together determine the most suitable time frame.

Are you up-to-date?

Through our dedicated training centre, PwC Academy, our experts can provide your teams with concrete and easy-to-use information.

Regulatory reporting

Your AIFs need to maintain their local authorisation for distribution in each target market. We make sure your funds meet all ongoing regulatory reporting obligations. Tailored to your needs, this step is a robust and comprehensive solution.

Why PwC Luxembourg?

PwC Luxembourg (www.pwc.lu) is the largest professional services firm in Luxembourg with 2,300 people employed from 57 different countries. It provides audit, tax and advisory services including management consulting, transaction, financing and regulatory advice to a wide variety of clients from local and middle market entrepreneurs to large multinational companies operating from Luxembourg and the Greater Region. It helps its clients create value they are looking for by giving comfort to the capital markets and providing advice through an industry focused approach.

The global PwC network is the largest provider of professional services in audit, tax and advisory. We're a network of independent firms in 158 countries and employ more than 180,000 people. Tell us what matters to you and find out more by visiting us at www.pwc.com and www.pwc.lu.

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