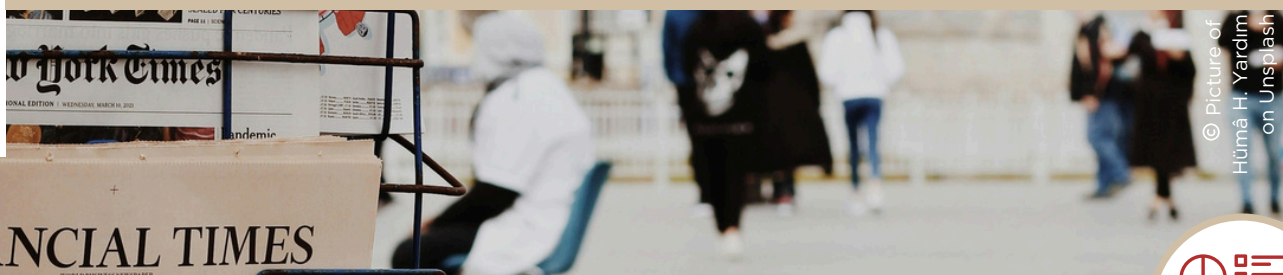


OCTOBER
2024



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Market insights

EU AIFM List - ESMA

- 01.10.2024 : New AIFM in **The Netherlands**: Achmea Mortgage Funds
- 01.10.2024 : New AIFM in **Czech Republic**: MERITY investiční fond, SICAV, a.s.
- 01.10.2024 : Withdrawal of AIFM authorisation: Credit Suisse Fund Management S.A (**Luxembourg**)
- 04.10.2024 : New AIFM in **The Netherlands**: Multi Real Estate Investment Management
- 11.10.2024 : New AIFM in **Spain**: Purpose Capital, SGEIC, S.L
- 22.10.2024 : New **French** AIFM in **Belgium** (Branch): Altaroc Partners SA
- 25.10.2024 : New AIFM in **Spain**: Newton Equity Partners SGEIC, S.L
- 25.10.2024 : New AIFM in **Spain**: HWK Techinvestment S.G.E.I.C, S.A
- 30.10.2024 : New **Lux** AIFM in **Belgium** (Branch) : Treetop Asset Management

AIF List - FPS Finance - BE

- 07.10.2024 - New Private Privak : Flatey Privak

EU ELTIF List - ESMA

- 11.10.24 - New ELTIF : Bain Capital Credit Global ICAV - (subfund) Bain Capital Credit CCCC Fund (**Ireland**)

AIFM List - FSMA - BE

- 01.10.24: "UBS Fund Management (Luxembourg) SA" became "UBS Asset Management (Europe) SA" (change of name)
- 07.10.24: "Edmond de Rothschild Asset Management (Luxembourg)" became "FundRock Wealth and Institutional Solutions" (change of name)
- 22.10.24: Notification of an EU AIFM to establish a **branch in Belgium**: Altaroc Partners SA (France)
- 29.10.24 - Notification of an EU AIFM to use the "Freedom of Service" in Belgium: Karista (France)
- 30.10.24: Notification of an EU AIFM to establish a **branch in Belgium**: Treetop Asset Management (Luxembourg)



ESMA Q&As 11.10.24 - EN

💡 Performance fees, if any, should be crystallised after at least 12 months from the creation of a new AIF/compartment/share class. Crystallisation date should be the same for all share classes of a fund that levies a performance fee.

ESMA updated ESG Timeline 18.10.24 - EN

💡 21.11.24 : Application of the Guidelines on funds' names: 80% threshold (proportion of investments) and exclusions to respect so as to use specific words (e.g. impact, sustainable, green, transition etc.) in funds' names

ESA Joint Report on PAI under SFDR 30.10.24 - EN

💡 Summary of good & bad practices - see p.31 of the pdf

ESMA First report on sanctions 11.10.24 - EN

- 8 administrative sanctions to AIFMs in 2023 in Belgium :
- 6 for infringement of article 3.3.d of AIFM - reporting on main instruments and exposures;
- 1 for infringement of article 32 of AIFMD - marketing in Member States other than the AIFM home Member State;
- 1 for infringement of article 3 of AIFMD - exemptions.

FSMA Supervision

Recent evolutions in the control of asset management

15.10.24 - FR / NL

💡 Ongoing or planned control actions :

- In the field of **sustainable finance** (e.g. desk reviews and inspections regarding compliance with SFDR);
- Regarding **outsourcing** (checking the good implementation of its Handbook on Outsourcing);
- For UCITS managers regarding their choice of **depository**.

Launch of a second DORA Awareness Survey

21.10.24 - FR / NL

💡 Compared to the first investigation, the second is much more comprehensive and reviews almost all the articles of the regulation applicable to the entities concerned in an almost exhaustive manner. The results will be processed anonymously and will not, under any circumstances, be used by the FSMA in the context of its supervisory activities.



BE insights

CTIF/CFI - Guidelines update 01.10.24 - FR / NL

- To account for the implementation and application of the goAML web portal for reporting entities;
- To include various rulings by the Constitutional Court impacting reporting obligations for certain non-financial professions;
- To cover the changes introduced to FATF Recommendation 1 regarding risk assessments in terms of proliferation; and
- To update suspicious transaction reporting obligations as from December 30, 2024, as mandated by Regulation (EU) 2023/1113 of May 31, 2023, on information accompanying transfers of funds and certain crypto-assets.