

**ALTERNATIVE INVESTMENT FUND MANAGERS DIRECTIVE (REPORTING)
INSTRUMENT 2017**

Powers exercised

- A. The Financial Conduct Authority makes this instrument in the exercise of the following powers and related provisions in the following sections of the Financial Services and Markets Act 2000 (“the Act”):
- (1) section 137A (The FCA’s general rules);
 - (2) section 137T (General supplementary powers); and
 - (3) section 139A (Power of the FCA to give guidance).
- B. The rule-making powers listed above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 29 June 2017.

Amendments to the Handbook

- D. The Investment Funds (FUND) sourcebook is amended in accordance with the Annex to this instrument.

Notes

- E. In the Annexes to this instrument, the “note” (indicated by “**Note:**”) is included for the convenience of readers but does not form part of the legislative text.

Citation

- F. This instrument may be cited as the Alternative Investment Fund Managers Directive (Reporting) Instrument 2017.

By order of the Board
25 January 2017

Annex

Amendments to the Investment Funds (FUND) sourcebook

In this Annex, underlining indicates new text and striking through indicates deleted text.

3 Requirements for alternative investment fund managers

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3.4 Reporting obligations to the FCA

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Additional information

3.4.6A R In addition to the information in *FUND* 3.4.2R, an *AIFM* must regularly report the following information to the *FCA*:

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(2) the information in *FUND* 3.4.3R for each *non-EEA AIF* it manages that is not *marketed* in the *EEA*, if:

(a) the *AIFM* is subject to quarterly reporting under article 110 of the *AIFMD* level 2 regulation (see *SUP* 16.18.4EU); and

(b) that *AIF* is the *master AIF* of a *feeder AIF* which the *AIFM* also manages and that *feeder AIF* is:

~~(a)~~ (i) an *EEA AIF*; or

~~(b)~~ (ii) a *non-EEA AIF* that is marketed in the *EEA*.

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3.4.6C R In addition to the information in *FUND* 3.4.2R, an *AIFM* must regularly report to the *FCA* the information in *FUND* 3.4.3R for each *non-EEA AIF* it manages that is not *marketed* in the *EEA* if the *AIFM* is subject to quarterly reporting under article 110 of the *AIFMD* level 2 regulation (see *SUP* 16.18.4EU) for that *AIF*.

[Note: article 24(5) of *AIFMD*]

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10 Operating on a cross-border basis

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10.5 National private placement

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Marketing under ~~Article~~ article 42 of the directive

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10.5.11B G An above-threshold non-EEA AIFM should report on a quarterly basis to the FCA the information in FUND 3.4.2R, FUND 3.4.3R and (if applicable) FUND 3.4.5R for each AIF that is not marketed in the UK if:

- (1) that AIF is a master AIF managed by the AIFM;
- (2) the AIFM markets the feeder AIF of that master AIF in the UK; and
- (3) the AIFM is subject to quarterly reporting under article 110 of the AIFMD level 2 regulation (see SUP 16.18.4EU) for the feeder AIF.

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