Annex Communication

**FSMA\_2017\_05-02 of 24/02/2017**

Alternative Investment Funds

De-notification of the arrangements made for marketing units or shares of EEA AIF managed by Belgian AIFMs to professional investors in other EEA Member States Art. 32a AIFMD[[1]](#footnote-1)

Scope:

This Communication is addressed to Belgian alternative investment fund managers who intend to
de-notify arrangements made for marketing as regards units or shares of some or all of European Economic Area AIF (‘EEA’) in other EEA Member States in respect of which it has made a notification in accordance with Article 32 AIFMD.

* This form should be filled out by Belgian alternative investment fund managers (‘AIFM’)
who intend to de-notify arrangements made for marketing as regards units or shares of some or all of an EEA AIF in other EEA Member States in respect of which it has made a notification in accordance with Article 32 AIFMD. The information provided in this notification letter should not be ambiguous.
* One form must be completed for each AIF that the AIFM intends to de-notify.
* This form should be sent to the following address: e-notification.passporting2@fsma.be.

**1. Information on the AIFM**

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| **Details on the AIFM:** |
| Name of the AIFM |  |
| AIFM’s LEI (if available) |  |
| National identification code of the AIFM (if available) |  |
| AIFM’s home Member State |  |
| Address and registered office/domicile, if different from address |  |
| **Details of contact person at the AIFM** |
| Name/Position: |  |
| Telephone number: |  |
| E-mail address: |  |

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| **Details of the contact point (if a third party is designated by the AIFM to make the de-notification)** |
| Name: |  |
| Legal form: |  |
| Registered office: |  |
| Name of the person to be contacted/Position: |  |
| Address for correspondence (if different): |  |
| Telephone number: |  |
| Email address: |  |

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| **Contact point for the transmission of the invoice or for the communication of any applicable regulatory fee or charges (if applicable)[[2]](#footnote-2)** |
| Name/Position: |  |
| Address for correspondence: |  |
| Telephone number: |  |
| Email address: |  |

Please specify which email address provided in this section (contact person at the AIFM, contact point within the appointed third party or contact point or contact point for the transmission of the invoice) is the preferred address to which the host NCA can transmit any confidential information
(inter alia, login and password to access the national systems for reporting):

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**2. Information on the de-notified AIFs**

*Please fill the below table with information for the AIF for which de-notification of arrangements made for marketing units or shares in the host Member State is envisaged, indicating only one share class (name and ISIN) on each line. In the case of umbrella AIFs, references to AIFs in the table below shall be understood to refer to the compartment to be de-notified in the host Member State and not the umbrella AIF.*

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| Name of the AIF to be de-notified in the host Member State | AIF home Member State | AIF host Member State[[3]](#footnote-3) | Legal form of the AIF[[4]](#footnote-4) | LEI of the AIF (if available) | Name of share class(es) to be de-notified in the host Member State[[5]](#footnote-5) | ISIN of share class(es) to be de-notified in the host Member State3 | Duration of the AIF | National identification code of the AIF  |
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**3. Blanket offer for the repurchase or redemption of units held by investors in the host Member State [Name of the host Member State if applicable]**

*If the information differs according to the host Member State, please duplicate this section 3
and specify above in each case the host member state concerned.*

**Section 1. Identification of the entity making the blanket offer**

Please provide the following information in relation to the blanket offer made to repurchase or redeem, free of any charges or deductions, all units or shares held by investors in each host
Member State.

Is the blanket offer made by the AIFM of the de-notified AIF?

[ ]  Yes

[ ]  No

*If the blanket offer is made through a financial intermediary, please specify the following information.*

The blanket offer will be made by:

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A credit institution

An authorised investment firm or adviser

Another entity, including an entity located in a third country. Please specify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| **Details of the entity making the blanket offer:** |
| Name of the entity making the blanket offer |  |
| Home Member State of the entity making the blanket offer |  |
| Address and registered office/domicile of the entity making the blanket offer |  |

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| **Details of contact person at the entity making the blanket offer**: |
| Name/Position |  |
| Telephone number |  |
| E-mail address |  |

**Section 2. Characteristics of the blanket offer**

Please indicate the dates of the blanket offer for the repurchase or redemption of the units or shares of the AIF:

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Please provide details on the means to be used to reach individually all investors holding units or shares in the AIF (e.g. through emails, phone calls, letter, etc.):

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Please provide details on the price proposed to investors for the repurchase or redemption of units:

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**4. Intention to terminate arrangements made for marketing the units or shares of AIF [Name of the host Member State if applicable]**

*If the information differs according to the host Member State, please duplicate this section 4
and specify above in each case the host member state concerned.*

**Section 1. Information on the arrangements made for marketing units in the host Member State which are intended to be terminated**

Please provide the following information on the arrangements that were made in the host Member State to market the units or shares of the AIF.

Units or shares of the AIF were marketed by:

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the AIFM

credit institutions

authorised investment firms or advisers

Other bodies, including bodies located in a third country. Please specify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| **Details of third-party distributor in the host Member State** |
| Name: |  |
| Address: |  |
| contact details: |  |

Please provide a short description of the arrangements made for marketing that were put in place in the host Member State in relation to the marketing the AIF for the units or shares of which the
de-notification is made, including details about the marketing means (e.g. any roadshows,
telephone calls, websites, etc.).

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If websites were used to market the AIFs online in the host Member State, please provide the domain names and the relevant hyperlink(s):

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**Section 2. Characteristics of the publication of the intention to terminate the arrangements made for marketing units or shares in the host Member State**

Please provide details on how the intention to terminate arrangements made for marketing units or shares of the AIFs in the host Member States will be published, including any website, press article or advertisement:

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Please indicate the date as of which the abovementioned arrangements made for marketing units or shares of the AIFs in the host Member State will be terminated:

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Date:

Signature:

1. Art. 32 of Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010; Article 92/1 of the Belgian AIFM Law of 19 April 2014. [↑](#footnote-ref-1)
2. Please indicate a single contact point for the transmission of the invoice or for the communication of any applicable regulatory fee or charge referred to in Article 9 of Regulation (EU) 2019/1156 and in Article 2
of the Commission Implementing Regulation (EU) 2021/955. This contact point may be the same as the contact point designated within the AIFM, or a contact point within an appointed third party. [↑](#footnote-ref-2)
3. Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech-Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovak-Republic, Slovenia, Spain, Sweden. [↑](#footnote-ref-3)
4. The legal form is one of the following: common fund, unit trust, investment company, or any other legal form available under the national legislation of the AIF
home Member State. [↑](#footnote-ref-4)
5. Please list only those share classes for which de-notification of arrangements made for marketing is intended. [↑](#footnote-ref-5)