

Aifmd The Depositary

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AIFMD: the depositary by Practical Law Financial Services This note sets out what a depositary does, who can be a depositary and what rules apply to depositaries under the Alternative Investment Fund Managers Directive (2011/61/EU) (AIFMD). Free Practical Law trial

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a. act as trustee or depositary for AIFs of the kind defined in FUND 3.11.12R (a PE AIF depositary), and/or. b. provide one or more depositary services to non-EEA AIFs. If you are an unauthorised person, you can apply to be a depositary provided that you intend to act for the types of AIFs set out in point 4 above.

~~Depositaries | FCA~~

A depositary is an independent third party that is responsible for the oversight of the activity of each AIF. Prescribed in the AIFMD, the requirement to appoint a depositary is dependent on a number of factors: the location of the AIFM; the AIFM's marketing strategy;

~~The role of an AIF depositary | Ocorian~~

The depositary ensures the proper safekeeping of the AIF's assets and can help identify risks connected with the performance of the operations of the AIF. We do this by working closely with you, getting to know your structures and how they operate. We're authorised as a Depositary in the UK, Netherlands, Luxembourg, Denmark, Sweden and Norway.

~~AIFMD Depositary services - Intertrust~~

AIFMD - Depositary Requirements. The Alternative Investment Funds Management Directive ("AIFMD") requires Alternative Investment Fund Managers ("AIFMs") to appoint a single depositary to all Alternative Investment Funds ("AIFs") that they manage and introduces new depositary requirements in relation to their AIFs. Eligibility.

~~AIFMD - Depositary Requirements - Walkers~~

To briefly summarise, any AIFM running an EU-based AIF will require a full depositary solution under AIFMD to carry out three core duties under Article 21 of the directive: namely cash management, safekeeping of assets and general oversight of the AIF. Such a depositary agreement will need to be in place by this summer.

~~Understanding the role of the depositary under AIFMD ...~~

The Alternative Investment Fund Managers Directive (the "AIFM Directive") requires that private funds appoint a "depositary". To date, there has been no cross-border regulatory requirement for...

~~The role of the depositary under the AIFM Directive - Lexology~~

A depositary of non-E.U. AIF managed by an authorised AIFM must have a registered office in the E.U., unless: •The regulator of the AIFM and the third country of domiciliation of the AIF has signed a cooperation agreement;

~~Alternative Investment Fund Managers Directive (AIFMD) ...~~

The AIFMD establishes an EU-wide harmonised framework for monitoring and supervising risks posed by AIFMs and the AIFs they manage, and for strengthening the internal market in alternative funds. It also includes new requirements for firms acting as a depositary for an AIF. Aims of the AIFMD

~~AIFMD | FCA~~

The depositary shall hold in custody (a) all financial instruments that can be registered in a segregated financial instruments account opened in the depositary's books in the name of the AIF or the AIFM acting on behalf of the AIF, so that they can be clearly identified as belonging to the AIF in accordance

~~AIFMD: the depositary issue | Hedgeweek~~

AIFMD requires that the appointment of a depositary to an AIF is evidenced in writing. The AIFMD Regulation specifies the following matters which must be addressed in the written agreement between the depositary and the AIFM and/or AIF; 1.

~~AIFMD - Depositary~~

Title: 2 Author: Anne-Marie Bohan Created Date: 6/10/2016 3:34:49 PM

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AIFMD is a European Directive that seeks to regulate the non-UCITs fund sector, including hedge funds, private equity funds and real estate funds. All Alternative Investment Fund Managers ("AIFMs") established in the EEA, whether they manage EEA or non-EEA Alternative Investment Funds ("AIFs") are subject to AIFMD.

~~Guernsey's AIFMD Regime - Rules, Forms, Guidance & FAQs | GFSC~~

AIFMD itself places the onus squarely on managers to ensure appropriate firms are appointed to perform the depositary-lite duties. We expect many managers and their directors and investors will ultimately question the suitability of unregulated firms performing an important fiduciary function.

~~AIFMD Depositary-Lite - The Hedge Fund Journal~~

The AIFMD prohibits delegation by a depositary of its duties, except those relating to safe-keeping or verification of ownership of assets³⁷. In practice this permits the establishment of an effective sub-custody network while ensuring that the duly appointed depositary does retain primary responsibility (and liability³⁸).

~~The Role of the Depositary under the AIFMD~~

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~~AIFMD - depositary - Lexology~~

Langham Hall provides depositary services to over 90 funds (AIFs) for EU and non-EU debt, infrastructure, private equity and real estate managers (AIFMs) whose funds under management are above the thresholds specified by the Alternative Investment Fund Management Directive (AIFMD). In total, we have oversight of \$50bn of depositary assets.