



EUROPEAN
COMMISSION

Brussels, 15.12.2023
C(2023) 8700 final

ANNEX 3

ANNEX

to the

Commission Implementing Regulation

**laying down implementing technical standards for the application of
Directive 2009/65/EC of the European Parliament and of the Council with regard to the
form and content of the information to be notified in respect of the cross-border
activities of undertakings for collective investment in transferable securities (UCITS),
UCITS management companies, the exchange of information between competent
authorities on cross-border notification letters, and amending Regulation (EU)
No 584/2010**

ANNEX III

Model for the communication by the competent authorities of a management company's home Member State to the competent authorities of the management company's host Member State of information under Article 17(2) or Article 18(1) of Directive 2009/65/EC

NOTIFICATION LETTER

COMMUNICATION OF INFORMATION REGARDING A NOTIFICATION MADE BY A MANAGEMENT COMPANY OF ITS INTENTION TO PURSUE THE ACTIVITIES FOR WHICH IT HAS BEEN AUTHORISED IN ANOTHER MEMBER STATE IN ACCORDANCE WITH ARTICLE 17(2) OR ARTICLE 18(1) OF DIRECTIVE 2009/65/EC.

IN _____
(The host Member State(s))

Does this letter amend information already provided in an initial communication? Yes ☐ No ☐

In case the answer to this question is 'Yes', please fill-in only the updated information compared to the previous communication and indicate the date of the previous communication: _____

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PART 1
Information on the management company

Information on the management company	
Management company ¹	
Management company's LEI ¹	
National identification code of the management company (where available) ¹	
Management company's home Member State ¹	
Address and, where different from address, registered office/domicile	
Details of management company's website	

Contact details of the responsible department (or contact point) within the management company	
Department (or contact point)	
Telephone number	
Email address	

Details of the third party (where the management company designates a third party to make the notification)	
Third party	
Address and, where different from address, registered office/domicile	
Department (or contact point)	
Telephone number	
Email address	

Contact point for the transmission of the invoice or for the communication of any applicable regulatory fee or charges (where applicable)²	
Name of entity	
Department (or contact point)	
Address and, where different from address, registered office/domicile	
Telephone number	
Email address	

Please specify which email address among that specified in this section (contact point at the management company, contact point within the appointed third party or contact point for the transmission of the invoice) is the preferred address to which the host NCA can transmit the confidential information (inter alia, login and password to access the national systems for reporting)	
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The details of the compensation scheme intended to protect investors can be found in the attached document entitled "Identification of compensation schemes intended to protect investors pursuant to Articles 17(3) and 18(2) of Directive 2009/65/EC"

¹ This field should always be filled-in, also in the case of updates.

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 management company, or a contact point within an appointed third party.

PART 2

Information to be provided by the management company pursuant to Article 17(1) and (2) of Directive 2009/65/EC to conduct its activities in the host Member State(s) through a branch

This Part must be filled only where the management company intends to establish a branch in the host Member State. Where the management company intends to conduct its activities in the host Member State exclusively under the freedom to provide services, this Part shall be left blank, and Part 3 shall be filled in.

Section 1. Information on the branch

Identification of the branch	
Name of the branch ³	
National identification code of the branch in management company's Home Member State (where available) ³	
National identification code of the branch in Member State where the branch is established (where available) ³	
Address and, where different from address, registered office/domicile ³	
Details of the branch's website (where different from the management company's website)	

Department (or contact point) from which documents may be obtained in the Member State where the branch is established	
Department (or contact point)	
Address and, where different from address, registered office/domicile	
Telephone number	
Email address	

Section 2. Programme of operations of the branch

The branch will conduct the following activities and provide the following services in the host Member State(s):

☐ **Investment management**

☐ **Marketing**

Administration

- ☐ Legal and fund management accounting services
- ☐ Customer inquiries
- ☐ Valuation and pricing (including tax returns)
- ☐ Regulatory compliance monitoring
- ☐ Maintenance of unit-holder register
- ☐ Distribution of income
- ☐ Unit issues and redemptions
- ☐ Contract settlements (including certificate dispatch)
- ☐ Record keeping

³ This field should always be filled-in, also in the case of updates, where information concerning the branch is provided.

Non-core services

- ☐ Management of portfolios of investments, including those owned by pension funds, in accordance with mandates given by investors on a discretionary, client-by-client basis, where such portfolios include one or more of the instruments listed in Annex I, Section C to Directive 2014/65/EU
- ☐ Investment advice concerning one or more of the instruments listed in Annex I, Section C to Directive 2014/65/EU
- ☐ Safekeeping and administration in relation to units of collective investment undertakings

Please indicate how the branch will contribute to the strategy of the management company	
Please indicate whether the management company is a member of a group and, in this case, how the branch will contribute to the strategy of the group	
Please indicate the strategy of the branch (e.g., indication of the volume of business envisaged, types of investors with which the management company will be dealing and how the management company will obtain and deal with those investors)	
Please provide forecast statements for both, profit / loss and cash flow, over an initial 36-month period	

Section 3. Organisational structure of the branch

Description of the functional, geographical, and legal reporting lines	
Description of the place of the branch into the corporate structure of the management company, or of the group where the management company is a member of a group	
Description of the rules in place for reporting by the branch to the head office of the management company	
Description of the risk management process put in place by the management company at the level of the branch based on Articles 40 to 43 of the Commission Directive 2010/43/EU	
Summary of the systems and controls in place at the level of the branch as set out in Article 1(3)(f) of Commission Delegated Regulation (EU) .../... <i>([reference to the RTS to be included when published])</i>	
Description of the arrangements for the compliance with the rules drawn up by the management company's host Member State pursuant to Article 14 of Directive 2009/65/EC	

Description of the procedures put in place, and the human and material resources allocated, to comply with anti-money laundering and counter financing of terrorism obligations	
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Organisation chart of the branch	
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Section 4. Termination of the branch

This section should not be filled in an initial notification. It should be filled only in the event of an update to an initial notification, where the termination of the branch is envisaged.

Details and processes for winding down the business operations, including details of the measures to protect the interests of investors in the host Member State, how complaints are resolved and the discharge of any outstanding liabilities.	
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Schedule of the planned termination.	
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Part 3

Activities to be conducted under the freedom to provide services

This Part must be filled only where the management company intends to conduct its activities in the host Member State under the freedom to provide services. Where the management company intends to conduct its activities in the host Member State exclusively through a branch, this Part shall be left blank, and Part 2 shall be filled in.

The management company will conduct the following activities and provide the following services in the host Member State(s):

☐ **Investment management**

☐ **Marketing**

Administration

- ☐ Legal and fund management accounting services
- ☐ Customer inquiries
- ☐ Valuation and pricing (including tax returns)
- ☐ Regulatory compliance monitoring
- ☐ Maintenance of unit-holder register
- ☐ Distribution of income
- ☐ Unit issues and redemptions
- ☐ Contract settlements (including certificate dispatch)
- ☐ Record keeping

Non-core services

- ☐ Management of portfolios of investments, including those owned by pension funds, in accordance with mandates given by investors on a discretionary, client-by-client basis, where such portfolios include one or more of the instruments listed in Annex I, Section C to Directive 2014/65/EU
- ☐ Investment advice concerning one or more of the instruments listed in Annex I, Section C to Directive 2014/65/EU
- ☐ Safekeeping and administration in relation to units of collective investment undertakings

Please indicate how the activities to be conducted in the host Member State will contribute to the strategy of the management company and, where the management company is a member of a group, how the activities to be conducted in the host Member State will contribute to the strategy of the group	
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Date	
Name and capacity of the signatory	
Signature	