

Notice of AIFM delegation

Name of alternative investment fund manager

Firm reference number (FRN)

Legal entity identification code (LEI)

Purpose of this form

This form is only for firms who are already authorised under Part 4A of FSMA as a full-scope UK AIFM and must notify the FCA of delegation and sub-delegation arrangements in accordance with article 20 of the AIFMD, regulations 26 to 28 of the UK AIFM Regulations and FUND 3.10. This is not the correct form to use for changes to depositary arrangements or external valuers, these should be notified in the AIFMD material change notification form.

This form should not be used by firms that are:

- small registered UK AIFMs
- small authorised UK AIFMs
- third-country AIFMs or
- applying to become a full-scope UK AIFM, as the variation of permission form includes a section on delegation.

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Notes for completion

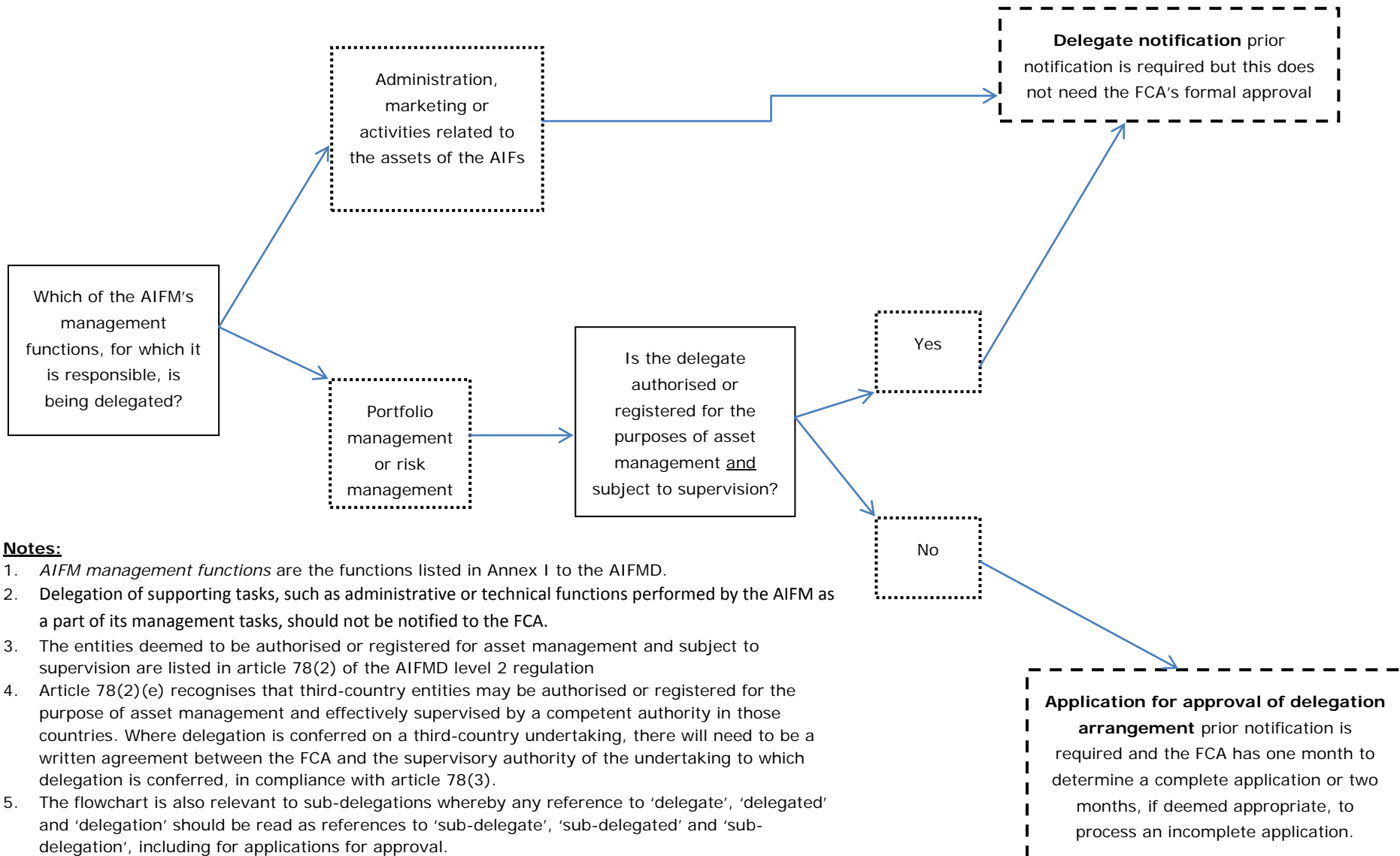
This form facilitates the following – please also refer to the flowchart on page 3 of this form.

- **Application for approval of delegation arrangements** – where the intention is to delegate risk management or portfolio management function to an entity that is not authorised or registered for the purpose of asset management and subject to supervision.
- **Delegation notification** – where the intention is to (i) delegate risk management or portfolio management to an entity that is authorised or registered for the purpose of asset management and subject to supervision or (ii) delegate other *AIFM management functions* for which the AIFM is responsible.
- **Sub-delegation application/notification** – where the AIFM consents to an existing delegate's intention to sub-delegate a function to another entity. Whether this amounts to an application or notification will rest on the same factors described above, but in consideration of the proposed sub-delegate. In this context, and for the remainder of the form, any reference to 'delegate', 'delegated' and 'delegation' should be read as references to 'sub-delegate', 'sub-delegated' and 'sub-delegation'.
- **Change of delegate/sub-delegate function** – where there are proposed changes to the existing function(s) delegated to a previously notified or approved delegate or sub-delegate. This should only be used where the function(s) is being materially reduced in scope or else terminated. If the scope of an existing delegate/sub-delegate's functions is to be increased then this should be provided as an application or notification, as described above.

This form accommodates information for one proposed delegation relationship, although it can cater for one delegate performing more than one delegated function. If the AIFM is seeking to enter into delegated relationships with more than one entity, a separate copy of this form will need to be completed for each entity.

In each case, the FCA must be informed before the delegation arrangements become effective. However, for applications for approval of a delegate/sub-delegate, the FCA will have one month to determine a complete application or two months to process an incomplete application, and AIFMs should factor this into their planning.

AIFMs marketing AIFs (domestic and/or EEA cross-border basis) will recognise that information on delegated management functions is an integral part of investor disclosures, as referenced by article 23(1)(f) of the AIFMD. Therefore, whenever any change in delegation is contemplated, the AIFM should assess whether any revisions to existing marketing materials will be required.



Filling in the form

- 1 If you are using your computer to complete the form:
 - use the TAB key to move from question to question and press SHIFT TAB to move back to the previous question and
 - print out the form you have completed and sign the declaration.
- 2 If you are filling in the form by hand:
 - use black ink
 - write clearly and
 - sign the declaration.
- 3 If you think a question is not relevant to you, write 'not applicable' and explain why.
- 4 If there is not enough space on the forms, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant question number.
- 5 Submit the form by email to AIFMDFirmSupervisionTriage@fca.org.uk

Alternatively you may post the application to the FCA at:

**Fund Authorisation and Supervision Team
Asset Management Department
The Financial Conduct Authority
25 The North Colonnade
Canary Wharf
LONDON
E14 5HS**

1 AIFM identification details

1.1 Contact details of the person we will get in touch with about this notification.

Name	
Position	
Firm	
Phone number	
Email address	

2 Delegate details

'Delegate' in the questions below should be read as a reference to 'sub-delegate' where this is the focus of the filing being made and if not otherwise specified.

2.1 Name of delegate

2.2 Delegate's firm reference number (FRN) and/or legal entity identification code (LEI) (if known)

2.3 Jurisdiction of establishment of the delegate

2.4 Jurisdiction in which the delegate will perform its function (if different to 2.3 above)

2.5 Name of the competent authority in the jurisdiction in which the delegate will perform its function (where relevant)

2.6 What is the filing you are making taking into account the notes for completion on page 2 and the flowchart on page 3 of this form?

	Delegate	Sub-delegate
Application for approval	<input type="checkbox"/>	<input type="checkbox"/>
Notification	<input type="checkbox"/>	<input type="checkbox"/>
Change to existing function	<input type="checkbox"/>	<input type="checkbox"/>

2.7 What functions are to be delegated? (tick all that apply)

- Risk management
- Portfolio management
- Administration*
- Marketing
- Activities related to the assets of the AIFs*

* refer to Annex I to the AIFMD for the full version of these functions

2.8 Is the delegate the depositary or a delegate of the depositary?

- Yes ▶ This is only allowed for functions other than portfolio management or risk management. Please describe how you have identified and will manage and monitor potential conflicts of interest.
- No ▶ Proceed to next question

If the delegated function is portfolio management or risk management complete questions 2.9 and 2.10, otherwise continue to 2.11

2.9 Is the delegate authorised or registered for the purpose of asset management AND subject to supervision?

- Yes
- No

2.10 Is the delegate an entity whose interests conflict with those of the AIFM or the investors of the AIF?

- Yes ▶ The delegate has functionally and hierarchically separated the performance of its portfolio or risk management tasks from its other potentially conflicting tasks, and the potential conflicts of interest are properly identified, managed monitored and disclosed to the investors of the AIF.
- No ▶ Proceed to next question

2.11 What is the intended start date of the delegation? (dd/mm/yyyy)

		/			/				
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2.12 Please list below the AIFs affected by the delegation**Sub-delegation**

2.13 By completing this section of the form, the AIFM has provided confirmation of the name of the sub-delegate, the name of the competent authority where the sub-delegate is authorised or registered, the delegated functions, the intended effective date of the sub-delegation and the AIFs affected by the sub-delegation.

For the AIFM to demonstrate consent to the proposed sub-delegation, the box below needs to be ticked.

- By providing the information in this section and signing the declaration at the end of this form, I provide consent to the proposed sub-delegation.

3

Details of proposed arrangements

This section should not be completed if reporting a change to an existing delegated function (whereby the delegate's role is either reduced or terminated).

'Delegated' and 'delegation' in the questions below should be read as reference to 'sub-delegated' and 'sub-delegation' where this is the focus of the filing.

3.1 What is the regulatory status of the delegate?

3.2 To what extent will the function be delegated and what will be retained in-house?

3.3 What due diligence was conducted before the delegation?

3.4 What kind of contractual arrangements are in place?

3.5 What are the arrangements for overseeing the delegated function?

3.6 What are the objective reasons for the delegation?

Please provide a detailed description and explanation with evidence where appropriate

3.7 If you have applied for approval of a delegation arrangement please explain why this entity is appropriate to undertake the delegated functions.

Please provide details of the experience and capabilities of the delegate

3.8 Please confirm that you will comply with the general principles set out in article 75 of the AIFMD level 2 regulation if the delegation arrangements set out in this form are adopted.

Yes

4 Changes to an existing delegate's role

Where not otherwise specified, 'delegate' and 'delegated' in this section should be read as reference to 'sub-delegate' and 'sub-delegated' where this is the focus of the filing being made.

4.1 Name of delegate

4.2 Delegate's firm reference number (FRN) or legal entity identification code (LEI) (if known)

4.3 Which category applies to the subject of this filing?

- Delegate or
 Sub-delegate

4.4 What functions has the existing delegate been performing? (tick all that apply)

- Risk management
 Portfolio management
 Administration*
 Marketing
 Activities related to the assets of the AIFs

* refer to Annex I to the AIFMD for the full version of these functions

4.5 What functions will the existing delegate perform after the proposed change? (tick all that apply)

- Risk management
 Portfolio management
 Administration*
 Marketing
 Activities related to the assets of the AIFs*
 None

* refer to Annex I to the AIFMD for the full version of these functions

4.6 Please summarise the rationale for the change, including how functions previously delegated will now be performed (this field will expand automatically)

4.7 What is the intended date of change? (dd/mm/yyyy)

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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4.8 Please list below the AIFs affected by this filing (this field will expand automatically)

5 Validation statements

Where not otherwise specified, 'delegate' and 'delegated' in this section should be read as reference to 'sub-delegate' and 'sub-delegated' where this is the focus of the filing being made.

This section should not be completed if reporting a change to an existing delegated function (whereby the delegate's role is either reduced or terminated).

5.1 Please confirm each of the following statements.

We expect that, at the point of application, the firm will be in the position to confirm each statement in regards to the delegation arrangement being notified.

- The persons conducting the business of the delegate are of sufficiently good repute and sufficiently experienced to carry out the function
- The delegate has sufficient resources and has persons who are qualified and capable of carrying out the delegated function
- The delegation will not prevent the AIFM from acting, or of the AIF being managed, in the best interest of investors
- The delegation will not cause the AIFM to be regarded as a letter-box entity (no longer considered to be managing an AIF) as described by article 82 of the AIFMD level 2 regulation
- The delegation will not give rise to any conflicts of interest or, where there is a conflict, these are monitored, managed and mitigated and appropriately disclosed
- The AIFM's liability towards the AIF and its investors shall not be affected by the fact that the AIFM has delegated functions to the delegate
- The AIFM is in a position, at any time, to monitor effectively the delegated activity and to give further instruction to the delegate and to withdraw the delegation with immediate effect when this is in the interest of investors
- The AIFM will review the services provided by the delegate on an ongoing basis
- The delegation arrangements herein have been/ will be disclosed to investors in accordance with FUND 3.2.2R

5.2 If you have been unable to confirm any statements in 5.1 above please explain why below (this field will expand automatically)

6 Declaration

Warning

Knowingly or recklessly giving us information that is false or misleading in a material particular is a criminal offence (sections 398 and 400 of the Financial Services and Markets Act 2000). We expect you to take reasonable steps to ensure the accuracy and completeness of information given to us and to tell us immediately if materially inaccurate information has been provided. Contravening these requirements may lead to disciplinary sanctions or other enforcement action by us. It should not be assumed that issues are known to us just because they are in the public domain or have previously been disclosed to us or another regulatory body. If you are not sure whether a piece of information is relevant, please include it anyway.

Data protection


For the purposes of complying with the Data Protection Act, the personal information in this form will be used by the FCA to discharge its statutory functions under the Financial Services and Markets Act 2000 and other relevant legislation. It will not be disclosed for any other purposes without the permission of the firm concerned.

Declaration

By submitting this notification form:

- ✓ I confirm that the information in this application is accurate and complete to the best of my/our knowledge and belief and that I/we have taken all reasonable steps to ensure that this is the case.
- ✓ I am aware that it is a criminal offence knowingly or recklessly to give the FCA information that is false or misleading in a material particular.
- ✓ Some questions do not require supporting evidence. However, the records, which demonstrate the notifying firm's compliance with the rules in relation to the questions, must be available to the FCA on request.
- ✓ I will notify the FCA immediately if there is a significant change to the information given in this notification.

Tick here to confirm you have read and understood this declaration.

Date	
Name of signatory¹	
Position² of signatory	
Individual registration number (if applicable)	
Signature	

¹ The signatory must be a suitable person of appropriate seniority at the firm.

² eg, Director, Sole Trader, Compliance Officer, etc.