

Chapter 2

Authorised fund applications

2.1 Authorised fund applications

Application

- 2.1.1 **R** This chapter applies to any *person* seeking to arrange for the authorisation of a *scheme*.

Purpose

- 2.1.2 **G** This chapter helps in achieving the *statutory objectives* of protecting *consumers* by ensuring that any application for authorisation of a fund meets certain standards.

Explanation

- 2.1.3 **G**
- (1) This chapter sets out the requirements that a *person* must follow in applying for an *authorisation order* for a *scheme* under regulation 12 of the *OEIC Regulations* (Applications for authorisation), section 242 of the *Act* (Applications for authorisation of unit trust schemes) or section 261C of the *Act* (Applications for authorisation of contractual schemes).
 - (2) ■ COLLG 3A (The FCA's responsibilities under the Act) and ■ COLLG 4A (The FCA's responsibilities under the OEIC Regulations) provide more information on what the *Act* and the *OEIC Regulations* require in relation to ongoing notifications to the *FCA*.

Specific requirements on application

- 2.1.4 **D** An application for an *authorisation order* in respect of an *authorised fund* must be:
- (1) in writing in the manner directed and contain the information required in the application form available from the *FCA*;
 - (2) addressed for the attention of a member of *FCA* staff responsible for *collective investment scheme* authorisation matters; and
 - (3) delivered to the *FCA's* address by one of the following methods:
 - (a) posting; or
 - (b) leaving it at the *FCA's* address and obtaining a time-stamped receipt; or
 - (c) delivery by hand to a member of *FCA* staff responsible for *collective investment scheme* authorisation matters.

Application by an EEA UCITS management company to manage a UCITS scheme

2.1.5

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An *EEA UCITS management company* that proposes to act as the *authorised fund manager* of an *AUT, ACS or ICVC* that is a *UCITS scheme*, should be aware that it is required under paragraph 15A(1) of Schedule 3 to the *Act* to apply to the *appropriate regulator* for approval to do so. The form that the *firm* must use for this purpose is set out in ■ SUP 13A Annex 3 R (EEA UCITS management companies: application for approval to manage a UCITS scheme established in the United Kingdom). In addition, those *firms* are required to provide to the *appropriate regulator* certain fund documentation, as specified by ■ COLL 12.3.4 R (Provision of documentation to the FCA:EEA UCITS management companies).

[Note: article 20(1) of the *UCITS Directive*]

