

# Appendix 1

## Written notice decision procedures under the AIFMD UK regulation

### 1.1 Section title

- App 1.1.1 G This appendix sets out the procedures that the *FCA* will follow in relation to written notices under the *AIFMD UK regulation*.
- App 1.1.2 G ■ DEPP 2 Annex 1 G sets out the procedures that the *FCA* will follow in relation to *warning notices* and *decision notices* under the *AIFMD UK regulation*.
- App 1.1.3 G For the purposes of this appendix, the procedures in ■ DEPP 4.1 (Executive decision maker) apply to decisions in this appendix that are taken by *executive procedures*.

Regulation	Description	Decision Maker
12(3)	Where the <i>FCA</i> decides to enter an <i>AIFM</i> on the register of <i>small registered UK AIFMs</i> .	<i>Executive procedures</i>
20(3)(a)	Where the <i>FCA</i> proposes to suspend the registration of a <i>small registered UK AIFM</i> or suspends such a registration with immediate effect.	<i>Executive procedures</i>
20(6)(a)	Where the <i>FCA</i> decides to suspend the registration of a <i>small registered UK AIFM</i> in the way proposed (or, if the suspension has already been imposed, not to revoke the suspension), to make a suspension other than in the way proposed (or, if the suspension has already been imposed, to amend the suspension) or not to make a suspension (or if the suspension has already been imposed, to revoke such a suspension).	<i>Executive procedures</i>
26(7)	Where the <i>FCA</i> proposes to refuse to approve the delegation or sub-delegation	<i>Executive procedures</i>

	of the functions of portfolio management or risk management by a <i>full-scope UK AIFM</i> .	
26(8)(a)	Where the <i>FCA</i> decides to refuse to approve the delegation or sub-delegation of the functions of portfolio management or risk management by a <i>full-scope UK AIFM</i> .	<i>Executive procedures</i>
54(6)	Where the <i>FCA</i> proposes to refuse an application to <i>market</i> an <i>AIF</i> by a <i>full-scope UK AIFM</i> under regulation 54 ( <i>FCA approval for marketing</i> ) of the <i>AIFMD UK regulation</i> .	<i>Executive procedures</i>
54(7)(a)	Where the <i>FCA</i> decides to refuse an application to <i>market</i> an <i>AIF</i> by a <i>full-scope UK AIFM</i> under regulation 54 ( <i>FCA approval for marketing</i> ) of the <i>AIFMD UK regulation</i> .	<i>Executive procedures</i>
64(3)(a)	Where the <i>FCA</i> proposes to suspend an <i>AIFM's</i> entitlement to <i>market</i> an <i>AIF</i> under regulations 57, 58 or 59 ( <i>National Private Placement</i> ) of the <i>AIFMD UK regulation</i> or suspends such an entitlement with immediate effect.	<i>Executive procedures</i>
64(7)(a)	Where the <i>FCA</i> decides to suspend an <i>AIFM's</i> entitlement to <i>market</i> an <i>AIF</i> under regulations 57, 58 or 59 ( <i>National Private Placement</i> ) of the <i>AIFMD UK regulation</i> in the way proposed, other than in the way proposed or not to revoke such a suspension.	<i>Executive procedures</i>
64(8)	Where the <i>FCA</i> decides not to suspend an <i>AIFM's</i> entitlement to <i>market</i> an <i>AIF</i> under regulations 57, 58 or 59 ( <i>National Private Placement</i> ) of the <i>AIFMD UK regulation</i> in the way proposed or to revoke such a suspension.	<i>Executive procedures</i>