

Asset Management & Investment Funds - Monthly update - February 2023

Hello, and welcome to the A&L Goodbody soundbite series. My name is Nollaig Greene and I am a Knowledge Lawyer in the Asset Management and Investment Funds team. I am going to summarise our February 2023 regulatory bulletin.

In it we cover both Irish domestic developments and EU developments relevant to the asset management and investment fund space. You can find more detail in our monthly bulletin on our website. On the domestic side, the Central Bank clarified its fast-track process for filing updated SFTR pre-contractual disclosures.

This followed the publication of updated SFTR Level 2 annexes, which must be used by UCITS, rates and QIAIFs disclosing under Article 8 or Article 9 of SFTR Level 1. The Central Bank set out its key regulation and supervision priorities for 2023.

The government's spring legislative programme includes a bill to reform the Limited Partnership Act 1907. The Central Bank issued two markets updates and on AML and CFT guidelines issued on the definition of prominent public function. This is important for identifying politically exposed persons.

And in EU developments, as mentioned, updated SFTR Level 2 regulations issued. These include nuclear and gas in accordance with the complementary Climate Delegation Act, made under the taxonomy regulation.

ESMA updated its UCITS Q&A with a new question on issuer concentration rules and the meaning of the term 'body' in Article 521b. ESMA issued its first Trends, Risks and Vulnerabilities report of 2023.

ESMA also issued an opinion on the first set of draft European Sustainability Reporting Standards. And ESMA issued its first market report on EU money markets funds. IASCO issued its second investment fund statistics report.

And finally on AML/CFT and financial sanctions. An updated EU list of high-risk third countries issued effective 16 March 2023.

The Wolfsberg group released updated versions of questionnaires and other documents and the EU 10th package of sanctions against Russia issued. It includes among other things enhanced reporting obligations which will apply from 26th April.

And that's our February summary. My email address is ngreene@algoodbody.com.