

Asset Management & Investment Funds - Monthly update - October 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'm going to summarise our October 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 we look at some year-end deadlines and a Central Bank funds regulatory and supervisory update from James O'Sullivan, Central Bank Head of Function for Fund and Firm Authorisations. The update covers CBI's programme of thematic supervisory work, LTIF's the International Regulatory Agenda, the current macroeconomic landscape and alternative investment funds in Ireland.

And in EU and international developments, ESMA published a risk analysis report on ESG names and claims in the EU funds industry and found an increase in the use of ESG-related language in the EU fund industry.

ESMA launched a call for evidence on the shortening of the settlement cycle. ESMA may provide an earlier report identifying possible regulatory actions to address the impact for EU market participants of the US move to T+1.

ESMA will launch a 2024 common supervisory action with national competent authorities on the integration of sustainability in MiFID firms suitability assessment and product governance processes and procedures.

The European Commission held a workshop on the evolution of the Sustainability Finance Disclosure Regulation and in AML/CFT the revised EBA risk factor guidelines apply from 3rd November 2023. The guidelines were revised to include, among other

things, new guidance on risk assessments, customer due diligence for beneficial owners and enhanced customer due diligence related to high-risk third countries.

Also, ESMA has withdrawn, as required by EMIR, the recognition decision of JSE Clear, a central counterparty established in South Africa, effective 29 December, 2023. And that's our October summary.

My email address is ngreene@algoodbody.com. Thank you.