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No.4598, 15.10.2012

R.A.D. 371/2012

The Open-Ended Undertakings for Collective Investment (UCI) Law of 2012

Directive DI78-2012-04

of the Securities and Exchange Commission regarding the periodical reports submitted to the Commission by Management Companies with state of domicile another member state which provide cross border activity within the territory of the Republic of Cyprus

CLASSIFICATION OF PARAGRAPHS

Paragraph 1 Short title

Paragraph 2 Interpretation

Paragraph 3 Scope of application

Paragraph 4 Content of periodical reports

Paragraph 5 Time of submission of periodical reports

Paragraph 6 Entry into force

Annex I Content of periodical reports submitted to the Securities and

Exchange Commission by the Management Companies of section

128 of the Law.

Annex II Content of periodical reports submitted to the Securities and

Exchange Commission by the Management Companies of section

132 of the Law.

The Securities and Exchange Commission, exercising the powers vested in it by virtue of subsection (1)(a) of section 133 of the Open Ended Undertakings for Collective Investment (UCI) Law of 2012, hereby issues the following Directive:

Short title

 This Directive will be cited as the Directive on the content of the periodical reports submitted to the Securities and Exchange Commission by the Management Companies of other member states which provide cross border activity within the territory of the Republic of Cyprus.

Interpretation

2. For the purposes of this Directive, unless the context shall prescribe otherwise:

'Management Company' shall mean the management company with state of domicile providing cross border services by establishing branch in the Republic of Cyprus under the meaning of section 128 and 132 of the Open-Ended Undertakings for Collective Investment (UCI) Law.

78(I) of 2012

'Law' shall mean the Open-Ended Undertakings for Collective Investment (UCI) Law of 2012.

'Directive' shall mean the present Directive.

'Periodical reports' shall mean the reports submitted to the Securities and Exchange Commission under the set time limits provided for in paragraph 5 of the Directive.

Terms used in this Directive that are not interpreted differently have the meaning given to them by Law.

Scope of application

3. The Directive defines the content and time of submission of the reports to be submitted by the Management Companies to the Securities and Exchange Commission.

Content of periodical reports

- 4. The submitted reports by the management companies relate to the activities provided for within the Republic of Cyprus and include, at minimum, the following:
 - (a) With regards to management companies of section 128 of the Law, which provides services in the Republic of Cyprus for which it has been authorised by another member state, the information included in Annex I of the Directive.
 - (b) With regards to management companies of section 132 of the Law, with state of domicile from another member state and provides services in the Republic of Cyprus for which it has been authorised by another member state and manage a UCITS authoriSed in the Republic of Cyprus,

the information included in Annex II of the Directive.

Time of submission 5. of periodical reports

5. The periodical reports are submitted to the Securities and Exchange Commission with the month of January of each year and relate to the activities provided for the management companies during the previous calendar year.

Entry into force

6. The Directive shall enter into force on the date of its publication in the Official Gazette of the Republic of Cyprus.

ANNEX I

Content of periodical reports submitted to the Securities and Exchange Commission by the Management Companies of section 128 of the Law.

A. GENERAL INFO

- Year of providing services
- Name of company
- Registered number of the company in its state of domicile
- Seat/State of domicile of the company
- Contact details (correspondence address, telephone, fax, e-mail)
- Details of the person appointed as contact person with the Securities and Exchange Commission

B. ACTIVITIES THE MANAGEMENT COMPANY PROVIDES

- B.1 <u>Management of UCITS which have been established and authorized in accordance with the Law, with specific reference to the following information:</u>
 - 1. Presentation of the Cypriot UCITS under management.
 - 2. The number of investment compartments, in the case of UCITS under management with investment compartments.
 - 3. Total asset of the UCITS under management as at 31 st of December of the reference year.

B.2.Management of portfolios of investments, with specific reference to the following information:

- 1. Number of assets under management.
- 2. Number of assets of pension fund.
- 3. Total asset of the portfolios under management as at 31st of December of the reference year.
- 4. Commissions received during the reference year for providing portfolio management.

B.3 Provision of investment advice, with specific reference to the following information:

- 1. Number of agreements for the provision of investment advice as at 31st December of the reference year.
- 2. Commissions received during the reference year for the provision of investment services.

B.4 <u>Safekeeping and administration in relation to units of UCITS</u>, with specific reference to the <u>following information:</u>

- 1. Total deposis for UCITS.
- 2. Commissions received during the reference year for the provision of

C. WAY OF PROVIDING ACTIVITIES IN THE REPUBLIC OF CYPRUS

By branch (provide information regarding the branch)

D. NUMBER OF EMPLOYESS

Provide details regarding the number of employees of the management company in the Republic of Cyprus and their capacity under which they provide the services.

ANNEX II

Content of periodical reports submitted to the Securities and Exchange Commission by the Management Companies of section 132 of the Law.

A. GENERAL INFO

- Year of providing services
- Name of company
- Registered number of the company in its state of domicile
- Seat/State of domicile of the company
- Contact details (correspondence address, telephone, fax, e-mail)
- Details of the person appointed as contact person with the Securities and Exchange Commission

B. ACTIVITIES THE MANAGEMENT COMPANY PROVIDES

Management of UCITS which have been established and authorized in accordance with the Law, with reference also to the following information:

- 1. Presentation of the Cypriot UCITS under management.
- 2. The number of investment compartments, in the case of UCITS under management with investment compartments.
- 3. Total asset of the UCITS under management as at 31st of December of the reference year.
- 4. Information on the delegated management company for the UCITS, in the case where the management is done under delegation.

C. WAY OF PROVIDING ACTIVITIES IN THE REPUBLIC OF CYPRUS

By branch (provide information regarding the branch)

D. NUMBER OF EMPLOYESS

Provide details regarding the number of employees of the management company in the Republic of Cyprus and their capacity under which they provide the services.