

Cross-border distribution of investment funds (CBDF)

Six months later: how does it all work in practice?

Webinar

Camille Bourke

Partner, Arendt & Medernach **Emmanuelle Entringer**

Counsel, Arendt & Medernach François Jacquemet

Senior Manager, Arendt Regulatory & Consulting Alexandra Leininger

Senior Manager, Arendt Regulatory & Consulting



Hello and welcome!



Q&A – please send your questions to the panelists

You can access the Q&A section by clicking on the 3 dots button in the toolbar at the bottom of your screen.



Chat – should you have technical issues, please let us know via the chat

You can access the chat section by clicking on the icon in the toolbar at the bottom of your screen.



CBDF in practice (1/2)

Pre-marketing

- huge focus of AIFMs on the pre-marketing aspects
- premarketing notifications easy to handle with CSSF
- key element still considered: ban to rely on reverse solicitation for 18 months
- emergence of AIFM premarketing contracts

Facilities to retail investors

- combination of various options envisaged
- our web-based solution



a. Process subscription, repurchase and redemption orders and make other payments to Shareholders relating to the
 Shares of the Company, in accordance with the conditions set out in the Prospectus and the Key Information Documents.



CBDF in practice (2/2)

De-notification

- not a real advantage for managers
- 36 months premarketing ban applicable in all situations (Luxembourg position)
- blanket offer and publication not necessarily required in case no investors remain invested

Marketing communications

- ESMA guidelines applicable to most Luxembourg IFMs since 2nd February 2022 (CSSF Circular 22/795)
- IFMs to provide CSSF with information on marketing communications (further details to follow), confirmation of CSSF testing
- tailored made services for review of marketing materials (factsheets, websites, etc.), of marketing policies, distribution agreements, etc.

arendt



Speakers – Contact us



Camille Bourke
Partner
Arendt & Medernach
Camille.bourke@arendt.com



Emmanuelle Entringer
Counsel
Arendt & Medernach
Emmanuelle.Entringer@arendt.com



François Jacquemet
Senior Manager
Arendt Regulatory & Consulting
Francois.Jacquemet@arendt.com



Alexandra Leininger
Senior Manager
Arendt Regulatory & Consulting
Alexandra.Leininger@arendt.com



Listen to **Arendt Podcasts** and install the **Arendt Insights App** to never miss a beat with the latest legal, tax and business developments in Luxembourg.





Important Notice and Disclaimer: Whilst a best efforts approach has been taken to ensure the accuracy of the information provided in this presentation, as at the date thereof, this information is only designed to provide with summarised, and therefore non complete, information regarding the topics covered. As such, this presentation does not constitute legal advice, it does not substitute for the consultation with legal counsel required prior to any undertakings and it should not be understood as investment guidelines. If you would like to receive a legal advice on any of the issues raised in this presentation, please contact us.

arendt.com 7