

# NOTIFICATION LETTER

**Temporary recognition for purposes of Part 17 of the 2000 Act**

**Applicants should only use this form in order to notify the FCA of a new sub fund that becomes authorised by its home state regulator on or after 11.00 pm on 31 December 2020 “IP completion day[[1]](#footnote-2)”.**

NOTIFICATION OF INTENTION TO MARKET THE UNITS OF AN ADDITIONAL SUB FUND OF AN UMBRELLA UCITS SCHEME THAT NOTIFIED FOR THE TMPR PRIOR TO IP COMPLETION DAY **PART A**

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| Name of the Umbrella UCITS: |  |
| Product Reference Number (PRN) of the Umbrella UCITS (as per the FS Register): |  |
| Umbrella UCITS home Member State: |  |

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| Please tick to confirm the following: | | Confirmed |
| That, in accordance with regulation 63(3)(a) of the Collective Investment Schemes (Amendment etc.) (EU Exit) Regulations 2019 (the Regulations), the new sub-fund was authorised on or after IP completion day. | |  |
| That, in accordance with regulation 63(3)(b) of the Regulations, at the time the new sub fund was authorised by its home state regulator, at least one other sub fund of the new sub funds’ umbrella is a recognised scheme for the purposes of Part 17 of FSMA as a result of Part 6 of the Regulations. | |  |
| That, in accordance with regulation 63(3)(c) of the Regulations, the notification is being made when:  1. the new sub-fund has already been authorised by its home state regulator; and  2. at least one other sub-fund of the umbrella scheme continues to be authorised. | |  |
| That, in accordance with regulation 63(3)(d) of the Regulations, either:  1. the umbrella scheme has not yet been directed to apply for individual recognition; or  2. the period during which the umbrella scheme has been directed to apply for individual recognition has not yet started | |  |
| That the operator has read and complies with the direction under regulations 63(3)(c) and 64(1) of the Collective Investment Schemes (Amendment etc.) (EU Exit) Regulations 2019 | |  |
| The details on the FS Register for the Umbrella UCITS has been checked and are correct | |  |
| Legal form of the Umbrella UCITS (please tick appropriate one box): |  | |
| * common fund |  | |
| * unit trust |  | |
| * investment company |  | |

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| **Date the sub fund became authorised by its home state regulator\*** |  |

\*Please note if this date was prior to IP completion day then you will not be able to apply under temporary recognition for purposes of Part 17 of the 2000 Act.

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| Name of sub fund (s) to be marketed in the United Kingdom | Name of share class(es) to be marketed in the  United Kingdom |
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| Name of the management company/self-managed investment company of the Umbrella UCITS: |  |
| Firm Reference Number (FRN) of the management company (as per the FS Register): |  |
| Management Company’s Legal Entity Identifier (LEI) |  |
| Management Company’s home Member State: |  |
| Address and registered office: |  |
| Details of management company’s website |  |
| Details of contact person at the management company | Name:  Telephone Number:  Email address: (please note this will be published on the FS Register) |
| Name and address of the Trustee/Depositary of the Umbrella UCITS: |  |
| Trustee/Depositary’s Legal Entity Identifier (LEI) |  |
| Any additional information about the UCITS Umbrella or sub fund (if necessary): |  |

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|  | These documents need to be attached to your notification (translated as necessary): | Please add the date of the document |
| 1 | The latest version of the **fund rules or instruments of incorporation** |  |
| 2 | The latest version of the **prospectus** |  |
| 3 | The latest version of the **key investor information** |  |
| 4 | The latest published **annual report** and **any subsequent half-yearly report** |  |
| 5 | A copy of the **approval letter/attestation** from home state regulator confirming authorisation for new sub fund |  |

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| If any of the above documents have not been attached please explain why: |
| Indicate where the latest electronic copies of the attachments can be obtained in the future: |

Failure to provide these documents is likely to result in the notification being deemed incomplete.

Note: The latest versions of the required documents listed above must be attached to this letter even if copies have previously been provided.

**PART B**

1. Arrangements made for marketing of units of the new sub fund(s) of the UCITS.

Please provide the full name and address of the firm/s, including the Firm Reference Number (FRN) from the FS Register if applicable, and details on why the applicant believes the firm/s has/have the necessary permission/rights to market the units of this fund in the UK.

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| Units of sub fund will be marketed in the UK by: |
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| In the case where there is use of any exemptions from rules or requirements applicable in the United Kingdom in relation to marketing arrangements for the new sub fund(s) of the Umbrella UCITS full details of the use made of such exemptions should be detailed below: |
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2. Arrangements for the provision of facilities to unit-holders as required by COLL 9.4 (Facilities in the United Kingdom) as applied by the rules in GEN 2.2.32R and 2.2.33R:

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| Name and Address of **UK Facilities Agent**: |
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| Legal Entity Identifier (LEI) of **UK Facilities** Agent (if applicable): |

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|  | Please indicate which document provides the following details: | Document and location (page number) |
| 9.4.2 | **Documents**  (1) The operator of a recognised scheme must maintain facilities in the United Kingdom for any person, for inspection (free of charge) and for the obtaining (free of charge, in the case of the documents at (c), (d) and (e), and otherwise at no more than a reasonable charge) of copies in English of:  (a) the instrument constituting the fund;  (b) any instrument amending the instrument constituting the fund;  (c) the latest prospectus (which must include the address where the facilities are maintained and details of those facilities);  (d) the EEA key investor information document; and  (e) the latest annual and half-yearly reports. |  |
| 9.4.3 | The operator must maintain facilities in the United Kingdom for any person where:  (a) information in English can be obtained about prices of units in the scheme; and  (b) a participant may redeem or arrange for redemption of units in the scheme and obtain payment. |  |
| 9.4.4 | Bearer certificatesand characteristics of units in the scheme (if applicable);  (1) The operator must maintain facilities in the United Kingdom at which the unitholder of a bearer certificate may obtain free of charge:  (a) payment of dividends; and  (b) details or copies of any notices which have been given or sent to participants in the scheme.  (2) The operator must state:  (a) the nature of the right represented by the units in the scheme; and  (b) whether persons other than unitholders can vote at meetings of unitholders and, if so, who those persons are. |  |
| 9.4.5 | The operator must maintain facilities in the United Kingdom, at which any person who has a complaint to make about the operation of the scheme can submit his complaint for transmission to the operator. |  |
| 9.4.6 | (1) The address of the facilities maintained by the operator in accordance with this section and the details of the facilities so maintained must be stated in the prospectus of the scheme.  (2) The address of the facilities referred to in (1) must be the address of the operator's principal place of business in the United Kingdom, or, if there is no such address, such other address in the United Kingdom where the operator can be contacted. |  |

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| Details of any other person from whom investors may obtain information and documents: |
| Name and address: |
| Manner in which the issue, sale, repurchase or redemption price of units of UCITS will be made public: |
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**PART C**

Confirmation by the applicant on behalf of the Umbrella UCITS

We hereby confirm that the documents attached to this notification letter contain all relevant information. The text of each document is the same as that previously submitted to the competent authorities of the home Member State, or is a translation that faithfully reflects that text.

(The notification letter shall be signed by an authorised signatory of the Umbrella UCITS or a third person empowered by a written mandate to act on behalf of the UCITS. The signatory shall ensure the confirmation is dated.)

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| Signature and date: |
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This notification letter and all attachments should be mailed to [TMPRsubfund@fca.org.uk](mailto:TMPRsubfund@fca.org.uk).

When emailing documents, the name of each document must follow our naming conventions. Emails may contain multiple documents but do not compress documents unless the total size of the email, including documents, exceeds 10MB.

Compressed documents must be in a .zip format (Legacy Zip 2.0) and are also subject to the 10MB limit, so you may need to send multiple emails. If sending multiple emails you should mark it ‘email x of x’ in the subject.

1. IP completion day is defined as 31 December 2020 at 11.00pm under the EU (Withdrawal Agreement) Act 2020, s.39. [↑](#footnote-ref-2)