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Where a depositary has delegated custody functions to a sub-custodian, the depositary will nonetheless be required to maintain accurate records and segregated accounts, to conduct regular reconciliations between its internal accounts and records and those of the sub-custodian, to exercise due care so that the exercise of the custody function ensures a high standard of investor protection, to assess and monitor all relevant custody risks, and to inform the AIFM of any material risk.

*Depositaries | AIFMD | Linklaters*

AIFMD: the depositary by Practical Law Financial

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Services This note sets out what a depositary does, who can be a depositary and what rules apply to depositaries under the Alternative Investment Fund Managers Directive (2011/61/EU) (AIFMD). Free Practical Law trial

## *AIFMD: the depositary | Practical Law*

a. act as trustee or depositary for AIFs of the kind defined in FUND 3.11.12R (a PE AIF depositary), and/or. b. provide one or more depositary services to non-EEA AIFs. If you are an unauthorised person, you can apply to be a depositary provided that you intend to act for the types of AIFs set out in point 4 above.

## *Depositaries | FCA*

A depositary is an independent third party that is responsible for the oversight of the activity of each AIF. Prescribed in the AIFMD, the requirement to appoint a depositary is dependent on a number of factors: the location of the AIFM; the AIFM's marketing strategy;

## *The role of an AIF depositary | Ocorian*

The depositary ensures the proper safekeeping of the AIF's assets and can help identify risks connected with the performance of the operations of the AIF. We do this by working closely with you, getting to know your structures and how they operate. We're authorised as a Depositary in the UK, Netherlands, Luxembourg, Denmark, Sweden and Norway.

## *AIFMD Depositary services - Intertrust*

AIFMD - Depositary Requirements. The Alternative Investment Funds Management Directive ("AIFMD")

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requires Alternative Investment Fund Managers (“AIFMs”) to appoint a single depository to all Alternative Investment Funds (“AIFs”) that they manage and introduces new depository requirements in relation to their AIFs. Eligibility.

## *AIFMD – Depository Requirements - Walkers*

To briefly summarise, any AIFM running an EU-based AIF will require a full depository solution under AIFMD to carry out three core duties under Article 21 of the directive: namely cash management, safekeeping of assets and general oversight of the AIF. Such a depository agreement will need to be in place by this summer.

## *Understanding the role of the depository under AIFMD*

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The Alternative Investment Fund Managers Directive (the “AIFM Directive”) requires that private funds appoint a “depository”. To date, there has been no cross-border regulatory requirement for...

## *The role of the depository under the AIFM Directive - Lexology*

A depository of non-E.U. AIF managed by an authorised AIFM must have a registered office in the E.U., unless:

- The regulator of the AIFM and the third country of domiciliation of the AIF has signed a cooperation agreement;

## *Alternative Investment Fund Managers Directive (AIFMD ...*

The AIFMD establishes an EU-wide harmonised framework for monitoring and supervising risks posed

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by AIFMs and the AIFs they manage, and for strengthening the internal market in alternative funds. It also includes new requirements for firms acting as a depository for an AIF. Aims of the AIFMD

## *AIFMD | FCA*

The depository shall hold in custody (a) all financial instruments that can be registered in a segregated financial instruments account opened in the depository's books in the name of the AIF or the AIFM acting on behalf of the AIF, so that they can be clearly identified as belonging to the AIF in accordance

## *AIFMD: the depository issue | Hedgeweek*

AIFMD requires that the appointment of a depository to an AIF is evidenced in writing. The AIFMD Regulation specifies the following matters which must be addressed in the written agreement between the depository and the AIFM and/or AIF; 1.

## *AIFMD - Depository*

Title: 2 Author: Anne-Marie Bohan Created Date: 6/10/2016 3:34:49 PM

## *Law Firm | Ireland | Legal Services*

AIFMD is a European Directive that seeks to regulate the non-UCITs fund sector, including hedge funds, private equity funds and real estate funds. All Alternative Investment Fund Managers ("AIFMs") established in the EEA, whether they manage EEA or non-EEA Alternative Investment Funds ("AIFs") are subject to AIFMD.

*Guernsey's AIFMD Regime - Rules, Forms, Guidance &*

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## *FAQs | GFSC*

AIFMD itself places the onus squarely on managers to ensure appropriate firms are appointed to perform the depositary-lite duties. We expect many managers and their directors and investors will ultimately question the suitability of unregulated firms performing an important fiduciary function.

## *AIFMD Depositary-Lite · The Hedge Fund Journal*

The AIFMD prohibits delegation by a depositary of its duties, except those relating to safe-keeping or verification of ownership of assets<sup>37</sup>. In practice this permits the establishment of an effective sub-custody network while ensuring that the duly appointed depositary does retain primary responsibility (and liability<sup>38</sup>).

## *The Role of the Depositary under the AIFMD*

AIFMD requires that the appointment of a depositary to an AIF is evidenced in writing. The AIFMD Regulation specifies the following matters which must be addressed in the written agreement between...

## *AIFMD - depositary - Lexology*

Langham Hall provides depositary services to over 90 funds (AIFs) for EU and non-EU debt, infrastructure, private equity and real estate managers (AIFMs) whose funds under management are above the thresholds specified by the Alternative Investment Fund Management Directive (AIFMD). In total, we have oversight of \$50bn of depositary assets.

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The Alternative Investment Fund Managers Directive  
The AIFM, Depository and the Prime Broker in the  
Prime Brokerage Relationship The Suitability of the  
AIFMD Depository for AIFs Marketed Under the  
EuVECA Label Depositories in European Investment  
Law Multilingual Interpretation of European Union Law  
Response to ESMA Consultation Paper to  
Implementing Measures for the AIFMD The Alternative  
Investment Fund Managers Directive Kingdom of the  
Netherlands-Netherlands: Financial Sector  
Assessment Program: Asset Protection and Liability of  
Depository Under UCITS V and Comparison with  
AIFMD and MiFID II Regimes United Kingdom  
Regulation and Governance of Mutual Funds European  
Financial Regulation The Alternative Investment Fund  
Managers Directive in Malta The Implementation and  
Enforcement of European Union Law in Small Member  
States EU Securities and Financial Markets Regulation  
Luxembourg: Financial Sector Assessment Program  
Fund Managers The Asset Management Review  
Sweden  
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