



Review of  
AIFMD – Level 1

FOCUS

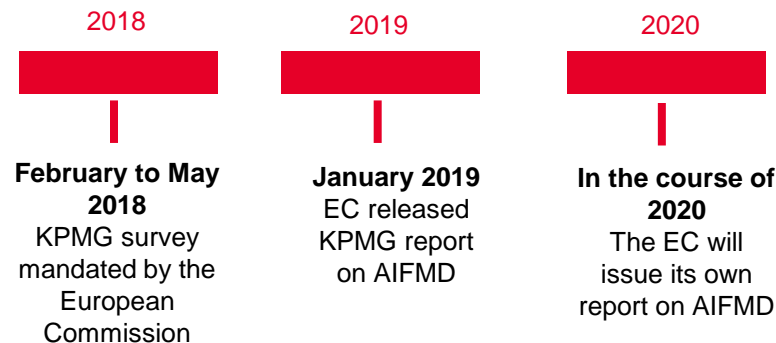
Updated in May 2020

**REGULATORY EVOLUTION**

- Review of AIFMD Level 1 by the European Commission should have started by July 2017. Due to the European's focus on competing priorities such as Brexit, this process has been delayed
  
- The European Commission has mandated KPMG to carry out a survey on the functioning of AIFMD to assess:
  - how the AIFMD has worked in practice
  - and to what extent the AIFMD objectives have been achieved and have provided added value

**FOCAL POINTS**

- The survey seeks for the view of stakeholders in particular on:
  - AIFMD's impact on the information provided to investors before they invest
  - Whether retail investors are affected by AIFMD
  - Whether other regulation has assisted or hindered the achievement of the AIFMD's objectives



Updated on 29 May 2020

## STATEMENT

- ❑ On February 2018 KPMG published an online survey among the stakeholders most affected by AIFMD (such as Asset Managers, local regulators, depositaries) and conducted on May 2018 semi-structured interviews with trade associations
- ❑ Main messages from European depositaries and from French depositaries in response to the survey in March 2018 and to KPMG interviews in May 2018:
  - AIFMD is functioning satisfactorily, disruption from further regulatory changes would be unnecessary and unwelcome
  - The AIFMD review should be an opportunity to clarify that a CSD which interposes in the custody chain acts as an investor CSD is to be considered as a depositary's sub-custodian
- ❑ **On 10 January 2019: publication by the Commission of KPMG Report on the Operation of the AIFMD**
- ❑ **Key findings of this first step in the process review in this report:**
  - AIFMD has significantly contributed to creating a single market for AIFs by establishing an harmonized regulatory framework
  - Most of the AIFMD provisions are assessed as having achieved their objectives
  - Some areas require further analysis: diverging interpretations of rules by NCAs and overlaps in reporting requirements with other European rules

## FOR YOUR CONSIDERATION

- ❑ **Next step:** the Commission will prepare a report to the co-legislators on the functioning of the legislation and intend to issue it in the course of 2020. And then the Commission should launch a consultation in 2020.

Contact SGSS/CAO/REG:

[marie-claire.de-saint-exupery@sgss.socgen.com](mailto:marie-claire.de-saint-exupery@sgss.socgen.com)

*"This document is for informational purposes only. Under no circumstance should it, in whole or in part, be considered as an offer to enter into a transaction. This document is not intended to have an advisory character or intended to represent an investment recommendation or a recommendation regarding a certain strategy, product or service. Although information contained herein is from sources believed to be reliable, Société Générale makes no representation or warranty regarding the accuracy of any information and is not responsible for errors of any kind. Any reproduction, disclosure or dissemination of these materials is prohibited. The products and services described within this document are not suitable for everyone. This document is not intended for use by or targeted at retail customers. All of the products and/or services described may not be available in all jurisdictions"*