

# Finansinspektionen's Regulations

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**FFFS 2004:12**

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## **Regulations regarding amendments to Finansinspektionen's [the Swedish Financial Supervisory Authority] Regulations (FFFS 2004:2) governing investment funds;**

decided on 15 October 2004.

Pursuant to Chapter 11, section 1, subsection 7 of the Investment Funds Act (SFS 2004:46) and section 1, subsection 20 of the Investment Funds Ordinance (SFS 2004:75), Finansinspektionen hereby prescribes that a new chapter, Chapter 18, shall be incorporated into Finansinspektionen's Regulations (FFFS 2004:2) regarding investment funds and thus such Chapter shall be worded as follows.

### **Chapter 18: Quarterly reporting in respect of Swedish management companies, investment funds, etc.**

#### *Scope*

§ 1 This Chapter shall apply to the following undertakings:

1. Swedish management companies which are authorised to conduct fund operations pursuant to Chapter 1, section 4 of the Investment Funds Act (SFS 2004:46);
2. other undertakings under the supervision of Finansinspektionen which are authorised by Finansinspektionen to conduct fund operations which relate to special funds pursuant to Chapter 1, section 5 of the Investment Funds Act (SFS 2004:46);
3. Swedish management companies which are authorised to conduct fund operations pursuant to section 11 of the Securities Funds Act (SFS 1990:1114) or authorised to conduct other business operations pursuant to section 3 of the Securities Funds Act (SFS 1990:1114); and
4. other undertakings under the supervision of Finansinspektionen which are authorised by Finansinspektionen to conduct other business operations pursuant to section 3 of the Securities Funds Act (SFS 1990:1114).

§ 2 All Swedish management companies shall, upon the expiry of each quarter, prepare and submit a report covering the operations during the quarter, with respect to the Swedish management company (*Appendix 11*) and with respect to each individual investment fund (*Appendix 13*). Instructions regarding these reports are set forth in *Appendix 12* and *Appendix 14* respectively.

Undertakings referred to in section 1, subsections 2 and 4 shall, upon the expiry of each quarter, submit a report regarding each individual investment fund (Appendix 13). Instructions with respect thereto are set forth in Appendix 14.

§ 3 The quarterly report regarding Swedish management companies and investment funds shall relate to the circumstances pertaining on the final day in each calendar quarter (the report date). The quarterly report shall be submitted to Finansinspektionen not later than 21 April, 21 July, 21 October and 21 January respectively. In conjunction with annual accounts, the quarterly report for a Swedish management company shall be submitted to Finansinspektionen not later than the fifteenth day in the second month after the report date.

Where the annual accounts do not coincide with any of the report dates, the information shall be provided on the reporting occasion immediately after the annual accounts.

§ 4 Finansinspektionen shall decide upon exemptions from these provisions where special cause exists.

*Special reporting rules in respect of Swedish management companies and other institutions authorised pursuant to the Securities Funds Act (SFS 1990:1114)*

§ 5 Swedish management companies authorised to conduct fund operations pursuant to section 11 of the Securities Funds Act (SFS 1990:1114) or authorised to conduct other business operations pursuant to section 3 of the Securities Funds Act (SFS 1990:1114) shall *not* report the information specified in:

- Appendix 11, specification D (Capital Requirement) and specification C5-9 (Management of another party's financial instruments), and in
- Appendix 13, specification B12 (Banks included in the investment focus).

Other undertakings under Finansinspektionen's supervision which are authorised by Finansinspektionen to conduct other business operations pursuant to section 3 of the Securities Funds Act (SFS 1990:1114) shall *not* report the information stated in:

- Appendix 13, specification B12 (Banks included in the investment focus).

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1. These regulations shall enter into force on 1 November 2004 and the first reporting occasion shall relate to information as per 31 March 2005.

2. Through these regulations, Finansinspektionen's Regulations (FFFS 2001:17) regarding quarterly reporting for Swedish management companies and UCITS, etc. are repealed.

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