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| **Asset Management Legal Updates** **Quarter 4, 2022** |
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| **Hot Topics for Upcoming Board Meetings** |

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| * [Central Bank Fines UCITS ManCo for Regulatory Breaches](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Central-Bank-Fines-UCITS-ManCo-Regulatory-Breaches.pdf)
* [INED Directors held personally liable for Company Fraud](https://www.clerkinlynch.com/wp-content/uploads/2022/11/INED-Directors-held-personally-liable-for-Company-Fraud.pdf)
* [ESG Disclosures ESMA’s priority](https://www.clerkinlynch.com/wp-content/uploads/2022/11/ESG-disclosures-now-a-priority-for-ESMA.pdf)
* [Further Legal Support for Irish Whistle-blowers](https://www.clerkinlynch.com/wp-content/uploads/2022/12/Further-Legal-Support-for-Irish-Whistle-blowers.pdf)
* [New Central Bank CP86 Letter](https://www.clerkinlynch.com/new-central-bank-cp86-letter/)
* [Fund costs and ESG](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Fund-costs-and-ESG.pdf)
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| **Key Irish Regulatory Updates** |

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| * [Central Bank Note on SFDR](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Central-Bank-Information-Note-on-SFDR.pdf)
* [Central Bank Fines UCITS ManCo](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Central-Bank-Fines-UCITS-ManCo-Regulatory-Breaches.pdf)
* [New Rules for Irish Property Funds](https://www.clerkinlynch.com/wp-content/uploads/2022/11/New-Rules-for-Irish-Property-Fund-Sector.pdf)
* [Further Legal Support for Irish Whistle-blowers](https://www.clerkinlynch.com/wp-content/uploads/2022/12/Further-Legal-Support-for-Irish-Whistle-blowers.pdf)
* [CP152: ManCo Capital Rules](https://www.clerkinlynch.com/cp152-new-manco-capital-requirements/)
* [Crowdfunding: New Q&A](https://www.clerkinlynch.com/wp-content/uploads/2022/12/Crowdfunding-Regulations-Questions-and-Answers.pdf)
* [Letter on LDI Funds](https://www.clerkinlynch.com/irish-regulatory-updates-5/)
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| **Key EU Regulatory Updates** |

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| * [Consultation on Investment Firms Passporting](https://www.clerkinlynch.com/eu-regulatory-updates-8/) in Europe
* [ESG Disclosures ESMA priority](https://www.clerkinlynch.com/wp-content/uploads/2022/11/ESG-disclosures-now-a-priority-for-ESMA.pdf)
* [Fund costs and ESG](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Fund-costs-and-ESG.pdf)
* [ESMA Releases Common Enforcement Priorities](https://www.clerkinlynch.com/wp-content/uploads/2022/11/ESMA-Releases-Common-Enforcement.pdf)
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| **Litigation and Enforcement** |

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| * [INED Directors held personally liable for Company Fraud](https://www.clerkinlynch.com/wp-content/uploads/2022/11/INED-Directors-held-personally-liable-for-Company-Fraud.pdf)
* [Central Bank Fines UCITS ManCo for Regulatory Breaches](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Central-Bank-Fines-UCITS-ManCo-Regulatory-Breaches.pdf)
* [ECJ Rules on Publication of Beneficial Ownership Register](https://www.clerkinlynch.com/wp-content/uploads/2022/11/ECJ-Rules-Publication-of-Beneficial-Owner.pdf)
* [Further Legal Support for Irish Whistle-blowers](https://www.clerkinlynch.com/wp-content/uploads/2022/12/Further-Legal-Support-for-Irish-Whistle-blowers.pdf)
* [Meta fined another €265 million for GDPR breaches](https://www.clerkinlynch.com/wp-content/uploads/2022/12/Meta-fined-another-E265-million-for-GDPR-breach.pdf)
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| **ESG Focus** |

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| * [ESMA Consults on ESG Related Fund Names](https://www.clerkinlynch.com/wp-content/uploads/2022/12/ESMA-Consults-on-ESG-Related-Fund-Names.pdf)
* [ESMA Releases Common Enforcement Priorities](https://www.clerkinlynch.com/wp-content/uploads/2022/11/ESMA-Releases-Common-Enforcement.pdf)
* [ESG Disclosures now a priority for ESMA](https://www.clerkinlynch.com/wp-content/uploads/2022/11/ESG-disclosures-now-a-priority-for-ESMA.pdf)
* [Fund costs and ESG](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Fund-costs-and-ESG.pdf)
* [Central Bank Note on SFDR](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Central-Bank-Information-Note-on-SFDR.pdf)
* [ESAs Call for Evidence Regarding Greenwashing](https://www.clerkinlynch.com/wp-content/uploads/2022/12/ESAs-launch-joint-call-for-evidence-on-greenwashing.pdf)
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| **GDPR Updates** |

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| * [Meta fined another €265 million for GDPR breaches](https://www.clerkinlynch.com/wp-content/uploads/2022/12/Meta-fined-another-E265-million-for-GDPR-breach.pdf)
* [ECJ Rules on Publication of Beneficial Ownership](https://www.clerkinlynch.com/wp-content/uploads/2022/11/ECJ-Rules-Publication-of-Beneficial-Owner.pdf)
* [GDPR and The Funds Industry](https://www.clerkinlynch.com/wp-content/uploads/2021/06/GDPR-and-the-Funds-Industry.pptx)
* [Data Access Request](https://www.clerkinlynch.com/wp-content/uploads/2022/07/GDPR-article-data-access-requests.pdf)s
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| **Focus on Crypto** |

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| * [Final draft agreed for the Markets in Crypto-Assets Regulation](https://www.clerkinlynch.com/wp-content/uploads/2022/11/Final-draft-agreed-for-the-Markets-in-Crypto-Assets-Regulation.pdf)
* [ESMA Response to FTX Collapse](https://www.clerkinlynch.com/wp-content/uploads/2022/12/ESMA-Response-to-FTX-Collapse.pdf)
* [Crypto Funds in Ireland](https://www.clerkinlynch.com/wp-content/uploads/2022/07/Central-Bank-More-Accepting-of-Limited-Crypto-Exposure-for-Funds.pdf)
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| **CP86 Focus** |

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| * [New Central Bank CP86 Letter](https://www.clerkinlynch.com/new-central-bank-cp86-letter/)
* [Key considerations in assessing a third-party management company](https://7c8gr.r.bh.d.sendibt3.com/mk/cl/f/PRKTIjoJzvSKqNDtzGaDRjT3YsGQOvVM_hqbJV7AIZBJtLPSuU864gjt1DeQ2BwctQJRbeW9iMsQRG_zd144-PX_Pu-VpcITqIiph6uVHOzNrGbqIbv5frTXfTOWuxEyMrBGEK3oPZlGJ50bSMf41JtXCvfaZaC9Iss9ixhl33Ajm6GvnYjAcqVGOJmYx5x6fOiLGrSgPxHPig4kaxrmjNVksyyPBjO16wlWeoPvKDsvdwCiXkTEoKGJgrYe2geiIpdC__akdpNRMbuWrJ-XuxCAN8Pf05MDBrheRrZqldbu_6DB-kiTfmXkVhiFixqlfLAtQ0JTY0Va8g7-sQ)
* [Affiliated management company - Key board considerations](https://7c8gr.r.bh.d.sendibt3.com/mk/cl/f/crrEQ8bIxCtTIxvXpA26xhWmGqoaZ-Tz76TbpYsCqDlRBCHRY8KFy6nA30Ei5nzME-WBJhNYHrv_nz0QSBUO6lya8OD4B3sMlqXX4IyXipdL-oDj5HnYSgqX9K4AfZE4A8u47SkvpZvuU-TsEjR3Nvv961To2CGREQNRYdUqU_eFhsTD6wYCsTBwuTFMgimLH2mX9a0c5wJSu6uiqQnOMbyQc9ck2mhn3APJHjujVRlheaw4k-UWi7mVpTKWNxRU34f5ZeTfR69TSc5l_icNe1W-XCmY1HDPJeqsUo0HyO3XMtbwdoSFTwwd)
* [Use of Third-Party Platforms](https://7c8gr.r.bh.d.sendibt3.com/mk/cl/f/ypN2fd8dN3hA7jdNaDNIFBHmI5UQfRrcduJEy2oT4cz72wIsGF4XQhKkzihQ4VChcPhOF9oau5FKFkNnxRXO7feW5W1bPYihkDN2Q9Yc51uTHZj3LeK8LyVA7zsNmWXYZkSX6dWrgsHwjBTDHJKRkSMDa0VqqVpclsyVt261DblBqOEh72Pafs3mnarwqqOtjnYd-u9kkao79Rhjmog3zpW3T9GV_SYs5oepFn8sOz3AQk4ctNTS0A_5EBJHXxrsqDlyJBR5c7b7BKm0Gx93WE4IFx6EI2585P_9fLkfGGht34LX3g00G8XpT78ycjoY2YfKDVsl)
* [CP86 and appointing a fund management company](https://7c8gr.r.bh.d.sendibt3.com/mk/cl/f/Jcqu1076vm4CaKrzBOy7EYjttJ6b_GGdR6Gg-dmCTpI15NLI1W-tBOBuSBd4lBX-yDKG0soCNNWKkd0dequjLbLt9suFhx4598XE0Yb8Oj32CEazWT9OGX8B0GEAzUi1SX7PyNo0vbx-y-Aw-z358SEPGvG3kAVm56GPj8FGP9-Bjq1kEgSeTZx8LMiWADFZcgRRQqwI76m7xgc-eno3nL97WOrAOLA_RvHN9r5SWUup6uEvNxaP9GKQI-jVirFKzq12_btPetk6IdlM75Q)
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| **Upcoming Events** |

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| * [Property Event](https://www.clerkinlynch.com/property-event/)
* [Focus on Enforcement](https://www.clerkinlynch.com/focus-on-enforcement/)
* [Distribution Event: Mark Browne to speak at Acolin Dublin Event](https://www.clerkinlynch.com/acolin-dublin-event/)
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| **Webinar** |

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| * [The relationship between the EU and Switzerland for Asset Managers](https://www.clerkinlynch.com/recent-events/)
* [International perspectives on limited partnership structures](https://www.clerkinlynch.com/recent-events/)
* [Presentation on Regulations relating to ESG Investing](https://www.clerkinlynch.com/recent-events/)
* [Presentation on GDPR and the Funds Industry](https://www.clerkinlynch.com/recent-events/)
* [Irish Fund Director Association Q&A on UCITS LRMF](https://www.clerkinlynch.com/recent-events/)
* [AIMA Briefing- Ireland Update](https://www.clerkinlynch.com/recent-events/)
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| **Recent Events** |

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| * [Clerkin Lynch spoke at Nexgen Summit Fort Lauderdale 27th October 2022](https://www.clerkinlynch.com/upcoming-events-3/)
* [Mark Browne spoke at the National Society of Compliance Professionals conference (USA) in October 2022](https://www.clerkinlynch.com/upcoming-event/)
* [Mark Browne attended AIMA Toronto Event October 2022](https://www.clerkinlynch.com/upcoming-events-2/)
* [Clerkin Lynch hosted an event for ManCos in the St Stephens Green Club in Dublin on 15th November 2022](https://www.clerkinlynch.com/upcoming-events-4/)
* [The evolving nature of fund director’s responsibilities - D+O Insurance Considerations](https://www.clerkinlynch.com/recent-events/)
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| **Additional Reference Materials** |

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| * [Past Editions of the Clerkin Lynch Funds Updater](https://www.clerkinlynch.com/services/asset-management-and-funds/)
* [Asset Management and Funds](https://7c8gr.r.bh.d.sendibt3.com/mk/cl/f/L_uS7LbPPmd0NQ8gH2Puc5BBVtqEoFtDL_Ezyg-clCKyrG8sg_Xdf_tapyo6X1dn4rRXx-sCu3wNMRR8o8mvlrZHuYQ_BH6QljaxNMgTBQDOAWSccF2AUF1v8khpbOYvsc264xMPinpG5Ki60vcB_80v-ZBpvqCKKduRV2F77OZ9xYLrJjZcGgpiiBhLjCQUczm5PlDavW4BaxRyxPwrJ9iLCg886gHFtIJCJeCD0D9pG7gml0eZcd1McKmYlYFw)
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| **Website**[https://www.clerkinlynch.com/](https://7c8gr.r.bh.d.sendibt3.com/mk/cl/f/XinfoYhllfnAFL24EIOD5znlGpIxFSVnQ4IMAdiIJVJytE5G1YLC_lP91bvcJP_zxoq771ABJv2rvHm-X8iNF7S6rfytzGiRSuuc67Rh2WFyqf4IKv21AWNo2ukOpoxHcXfovvpFaTeOC4brEYA_PKzfFNwRYxhEJBEr3KMzojX7Jn1rTW6Bmo9OwD1v0G69lJ4NMSYTQyk) **Address**Clerkin Lynch LLP30 Molesworth StreetDublin 2 **Tel:** +353 1 611 4400**Mail:** info@clerkinlynch.com  Clerkin Lynch LLP is authorised by the Legal Services Regulatory Authority to operate as a Limited Liability Partnership pursuant to section 125 of the Legal Services Regulation Act 2015. You are receiving this ezine as you are a connection of Mark Browne, the head of the Asset Management and Investment Funds Department in Clerkin Lynch LLP and we thought you might find this update pertaining to Irish funds useful. We can continue to send it to you on a quarterly basis on a complimentary basis or remove you as you prefer. Please confirm if you would like to continue to receive this publication on a quarterly basis, please confirm by clicking one of the options here.  |
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