

Wishing you all the best for the Christmas season and New Year from the team at Clerkin Lynch!

We are including the most recent edition of the Clerkin Lynch quarterly asset management and funds update pertaining to Irish funds below. We hope you find these updates useful and if you have any questions, please do not hesitate to contact us.

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Kind regards,



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Asset Management Legal Updates

Quarter 4, 2023



Hot Topics for Upcoming Board Meetings

- Central Bank Administrative Sanctions Final Guidelines
- Central Bank updates AIFM Capital Requirements
- EMIR Central Bank Enforcement Action
- Focus on Undue Costs for Funds
- GDPR fine for Irish Financial Firm
- Central Bank's Operational Resilience Deadline Approaching



Key Irish Regulatory Updates

- Central Bank announces Year-End Deadlines
- Central Bank updates AIFMD Q&A
- Central Bank responds to Fund Sector Review
- UCITS PRIPs KIID update
- Central Bank updates AIFM Capital Requirements
- Central Bank Administrative Sanctions



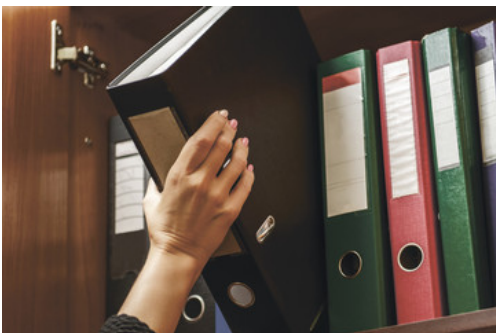
Key EU Regulatory Updates

- ESMA updates ESG fund name guidance
- ESMA UCITS & AIFMD Sanctions Report
- ESMA publishes overview of national rules governing fund marketing
- Consultation on Issues with SFDR Implementation
- ESMA 2024 Work Programme
- Updated MiFID Guidelines: Suitability and Product Governance



Data Protection and GDPR

- Urgent binding decision issued to META
- GDPR fine for Irish Financial Firm
- Further large GDPR Fines for META
- Presentation on GDPR and the Funds Industry



Litigation and Enforcement

- EMIR Central Bank Enforcement Action
- ESMA Report on sanctions under UCITS and AIFMD
- Urgent binding decision issued to META
- Largest Ever Whistleblower Payout
- Jail for Irish Investment Fraud



ESG Focus

- ESMA updates ESG fund name guidance
- Sustainability, Knowledge, and Competency Requirements
- PIA Disclosure under SFDR
- New EU Green Bond Standards
- Regulations on ESG Investing



ELTIFs

- CP155 regarding ELTIFs
- ELTIF II in Ireland
- ELTIF II: Draft Regulatory Technical Standards Issued
- New Rules for ELTIFs Adopted
- Features of the ELTIF 2.0 Regulation



Distribution

- Overview of Cross Border Distribution Framework
- ESMA publishes overview of national rules governing fund marketing
- ESMA Guidelines on MiFID II
- Latest European Fund statistics
- Latest Fund statistics for Ireland
- Central Bank updates Marketing Guidance for Funds



Focus on Crypto

- New VASPs Registered
- MiCA
- Crypto-UCITS in Ireland
- Irish AIFs and Crypto Assets
- Washington Seminar on MiCA



CP86 Focus

- Use of Third-Party Platforms
- Affiliated management company - Key board considerations
- CP86 and appointing a fund management company
- New Central Bank CP86 Letter
- Key considerations in assessing a third-party management company

Events



Upcoming International Conference Attendance

- Miami



Upcoming Events

- Fund Costs and Charges - Audit
- Property Event
- Focus on Enforcement

[Contact us](#)



Webinars

- AIMA Costs & Charges Event
- MiCA Webinar
- International perspectives on limited partnership structures
- The relationship between the EU and Switzerland for Asset Managers
- Presentation on Regulations relating to ESG Investing – Oct 2023
- Presentation on GDPR and the Funds Industry
- Irish Fund Director Association Q&A on UCITS Liquidity Risk
- AIMA Briefing- Ireland Update

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Recent Events

- Costs and Charges Event
- SS&C ELTIF Event
- Distribution event: Mark Browne spoke at an Acolin Dublin Event
- The evolving nature of fund directors responsibilities- D+O Insurance Considerations

Contact us



Additional Reference Materials

- Past Editions of the Clerkin Lynch Funds Update
- Asset Management and Funds



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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.

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