

MFSA

MALTA FINANCIAL SERVICES AUTHORITY

Publication of revised Investment Services Rules

The MFSA is today publishing a revised version of the Investment Services Rules for Retail Collective Investment Schemes, the Investment Services Rules for Professional Investor Funds and the Investment Services Rules for Professional Investor Funds (hereinafter referred to as ‘the Rules’).

In terms of regulation 16 of the Companies Act (Investment Companies with Variable Share Capital) Regulations, issues of fully paid up shares by a SICAV may be subject to full payment by a settlement date. Such settlement date must be disclosed in the prospectus or offering document of the SICAV and cannot exceed the number of days established in terms of Investment Services Rules.

Recently amended Rules now provide that the settlement date by which payment of the full subscription price is to be received by the SICAV cannot be later than five working days from the date of issue of the shares. The relevant SLCs in the Rules are the following:

<p>INVESTMENT SERVICES RULES FOR RETAIL COLLECTIVE INVESTMENT SCHEMES</p> <p><i>Appendix I: Contents of the Prospectus</i></p>	<p><u>Annex I</u> SLC 2.23: Where an investment company with variable share capital has issued shares subject to full payment by a settlement date, in accordance with regulation 16 of the Companies Act (Investment Companies with Variable Share Capital) Regulations, it shall indicate in its prospectus, the settlement date by which payment of the full subscription price is to be received, which date cannot be later than five working days from the date of issue of those shares.</p> <p><u>Annex II</u> SLC 14: Additional information regarding investment companies with variable share capital allowing post-trade settlement.</p> <p>Where an investment company with variable share capital has issued shares subject to full payment by a settlement date, in accordance with regulation 16 of the Companies Act (Investment Companies with Variable Share Capital) Regulations, it shall indicate in its prospectus, the settlement date by which payment of the full subscription price is to be received, which date cannot be later than five working days from the date of issue of those shares.</p>
<p>INVESTMENT SERVICES RULES FOR</p>	<p>SLC 1.2 paragraph xxiv</p>

<p>PROFESSIONAL INVESTOR FUNDS</p> <p><i>Appendix II: Contents of Offering Document</i></p>	<p>In the case of a Scheme set up as an investment company with variable share capital, and opting to issue shares subject to full payment by a settlement date, in accordance with regulation 16 of the Companies Act (Investment Companies with Variable Share Capital) Regulations, the Scheme shall indicate in its offering document, the settlement date by which payment of the full subscription price is to be received, which date cannot be later than five working days from the date of issue of those shares.</p>
<p>INVESTMENT SERVICES RULES FOR ALTERNATIVE INVESTMENT FUNDS</p> <p><i>Appendix 4: Contents of Offering Document</i></p>	<p>SLC 2.04 paragraph xx</p> <p>In the case of an AIF set up as an investment company with variable share capital, and opting to issue shares subject to full payment by a settlement date, in accordance with regulation 16 of the Companies Act (Investment Companies with Variable Share Capital) Regulations, the AIF shall indicate in its offering document, the settlement date by which payment of the full subscription price is to be received, which date cannot be later than five working days from the date of issue of those shares.</p>

The revised Rules can be downloaded from the Authority's website at www.mfsa.com.mt under the section Legislation and Regulation/Regulation/Securities and Markets.

Contacts

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