



Course

The AIFM Legislation: Administration, Operations, and Governance

Course Description

This course explains in general the AIF regulatory framework, the different AIF Categories and legal forms and the various investment rules and restrictions of AIFs. It describes the AIF governance, including the key persons in the different funds' legal forms, the Depositary, the Fund Administrator, the Investment Manager, the AMLCO, the Auditors and Internal Audit.

It refers to the generic key responsibilities of the key persons of a fund and describes the authorisation of an AIF. The commencement of operations of an AIF requires the prior authorisation and communication of the authorisation by the CySEC.

This course describes the role of the Fund Administrator, the administrative functions, its main activities and provides examples of the services offer by the Fund Administrator as well as an example of the Fund Administration workflow.

It also explains the role of the Depositary and refers to the Depositary vs Custodian. A Fund Manager must ensure that a single Depositary is appointed for each AIF it manages. This course also refers to the AIF Depositary's duties and provides an example of the role performed by a Depositary in a UK fund that began struggling in 2019.

Furthermore, this course describes the PRIIP Regulation, analyses the Key Information Document (KID) content and provides a KID example.

Topics covered

The course is split into the following sections:

Section 1: Introduction to AIFs

- The AIF regulatory framework
- Broad Definitions
- UCITS vs AIFs
- What is an AIF
- AIF Categories:
 - Funds of Funds
 - Real Estate Funds
 - Hedge Funds
 - Private Equity Funds
 - Other Funds

Section 2: Categories and Forms

- Particular Categories
- Particular Investors and Capital
- Legal Forms
- Investment rules and restrictions
- Investor Types and Investment Restrictions
- Retail Investor restrictions
- AIF Life Cycle
- AIF Management



Section 3: UCITS and AIFs in Cyprus

- AIFs in Cyprus
- A Growing Industry
- Assets Under Management
- AuM and Strategies
- Investment Locations
- Sectoral Investment

Section 4: AIF Fund Governance

- Key Persons
- To manage the AIF we need at least perform the core activities
- Depositary
 - Depositary Exemptions
 - Depositary Duties
 - Where should the Depositary be?
 - Delegation
 - Who bears liabilities?
 - Which liabilities?
- Fund Administrator
- Investment Manager
- Anti-Money Laundering Compliance Officer
- Auditor and Internal Audit
- The Costs
- Generic Key Responsibilities

Section 5: Authorization

- Authorization
- Authorization – Documents
- Authorization – Common Fund
- Authorization – IC
- Authorization – LP
- General Structure

Section 6: The Fund Administrator

- Where does the administrator fit in?
- Core Capabilities
- Administrative Functions
- Examples of Services Offered
- Value-added services
- Main Activities
- Roles of the administrator
- Potential Issues that may arise
- Fund-related issues
- Administration Flows
- Defining Responsibilities
- Self-administration vs Outsourcing
- Client needs?
- Administration Main Points



- Who does the administrator work for?
- Fees
- Important Qualities
- Usual Mistakes
- CySEC Fund Administrator legislation
- Consultation Paper key provisions

Section 7: AIF Depositary

- Appointment (AIFM Law)
- Who doesn't need one
- Who Can Act as One
- AIFM Is Not a Depositary
- Depositary vs Custodian
- Why use a Depositary?
- Safekeeping functions
- AIF Duties (AIFM Law)
- In simple words
- A UK case study: Woodford Funds
- FCA Investigation
- Aftermath
- Best Buy anyone?
- Depositary Obligations
- Other Assets (AIFM Law)
- Depositary Delegation (AIF Law)
- Depositary Liability (AIFM)
- Discharge of Liability (AIFM)
- Resignation

Section 8: The PRIIP regulation

- Background
- The PRIIP
- About PRIIPs
- PRIIP Scope
- Non-PRIIPs
- Retail vs Non-Retail Clients

Section 9: The KID Content

- The KID
- PRIIPS-Key Information Document
- Content Dissected
- Scenarios
- Scenarios Example
- Timing
- Availability
- Review and Revision
- Example



Course Duration

This course may take up to 5 hours to be completed. However, actual study time differs as each learner uses their own training pace.

The course is addressed to:

This course is addressed to all individuals who are involved in the Funds' industry such as:

- Executive Directors, Non-executive directors, Senior Managers, Risk Managers, Asset Managers, Compliance Officers, Product Managers, Portfolio Managers, Investment Advisors, Dealers, Marketing Managers and in general employees of investment firms, UCITS, Funds and Fund Managers.
- Fund Administrators
- Fund consultants
- Internal Auditors
- Professionals in the Funds' industry
- Lawyers
- Accountants

It is also suitable to professionals pursuing CPD for the renewal of CySEC Certificate (CySEC Basic and CySEC Advance Certificate) or other relevant professional certificates in other jurisdictions.

Training Method

The course is offered fully online using a self-paced approach. The learning units consist of power point presentations. Learners may start, stop and resume their training at any time.

At the end of the course, participants take a Quiz to complete the course and earn a Certificate of Completion once the Quiz has been passed successfully.

Accreditation and CPD Recognition

The course may be accredited by regulators and other bodies for up to 5 CPD Units, that require CPD training in financial and other regulation.

Eligibility criteria and CPD Units are verified directly by your association or other bodies in which you hold membership.

Registration and Access

To register to this course, click on the **Take this course** button to pay online and receive your access instantly. If you are purchasing this course on behalf of others, please be advised that you will need to create or use their personal profile before finalizing your payment.

Access to the course is valid for 90 days.

If you wish to receive an invoice instead of paying online, please [Contact us by email](#). Talk to us for our special Corporate Group rates.

Instructor

With more than 10 years of experience, Nektarios is an expert in the financial services industry, having worked in key roles at investment funds, CIFs and other service providers. His exposure to the industry allowed him to gain knowledge in a variety of vital investment functions.



Complementing his practical knowledge of the industry, Nektarios also holds a number of professional and academic qualifications, including CySEC's Advance Certification. He is currently employed by an Investment Fund.