



K. VALDEMĀRA IELA 2A, RĪGA, LV-1050, LATVIA. TELEPHONE +371 67022300, E-MAIL INFO@BANK.LV, WWW.BANK.LV

*This translation is provided by Latvijas Banka
for information purposes only.
The original document is in Latvian.*

2 December 2024
Riga

Regulation No 355

Regulation on Preparing and Submitting the Reports of Alternative Investment Fund Managers

Issued pursuant to
Paragraphs one, six, seven, and eight of
Section 59 and
Clause 23 of Paragraph seven of Section 81
of the Law on Alternative Investment Funds and Managers Thereof
and
Paragraph two of Section 63 and
Paragraph three of Section 68 of
the Law on Latvijas Banka

I. General Provisions

1. The Regulation establishes:

1.1. the requirements and procedure according to which an alternative investment fund manager (hereinafter referred to as the "manager") shall prepare and submit to Latvijas Banka reports containing statistical data and information other than statistical data required for the performance of supervisory functions (hereinafter jointly referred to as the "data") on the operation of the manager and that of each alternative investment fund (hereinafter referred to as the "AIF") or sub-fund where an AIF has been established as an umbrella AIF (hereinafter jointly referred to as the "fund");

1.2. the procedure for preparing and submitting the data for the purposes of exchanging information with the supervisory authorities of other Member States, the European Securities and Markets Authority, and the European Systemic Risk Board (hereinafter referred to as the "data for information exchange");

1.3. the deadlines for submitting the data;

1.4. the duration for storing the data.

2. The Regulation shall be binding on:

2.1. the manager licensed or registered in Latvia, with the exception of an investment management company that is the licensed or registered manager, when providing data on its operation;

2.2. the manager licensed or registered in Latvia when providing data on the operation of the fund established in Latvia and managed by it;

2.3. the manager licensed or registered in Latvia when providing data for information exchange;

Komentēja [GA1]: Tulki

Šeit un turpmāk

Ja saprotu pareizi, šī ir jauna prakse, ka vienkāršā uzskaitījumā (kur nav vairāki 'and') tiek likts komats (serial comma). Iepriekšējo noteikumu tulkojumos tā nebija.

Komentēja [SF2R1]: Jā, esam ieviesušas serial comma lietošanu, balstoties uz ārējā angļu valodas redaktora (native speaker) ieteikumu.

Komentēja [GA3]: Tulki

Tad 'fund' turpmāk tekstā vajadzētu lietot ar noteikto artikulu. Ir dažādi.

Komentēja [SF4R3]: Izlabots, izņemot frāzi "a new fund has been established", šķiet, ka tūri gramatiski šeit būtu jālieto nenoteiktais artikuls.

Komentēja [GA5]: Tulki

Bija vienošanās par šādu tulkojumu.

Komentēja [SF6R5]: Izlabots.

2.4. the manager licensed in another Member State that has registered the fund in Latvia, when providing data on its operation in Latvia and on that of the fund registered in Latvia;
2.5. a Latvian branch of the manager licensed in another Member State.

3. The data are required for the performance of Latvijas Banka's tasks, including the tasks of supervising the financial market and its participants and compiling supervisory statistics, investment fund statistics, securities holdings statistics, external statistics, and financial accounts statistics, as well as for conducting financial stability analysis and providing information on the operation of managers and funds in Latvia to other institutions and the general public.

4. Latvijas Banka stores the data for an unlimited duration.

5. Latvijas Banka establishes, maintains, and regularly updates the list of investment funds of Latvia, comprised of the funds other than money market funds, as required by the European Central Bank (hereinafter referred to as the "list"). The list is published on Latvijas Banka's website (www.bank.lv) in the section "Statistics". The list is also incorporated in the list of investment funds of the European Union Member States regularly published on the European Central Bank's website.

II. General Requirements and Procedure for Compiling and Submitting the Data and the Submission Deadlines

6. The manager shall prepare:

- 6.1. "Report on the Manager's Balance Sheet" (Appendix 1);
- 6.2. "Manager's Profit or Loss Statement" (Appendix 2);
- 6.3. "Report on the Assets Managed by the Manager and Its Compliance with the Capital Requirements" (Appendix 3) which shall consist of:
 - 6.3.1. Part 1 "Assets Managed by the Manager";
 - 6.3.2. Part 2 "Manager's Compliance with the Capital Requirements";
- 6.4. "Report on the Fund's Securities" (Appendix 4);
- 6.5. "Report on the Fund's Assets and Liabilities" (Appendix 5) which shall consist of:
 - 6.5.1. Part 1 "Assets and Liabilities";
 - 6.5.2. Part 2 "Investment Property (item 1180 in detail)";
 - 6.5.3. Part 3 "Leverage";
- 6.6. "Report on the Fund's Income and Expense" (Appendix 6) which shall consist of:
 - 6.6.1. Part 1 "Income, Expense, and Increase or Decrease in Investment Value";
 - 6.6.2. Part 2 "Income by Class of Fund Units (item 0100 in detail)";
 - 6.6.3. Part 3 "Expenses as Defined by Regulation (EU) 2017/653";
- 6.7. "Report on the Changes in the Fund's Net Asset Value" (Appendix 7) which shall consist of:
 - 6.7.1. Part 1 "Changes in the Fund's Net Asset Value";
 - 6.7.2. Part 2 "Dividends by Class of Fund Units (item 0300 in detail)";
- 6.8. "Report on the Fund's Investors" (Appendix 8);
- 6.9. "Report on the Identification and Classification of the Fund" (Appendix 9).

7. The manager licensed or registered in Latvia that has registered the fund in Latvia in accordance with Regulation (EU) No 345/2013 of the European Parliament and of the Council of 17 April 2013 on European venture capital funds (hereinafter referred to as "Regulation No 345/2013") or Regulation (EU) No 346/2013 of the European Parliament and of the Council of 17 April 2013 on European social entrepreneurship funds (hereinafter referred to as "Regulation No 346/2013") shall prepare the reports referred to in Paragraphs 6.1, 6.2, and 6.3 of this Regulation for each quarter of a calendar year.

Komentēja [GA7]: Tulki

Pārvaldnieks ir juridiskā persona, t.i., nav dzīva būtne.

Komentēja [SF8R7]: Izlabots.

Komentēja [GA9]: Tulki

Bija vienošanās par šādu tulkojumu.

Komentēja [SF10R9]: Izlabots.

Komentēja [GA11]: Tulki

Rindkopa labota atbilstoši tam, kā bija citos noteikumos, kuros ir ietverta informācija par to, ka Latvijas Banka uztur attiecīgos sarakstus. Šis punkts ir ar informatīvu raksturu.

Komentēja [SF12R11]: Izlabots.

Komentēja [GA13]: Tulki

Tas nav palīgvārds.

Komentēja [SF14R13]: Izlabots.

Komentēja [GA15]: Par kola lietojumu gan tekstā, gan veidlapās vēl vajadzētu padomāt. Sk. manu komentāru zemāk.

Komentēja [SF16R15]: Sk. atbildi uz komentāru zemāk.

Komentēja [GA17]: Sandra

Angļu valodā instrumenta nosaukums ir 'investment fund shares or units'. Varbūt šajos noteikumos varam lietot 'fund unit or share', ņemot vērā, ka viscaur tekstā lietojam saīsinājumu 'fund'? Izņēmums - vērtspapīru pārskata pozīcijas.

Katrā gadījumā instruments nav 'investment unit'.

Komentēja [SS18R17]: AIFPL tulkots - investment unit, AIFMD - 'units or shares of the AIF'. Tagad vienojamies, ka lietošim 'fund unit' abos gadījumos, kad tulko "ieguldījumu fondu ieguldījumu apliecības" un "AIF ieguldījumu daļas", izņemot 4. pielikumu.

Komentēja [SF19R17]: Izlabots.

8. The manager other than the manager that has registered the fund in Latvia in accordance with Regulation No 345/2013 or Regulation No 346/2013 shall prepare the reports referred to in Paragraphs 6.1 and 6.2 of this Regulation for each calendar year.

9. The manager licensed or registered in Latvia shall prepare the following reports for the fund:

9.1. the reports referred to in Paragraphs 6.4, 6.5, 6.6.1, 6.6.2, 6.7, and 6.8 of this Regulation for each quarter of a calendar year;

9.2. the report referred to in Paragraph 6.6.3 of this Regulation for each calendar year.

10. The manager licensed in another Member State shall prepare the following reports covering its operation in Latvia and the operation of the fund registered in Latvia:

10.1. the reports referred to in Paragraphs 6.3.1, 6.4, 6.5, 6.6.1, 6.6.2, 6.7, and 6.8 of this Regulation for each quarter of a calendar year;

10.2. the report referred to in Paragraph 6.6.3 of this Regulation for each calendar year.

11. A Latvian branch of the manager licensed in another Member State shall prepare the reports referred to in Paragraphs 6.2 and 6.3.1 of this Regulation for each quarter of a calendar year.

12. The manager shall prepare the report referred to in Paragraph 6.9 of this Regulation for each such quarter of a calendar year in which:

12.1. there have been any changes in the data included in the most recent report submitted to Latvijas Banka;

12.2. a new fund has been established.

13. The manager shall prepare the reports for the relevant reporting period, reflecting the position as at the last date of the reporting period, and submit them to Latvijas Banka by the 20th date of the month following the reporting period, with the exception of the reports referred to in Paragraphs 6.6.3 and 8 of this Regulation which shall be submitted to Latvijas Banka by 20 April of the year following the reporting period. By 20 April of the year following the reporting period, the manager shall resubmit to Latvijas Banka all the reports referred to in Paragraph 6 of this Regulation, reflecting the position as at 31 December of the previous calendar year, and shall ensure consistency across the data.

14. The manager shall submit the reports to Latvijas Banka electronically via the advanced security system or the non-bank statistics system, in accordance with Latvijas Banka's regulation governing the electronic information exchange with Latvijas Banka.

15. The manager shall provide the contact details of the individual who prepared the report to Latvijas Banka by e-mailing his/her first name and surname, e-mail address, and telephone number to stp.info@bank.lv.

16. The reports shall be prepared in compliance with the following general requirements:

16.1. items shall be evaluated in accordance with the requirements for the preparation of annual reports stipulated by the Law on Alternative Investment Funds and Managers Thereof and the legal acts issued on the basis thereof, unless provided otherwise by this Regulation;

16.2. amounts in euro or other currencies shall be disclosed as whole numbers, except the values to be disclosed in the columns "Total nominal value in the currency of issuance" and "Book value (in euro)" of the report referred to in Paragraph 6.4 of this Regulation; those values shall be disclosed with two digits after the decimal point;

Komentēja [GA20]: Tulki

Visos iepriekšējos noteikumos bija tulkots šādi. Vai kaut kas ir mainījies?

Komentēja [SF21R20]: Izlabots.

Komentēja [GA22]: Tulki

Šeit un turpmāk
Iepriekš bija vienošanās 'uzrādīt' tulkot kā 'disclose'. Pat tajos gadījumos, kad latviešu tekstā bija norādīt, angļu valodā tika vienādots uz 'disclose'. Šis vārds tika izvēlēts, jo ir lietojams konstrukcijā, kas saka, ka respondents uzrāda kaut ko, gan konstrukcijā, kas saka, ka pozīcijā/ailē/rinda uzrāda.
Šajos noteikumos atkal vairāki varianti - report, indicate, disclose -. Vēl ir ieviest visnotaļ neparasta konstrukcija, ka aili/rindu/pozīciju lieto, lai ziņotu, kā arī, ka pati pozīcija kaut ko ziņo.

Šo nekur nelaboju, bet vajadzētu vienādot. Šobrīd ir raibi.

Komentēja [SF23R22]: Vienādots.

Komentēja [GA24]: Tulki

Iepriekš noteikumos tika tulkots šādi.

Komentēja [SF25R24]: Izlabots.

16.3. percentage values shall be disclosed with up to two digits after the decimal point, except the values to be disclosed in the column "Coupon rate (%)" of the report referred to in Paragraph 6.4 of this Regulation which shall be disclosed with up to four digits after the decimal point;

16.4. values for the number shall be disclosed with up to eight digits after the decimal point;

16.5. where the fund does not have any records of fund shares or units (hereinafter jointly referred to as "fund units"), the relevant book value shall be disclosed as the value for number disclosed in the column "Number of securities" of the report referred to in Paragraph 6.4 of this Regulation, the column "Number of fund units" of the report referred to in Paragraph 6.8 of this Regulation, rows "Number of issued fund units at the beginning of the reporting year" and "Number of issued fund units at the end of the reporting period" referred to in Paragraph 6.7.1 of this Regulation;

16.6. the country code shall be disclosed in accordance with the international standard ISO 3166 "Codes for the representation of names of countries and their subdivisions". For international organisations that are not registered as residents of a single country (for example, the European Bank for Reconstruction and Development, the European Investment Bank, and the Bank for International Settlements), the code shall be disclosed in accordance with the list of the codes of international organisations maintained by Latvijas Banka (see the section "Statistics" of Latvijas Banka's website (www.bank.lv));

16.7. the currency code shall be disclosed in accordance with the international standard ISO 4217 "Codes for the representation of currencies and resources". For securities, the code of the currency of issuance of the relevant financial instrument shall be disclosed;

16.8. the sector code of the issuer, counterparty, and investor shall be disclosed in accordance with Appendix 10 to this Regulation. A list of resident institutional units, compliant with the requirements of Regulation (EU) No 549/2013 of the European Parliament and of the Council of 21 May 2013 on the European system of national and regional accounts in the European Union (hereinafter referred to as "Regulation No 549/2013"), is available on the website of the Central Statistical Bureau of Latvia;

16.9. maturity breakdown code, based on the original maturity of the transaction, as well as the codes for liquid assets, coupon payment frequency, additional information, type of investment property, fund merger, type of fund, dividend distribution policy, investment policy, type of real estate fund, exchange-traded fund, private equity fund, investment style, geographical focus, investment focus on debt securities, investor base, authorisation to trade fund units to retail investors, fund units' redemption frequency and environmental, social, and governance compliance shall be disclosed in accordance with Appendix 10 to this Regulation.

III. Requirements for Preparing the "Report on the Manager's Balance Sheet", the "Manager's Profit or Loss Statement", and the "Report on the Assets Managed by the Manager and Its Compliance with the Capital Requirements"

17. Where the manager gives its employees an option to buy the manager's stock, data shall be disclosed under item 12500 "Employee stock options" of the "Report on the Manager's Balance Sheet", disclosing the book value of the employee stock options in accordance with Regulation No 549/2013.

18. The data on income and expenses incurred in the course of activities in Latvia shall be disclosed by a branch of the manager licensed in another Member State in the "Manager's Profit or Loss Statement".

19. The "Report on the Assets Managed by the Manager and Its Compliance with the Capital Requirements" shall be prepared as follows:

Komentēja [GA26]: Sandra
Šeit latviešu valodas dēļ sanāk lietot pilno nosaukumu un iekavās saīsinājumu, kas lietots jau iepriekš.

Komentēja [SS27R26]: OK

Komentēja [SF28R26]: Izlabots.

Komentēja [GA29]: Tulki, Sandra
Šo sadaļu neskatījos, jo attiecas tikai uz uzraudzības pārskatiem.
Vispārīgais komentārs par 'disclose' vēlamo lietojumu attiecas arī uz šo sadaļu.

Komentēja [SS30R29]: Tas pats par 'expense'.

Komentēja [SF31R29]: Izlabots.

19.1. a branch of the manager licensed in another Member State and the manager licensed in another Member State that has registered the fund in Latvia shall only prepare Part 1 "Assets Managed by the Manager" of the "Report on the Assets Managed by the Manager and Its Compliance with the Capital Requirements" and report the data on the book value of the assets of AIFs registered in Latvia and the managed individual financial instrument portfolios of Latvia's resident customers;

19.2. the value of own funds calculated in accordance with Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (hereinafter referred to as "Regulation (EU) No 575/2013") shall be disclosed under item 801 "Manager's own funds" of Part 2 "Manager's Compliance with the Capital Requirements";

19.3. the value calculated in accordance with the requirements of Article 13 of Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 shall be disclosed under item 802 "Manager's total fixed overheads" of Part 2 "Manager's Compliance with the Capital Requirements";

19.4. the book value of its managed AIF assets where the manager's professional liability risks are not covered by professional indemnity insurance in accordance with the Commission Delegated Regulation (EU) No 231/2013 of 19 December 2012 supplementing Directive 2011/61/EU of the European Parliament and of the Council with regard to exemptions, general operating conditions, depositaries, leverage, transparency and supervision (hereinafter referred to as "Regulation No 231/2013") shall be disclosed by the licensed manager under item 810 "Manager's professional liability risks not covered by insurance" of Part 2 "Manager's Compliance with the Capital Requirements". This part of the assets' book value shall be subject to an additional own funds requirement calculated in accordance with Article 14 of Regulation No 231/2013. Where the manager has the professional liability risks fully covered by professional indemnity insurance, the disclosed value shall be "0".

IV. Requirements for Preparing the "Report on the Fund's Securities"

20. The "Report on the Fund's Securities" shall be prepared in accordance with the following requirements:

20.1. the code of the issuer of the relevant security (a unique identifier assigned by the national central bank of the European Union Member State whose resident is the issuer of the security) in accordance with the lists of financial institutions maintained by the European Central Bank or, where the issuer of the relevant security is not on the lists of financial institutions maintained by the European Central Bank, the issuer's registration number with the commercial register of its country of registration shall be disclosed in the column "Issuer's registration number";

20.2. the ISIN code of securities having an International Securities Identification Number assigned by a member or an authorised representative of the Association of National Numbering Agencies in accordance with the international standard ISO 6166 "ISIN codes" shall be disclosed in the column "ISIN code";

20.3. the data on debt securities and other fixed-income securities (without an ISIN code) shall be disclosed in the column "Coupon rate (%)" as the coupon or interest rate at the end of the reporting period in percentages with up to four digits after the decimal point;

20.4. the code characterising the frequency of coupon payments in accordance with Appendix 10 to this Regulation shall be disclosed in the column "Coupon payment frequency";

Komentēja [SF32]: Vai šādi ir pareizi? Vai "attiecīgais" attiecas uz "emitents" vai uz "vērtspapīrs"?

Komentēja [GA33R32]: Tas ir emitenta kods.

Komentēja [SF34R32]: Paldies!

20.5. the code characterising the additional information in accordance with Appendix 10 to this Regulation shall be disclosed in the column "Additional information";

20.6. shares or units of investment funds subject to a legal framework corresponding to the provisions of the Law on Investment Management Companies, including shares or units of UCITS ETFs (undertaking for collective investments in transferable securities; exchange-traded fund), shall only be disclosed under item 11107 "Investment fund shares or units (with an ISIN code)" and item 11108 "Investment fund shares or units (without an ISIN code)";

20.7. shares or units of AIFs, including shares or units of AIF ETFs (exchange-traded AIFs), shall be disclosed under item 11109 "AIF shares or units (with an ISIN code)" and item 11110 "AIF shares or units (without an ISIN code)".

V. Requirements for Preparing the "Report on the Fund's Assets and Liabilities"

21. The "Report on the Fund's Assets and Liabilities" shall be prepared for the fund's assets and liabilities by providing a breakdown of individual financial instruments by their original maturity. The original maturity of short-term financial instruments is up to and including 1 year, whereas that of long-term financial instruments is over 1 year.

22. Part 1 "Assets and Liabilities" of the "Report on the Fund's Assets and Liabilities" shall be prepared in accordance with the following requirements:

22.1. tangible and intangible assets other than financial assets or investment property shall be disclosed under item 1390 "Other non-financial assets". This category shall include machinery and equipment, valuables and intellectual property products, for example, computer software and databases, as well as virtual assets and crypto-assets without counterpart liabilities;

22.2. loans having all of the following features shall be disclosed under items 2111 and 2121 "revolving loans": the borrower may use or withdraw funds from the account up to a pre-approved credit limit without giving prior notice to the lender; the amount of available credit can increase or decrease as funds are borrowed or repaid; the credit may be used repeatedly. Revolving loans shall include the amounts obtained through a line of credit and not yet repaid (outstanding amounts), and they shall not include the amounts available through a line of credit that have not been withdrawn or have already been repaid;

22.3. the debit balance of the current account shall be disclosed under items 2112 and 2122 "overdrafts". The data on the total amount owed shall be provided irrespective of whether it is within or beyond any limit agreed beforehand between the lender and the borrower with regard to the size or maximum period of the loan;

22.4. if the AIF is registered as a European venture capital fund under Regulation No 345/2013, as a European social entrepreneurship fund under Regulation No 346/2013, or as a European long-term investment fund under Regulation (EU) 2015/760 of the European Parliament and of the Council of 29 April 2015 on European long-term investment funds, values shall be disclosed in the column "Book value (in euro)", under item 4108 "Qualifying investments of AIFs". The total amount of investments which qualify as qualifying investments or eligible investment assets under the relevant directly applicable European Union law shall be disclosed under this item.

23. Part 2 "Investment Property (item 1180 in detail)" of the "Report on the Fund's Assets and Liabilities" shall be prepared for the fund whose operational rules provide for investing into real estate, disclosing the following:

23.1. in the column "Type of investment property" – the code characterising the type of investment property in accordance with Appendix 10 to this Regulation;

Komentēja [SF35]: Šeit un vēl dažās vietās kols bija svītrots, taču Excel failā kols ir atstāts. Tā kā tās ir tiešas norādes uz pielikumiem, domāju, ka kols jāatstāj, ja tas ir atstāts arī pašos pielikumos.

Komentēja [GA36R35]: Man šķiet, ka teikumā kols šajā pozīcijā apgrūtina teikuma uztveri, jo to parasti lieto, ja aiz vārda seko uzskatījums. Varbūt kolu varētu nelietot ne šeit, ne pielikumos.

Virsrakstos kolu lieto, ja nepieciešams virsraksta paskaidrojums, bet tad tas viss ir virsraksts. Šo noteikumu gadījumā tas tā īsti nav.

[When To Use a Colon: Rules and Examples | Merriam-Webster](#)

Komentēja [SF37R35]: Kols izņemts gan šajā tekstā, gan pielikumos.

23.2. in the column "Changes due to transaction" – changes in the book value of the relevant group of investment property due to a purchase or sales transaction;

23.3. in the column "Changes other than those due to transaction" – changes in the book value of the relevant group of investment property which are not associated with any purchase or sales transactions, for example, revaluation effects.

24. Part 3 "Leverage" of the "Report on the Fund's Assets and Liabilities" shall be prepared for the fund whose operational rules provide for the use of leverage, ensuring that:

24.1. the percentage ratio of the relevant exposure to the net asset value, calculated in accordance with the gross method laid down in Section 2 of Regulation No 231/2013, shall be disclosed under item 3101 "Leverage of the AIF according to the gross method";

24.2. the percentage ratio of the relevant exposure to the net asset value, calculated in accordance with the commitment method laid down in Section 2 of Regulation No 231/2013, shall be disclosed under item 3102 "Leverage of the AIF according to the commitment method".

Komentēja [GA38]: Sandra, Tulki
Šo punktu neskatījos. Tas ir uzraudzība.

VI. Requirements for Preparing the "Report on the Fund's Income and Expense"

25. The total book value of income per class of fund units, if such class has been established, shall be disclosed by the manager in Part 2 "Income by Class of Fund Units (item 0100 in detail)" of the "Report on the Fund's Income and Expense".

26. The book values of recurring and incidental costs as defined in Section I of Part 1 of Annex VI to Commission Delegated Regulation (EU) 2017/653 of 8 March 2017 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council on key information documents for packaged retail and insurance-based investment products (PRIIPs) by laying down regulatory technical standards with regard to the presentation, content, review and revision of key information documents and the conditions for fulfilling the requirement to provide such documents shall be disclosed by the manager under item 0801 "Recurring costs" and item 0802 "Incidental costs" of Part 3 "Expenses as Defined by Regulation (EU) 2017/653" of the "Report on the Fund's Income and Expense".

VII. Requirements for Preparing the "Report on the Identification and Classification of the Fund"

27. The data shall be disclosed in the "Report on the Identification and Classification of the Fund" based on the codes provided in Appendix 10 to this Regulation as well as the descriptions of classification attributes set out in Table E of Part 5 of Annex II "Descriptions" to Regulation (EU) 2024/1988 of the European Central Bank of 27 June 2024 concerning statistics on investment funds and repealing Decision (EU) 2015/32 (ECB/2014/62) (ECB/2024/17) (recast) (hereinafter referred to as "Regulation (EU) 2024/1988") with regard to the following items: "Dividend distribution policy", "Investment policy", "Type of real estate fund", "Is an exchange-traded fund (ETF)" (corresponds to data field "Exchange-traded fund" included in Table E of Part 5 of Annex II to Regulation (EU) 2024/1988), "Is a private equity fund", "Investment style", "Geographical focus", "Investment focus on debt securities" (corresponds to data field "Corporate / government bond funds" included in Table E of Part 5 of Annex II to Regulation (EU) 2024/1988), "Investor base", "Redemption frequency of fund units" (corresponds to data field "Redemption frequency" included in Table E of Part 5 of Annex II to Regulation (EU) 2024/1988) and "Environmental, social and governance (ESG) type".

28. The licensed manager shall not report any data under item 1020 "Full name of the fund", item 1030 "Identifier of an AIF with sub-funds (if assigned)", item 1040 "Name of an AIF with sub-funds", item 1050 "Birth date", item 1060 "Has been a merger", item 1061 "Identifier of the added fund(-s)", item 1070 "Type of the fund", and item 1120 "Is a private equity fund" of the "Report on the Identification and Classification of the Fund".

Komentēja [GA39]: Šādi ir pārskatos.

Komentēja [SF40R39]: Izlabots.

VIII. Procedure for Preparing and Submitting the Data for Information Exchange

29. In order to ensure the data for information exchange in accordance with the requirements of Regulation No 231/2013, the manager shall fill out the template "Manager's Report" developed by the European Securities and Markets Authority (hereinafter referred to as "ESMA"), available on the website of Latvijas Banka and that of the ESMA, containing the following:

29.1. Part 1 "Manager-specific information to be reported";

29.2. Part 2 "Fund-specific information to be reported (Articles 3(3)(d) and 24(1) of Directive 2011/61/EU)";

29.3. Part 3 "Fund-specific information to be reported (Article 24(2) of Directive 2011/61/EU)";

29.4. Part 4 "Fund-specific information to be reported (Article 24(4) of Directive 2011/61/EU)".

Komentēja [SF41]: Saskaņoju ar 1. un 2. daļu

30. The registered manager shall prepare the report referred to in Paragraph 29.1 of this Regulation covering its own operation and the report referred to in Paragraph 29.2 of this Regulation on each of the funds under its management.

31. The licensed manager that does not manage any of its funds by employing leverage on a substantial basis shall prepare the report referred to in Paragraph 29.1 of this Regulation covering its own operation and the reports referred to in Paragraphs 29.2 and 29.3 of this Regulation on each of the funds under its management.

32. The licensed manager that manages any of its funds by employing leverage on a substantial basis shall prepare the report referred to in Paragraph 29.1 of this Regulation covering its own operation and the reports referred to in Paragraphs 29.2, 29.3, and 29.4 of this Regulation on each of the funds under its management.

33. When preparing the reports, the manager shall:

33.1. comply with the periodicity and submission deadlines established in Article 110 of Regulation No 231/2013;

33.2. follow the guidance for preparing the reports provided by ESMA's Guidelines of 8 August 2014 (ESMA/2014/269 EN) "Guidelines on reporting obligations under Articles 3(3)(d) and 24(1), (2) and (4) of the AIFMD" (hereinafter referred to as the "Guidelines") published on the website of Latvijas Banka;

33.3. ensure that the abbreviations used in the reports are consistent with those provided in Regulation No 231/2013 and the Guidelines;

33.4. ensure that the term "saistību īpatsvars" used in Regulation No 231/2013, the Guidelines, and the reports in Latvian has the same content as the term "sviras finansējums" defined in the Law on Alternative Investment Funds and Managers Thereof (both "leverage" in English);

33.5. acknowledge that Latvijas Banka has the right to request additional information marked with "*" in the reporting templates by sending an information request to the manager at least one month before the end of the current reporting period;

33.6. keep in mind that the manager has the right to provide the information required to be disclosed in a free form in English.

34. The manager shall submit the reports following the procedure outlined in Paragraphs 14 and 15 of this Regulation.

IX. Final Provisions

35. The following shall be deemed invalid:

35.1. the Financial and Capital Market Commission's Regulation No 156 "Regulation on the Preparation of Reports of Alternative Investment Fund Managers" of 15 September 2020 (*Latvijas Vēstnesis*, 2020, No 186, 2022, No 122);

35.2. the Financial and Capital Market Commission's Regulation No 146 "Regulation on the Provision of Information by Alternative Investment Fund Managers" of 1 September 2020 (*Latvijas Vēstnesis*, 2020, No 177).

36. The data reflecting the position as at 31 December 2024 shall be prepared based on the Financial and Capital Market Commission's Regulation No 156 "Regulation on the Preparation of Reports of Alternative Investment Fund Managers" of 15 September 2020 and shall be submitted to Latvijas Banka electronically by using the data reporting system in compliance with Latvijas Banka's regulation governing electronic information exchange with Latvijas Banka by the licensed manager – by 20 January 2025, and by the registered manager – by 20 April 2025.

37. The data for information exchange reflecting the position as at 31 December 2024 shall be prepared based on the Financial and Capital Market Commission's Regulation No 146 "Regulation on the Provision of Information by Alternative Investment Fund Managers" of 1 September 2020 and shall be submitted to Latvijas Banka electronically by using the data reporting system in compliance with Latvijas Banka's regulation governing electronic information exchange with Latvijas Banka by 30 January 2025.

38. The manager shall prepare the reports referred to in Paragraph 6 of this Regulation for the reporting periods within the period from 1 January 2025 to 30 November 2025 and submit them to Latvijas Banka electronically, using the data reporting system, in compliance with Latvijas Banka's regulation governing electronic information exchange with Latvijas Banka, as follows:

38.1. on each open-ended fund, the manager shall prepare a report referred to in Paragraph 6.7 of this Regulation for each calendar month and the reports referred to in Paragraphs 6.4, 6.5, 6.6.1, and 6.8 of this Regulation for each quarter of the calendar year and submit them to Latvijas Banka by the 20th day of the month following the reporting period;

38.2. the licensed manager and the manager who has registered an AIF in accordance with Regulation No 345/2013 or Regulation No 346/2013 shall prepare:

38.2.1. the reports referred to in Paragraphs 6.1, 6.2, and 6.3 of this Regulation for each quarter of the calendar year and submit them to Latvijas Banka by the 20th day of the month following the reporting period;

38.2.2. the reports referred to in Paragraphs 6.4, 6.5, 6.6.1, 6.7.1, and 6.8 of this Regulation reflecting the position as at 30 June 2025 and submit them to Latvijas Banka by 20 July 2025;

38.3. the manager shall not submit any data:

38.3.1. under item 11422 "for alternative investment fund management" and item 11424 "for pension plan management" of the report referred to in Paragraph 6.2 of this Regulation;

38.3.2. under item 1171 "of which leveraged loans to non-financial corporations", item 1300 "Non-financial assets", item 1390 "Other non-financial assets", items 2111 and 2121 "revolving loans", items 2112 and 2122 "overdrafts", as well as in the column "Type of investment property" of the report referred to in Paragraph 6.5 of this Regulation;

38.3.3. in the reports referred to in Paragraphs 6.6.2, 6.6.3, 6.7.2, and 6.9 of this Regulation;

38.4. the registered manager which has not registered any funds in Latvia in accordance with Regulation No 345/2013 or Regulation No 346/2013 shall not report the data referred to in this Regulation.

39. The manager shall prepare the report referred to in Paragraph 6.9 of this Regulation, reflecting the position as at 31 December 2025, and submit it to Latvijas Banka by 20 January 2026.

40. The Regulation shall take effect on 1 January 2025.

Reference to the European Union legislation

The Regulation incorporates the legal provisions arising from the European Securities Markets Authority's Guidelines of 8 August 2014 (ESMA/2014/269 EN) "Guidelines on reporting obligations under Articles 3(3)(d) and 24(1), (2) and (4) of the AIFMD".

Governor of Latvijas Banka

Mārtiņš Kazāks