

***REPORTING OF TRANSPARENCY INFORMATION
TO BE
SUBMITTED TO THE MFSA
PURSUANT TO
ARTICLES 3 AND 24 OF THE AIFMD

- FREQUENTLY ASKED QUESTIONS -***

MFSA

MALTA FINANCIAL SERVICES AUTHORITY

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Preliminary Remarks

This FAQ aims to provide answers to the questions that the Authority has been receiving with regards to the transparency reporting requirements prescribed in the Alternative Investment Fund Managers Directive¹ (hereinafter referred to as “AIFMD”). The contents of this FAQ will be updated to reflect any further requests for clarification/ information as deemed appropriate by the Authority.

The Authority’s position as outlined in this FAQ may be subject to change in the light of any guidance on the AIFMD which may be issued in the future by the European Commission or European Securities and Markets Authority.

The answers provided in this document are not intended to replace or substitute legal or professional advice. This document is not meant to be an industry standard or a guide to best practice. Anyone wishing to clarify any matter relating to the content of this document may contact the MFSA.

Licence Holders and practitioners are welcome to submit any question relating to the transparency reporting requirements of the AIFMD. These will be reviewed and included in a future copy of this document. Any queries are to be addressed to Mr Ian Meli (aifmdreporting@mfsa.com.mt).

¹ Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No. 1060/2009 and (EU) No. 1095/2010

REFERENCE DOCUMENTS

Q1) *Where can AIFMs obtain information about reporting obligations prescribed in terms of Articles 3 and 24 of the AIFMD?*

A1) AIFMs can obtain further information from the following documents:

- (i) [Directive 2011/61/EU](#) of The European Parliament and of The Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 - Articles 3 (Exemptions) and Article 24 (Reporting obligations to competent authorities)
- (ii) [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 - Article 110 (Reporting to competent authorities and Annex IV Reporting Templates)
- (iii) Guidelines on reporting obligations under Articles 3(3)(d) and 24(1), (2) and (4) of the AIFMD (ESMA's final version of its guidelines [\[ESMA/2014/869EN\]](#))
- (iv) ESMA Questions and Answers - Application of the AIFMD [\[ESMA/2015/11\]](#)
- (v) ESMA Opinion on the Collection of information for the effective monitoring of systemic risk under Article 24(5), first sub-paragraph, of the AIFMD [\[ESMA/2013/1340\]](#)
- (vi) AIFMD - Reporting - XML documents - V1.2 [\[ESMA 2013/1361\]](#)
- (vii) AIFMD reporting IT technical guidance (rev 4) [updated] [\[ESMA 2013/1358\]](#)

The Authority has also separately published on the [AIFMD page](#), three communications providing information about the MFSA's transparency reporting requirements for AIFMs:

- (i) [Reporting Guidelines for Alternative Investment Fund Managers \(20 January 2015\)](#)
- (ii) [Second Circular to the financial services industry on the transparency requirements applicable to Alternative Investment Fund Managers \(17 December 2014\)](#)
- (iii) [Circular to the financial services industry on the reporting requirements applicable to Alternative Investment Fund Managers \('AIFMs'\) \(26 March 2014\)](#)

SUBMISSION OF RETURNS

Q2) *When is the first AIFMD reporting submission to the MFSA?*

A2) AIFMs (which are licensed for the first time) are required to submit their first report to the MFSA covering the first full quarter following the issue of the licence until the end of the applicable reporting period.

Moreover, Fund Managers licensed under the old regime, who manage one or more AIFs in terms of Article 4 of the AIFMD and who did not update their licence prior to 22 July 2014 were required to report at least for Quarter 4 of 2014 by 2 February 2015.

Q3) *When is the first AIFMD reporting submission for AIFMs and non-EU AIFMs relying on national private placement to market in Malta required?*

A3) In terms of paragraph 12 of the ESMA Guidelines on reporting obligations under Articles 3(3)(d) and 24(1), (2) and (4) of the AIFMD [\[ESMA/2014/869EN\]](#) (hereinafter referred to as 'ESMA Guidelines') revised on 8 August 2014, "AIFMs should start reporting to their NCAs as from the first day of the following quarter after they have information to report until the end of the first reporting period". The same deadline applies for non-EU AIFMs.

Q4) *By when should the reports be submitted to the Authority?*

A4) AIFMs are required to submit to the MFSA their reports covering all AIFs by not later than one month after the end of the reporting period. For example, AIFMD reporting returns covering Quarter 4 of 2015 are to be sent to the MFSA by 1 February 2016.

Q5) *Is the deadline extended to the following working day if the submission deadline falls on a Saturday or Sunday?*

A5) If the deadline falls on a Saturday or Sunday, the submission deadline will be extended to the following working day i.e. the following Monday.

Q6) *What are the reporting submission dates for AIFMs and AIFs under transitional arrangements?*

A6) AIFMs that fall under Article 3(3) AIFMD were required to submit their first reports by the end of January 2015. Such reports had to cover the period from 1 January 2014 or from the first day of the full quarter after the licence date or at least from 1 October 2014 until 31 December 2014.

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In terms of the AIFMD, AIFMs will be required to submit periodic information on a quarterly, half-yearly or annual basis in accordance with the Guidelines on reporting obligations under Articles 3(3)(d) and 24(1), (2) and (4) of the AIFMD issued by ESMA [\[ESMA/2014/869EN\]](#) and the [Reporting Guidelines for Alternative Investment Fund Managers](#) issued by the MFSA in the following manner:

- i. Where the assets under management (“AUM”) of the AIFs do not exceed the thresholds specified in Article 3 AIFMD, the AIFM will be required to submit to the Authority a condensed set of information on an annual basis;
- ii. AIFMs managing portfolios or marketing AIFs whose AUM exceeds the thresholds specified in Article 3(2) AIFMD but does not exceed EUR 1 billion, will be required to report to the Authority information on a half-yearly basis;
- iii. AIFMs managing portfolios or marketing AIFs whose AUM exceeds EUR 1 billion will be required to report to the Authority on a quarterly basis;
- iv. AIFMs subject to semi-annual reporting requirements will be required to report to the Authority on a quarterly basis for each AIF whose AUM exceeds EUR 500 million; and
- v. AIFMs managing or marketing unleveraged AIFs that invest in non-listed companies and whose issuers are in control such as Private Equity AIFs will be required to report to the Authority on an annual basis.

The MFSA would ordinarily request a confirmation from AIFMs when a change in AUM and consequently in the applicable reporting frequency (as stipulated in the above-mentioned guidelines) occurs.

Q7) *In the case of AIFMs managing fund of funds, what AIF information should the AIFM report in relation to the underlying funds of the AIF?*

A7) The Reporting Guidelines issued by ESMA [\[ESMA/2014/869EN\]](#) state that AIFMs managing fund of funds should not look through the holdings of the underlying funds which the AIF is invested in. The AIFM shall report aggregated information at the level of the AIFM as well as information on the funds of funds no later than 30 days after the end of the reporting period.

Q8) *What NAV should the AIFM use when the NAV of the fund of funds is not available at the end of the applicable reporting period?*

A8) In the case where the Net Asset Value of fund of funds is not yet available, the AIFM shall complete the returns relating to the AIF by using a draft NAV. Where the NAV issued subsequently differs significantly from the draft NAV submitted, the AIFM would be required to re-submit an updated return to the MFSA with the respective amended fields.

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Q9) *Is a Maltese Self-Managed Master AIF investing in a non-EU Feeder AIF (which is neither managed in Malta nor marketed in the EU) bound by any reporting obligations with respect to the non-EU Feeder AIF?*

A9) The reporting of a feeder fund should be separated from the reporting of the master fund. A non-EU feeder AIF which is not marketing its units in the EU and is not managed by an EU AIFM would not fall within the scope of the reporting obligations prescribed in terms of Articles 3 and 24 AIFMD so reporting is only applicable in relation to the Maltese Master AIF. Nonetheless, the MFSA reserves the right to request additional information on the non-EU feeder AIF on a case-by-case basis.

Q10) *How should the AIFMD Reporting Returns be submitted to the MFSA?*

A10) The AIFMD Reporting Returns should be submitted to the MFSA through the MFSA Licence Holders' Web Portal. This Portal is a cross-platform web based application and is hosted on a server which a user can access and login through the web link <https://lhportal.mfsa.com.mt/>.

Q11) *What does an AIFM need to access the MFSA License Holders' Web Portal?*

A11) In order to access the MFSA Licence Holders' Web Portal, the Compliance Officer of the AIFM or the proposed registered user on behalf of the AIFM shall compile the details requested in Appendix D to the MFSA's [Reporting Guidelines for Alternative Investment Fund Managers](#). These shall be submitted to the Authority via e-mail on aifmdreporting@mfsa.com.mt.

Users accessing the MFSA Licence Holders' Web Portal from a jurisdiction outside Malta should provide the applicable Internet Portal Address to the MFSA with the form prescribed in Appendix D specifically indicating the country from where the user would be accessing the Portal.

Q12) *Can an AIFM have more than one registered user on the MFSA Licence Holders' Web Portal?*

A12) Yes, an AIFM can have more than one registered user. In that case, a separate Appendix D Form must be submitted for every additional user.

Q13) *For the purposes of the reporting obligations prescribed in terms of the AIFMD, will the MFSA require any additional information that is not currently included in the ESMA XML Schema or covered in the ESMA Guidelines? Are AIFMs required to submit to the MFSA Annex V to Appendix 13 to Part BIII of the Investment Services Rules for Investment Service Providers on a quarterly basis?*

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- A13)** AIFMs subject to half yearly or quarterly reporting obligations are also required to submit the information stipulated in terms of the ESMA ‘Opinion on the Collection of information for the effective monitoring of systemic risk under Article 24(5), first sub-paragraph, of the AIFMD’ [\[ESMA/2013/1340\]](#).

Other than the above and the information requested in Question 13, the MFSA does not intend to request any additional information which is not included in the ESMA Guidelines. However, the MFSA reserves the right to request additional information on an *ad-hoc* basis.

AIFMs shall submit to the MFSA Annex V to Appendix 13 to Part BIII of the Investment Services Rules for Investment Service Providers on a quarterly basis where AIFMs are subject to quarterly or half-yearly reporting obligations. The MFSA however reserves the right to request this information on a more frequent basis.

- Q14)** *Does a UCITS Manager also managing PIFs or AIFs fall within the scope of AIFMD reporting obligations?*

- A14)** Yes, a UCITS Manager which manages one or more PIFs or AIFs falls within the scope of AIFMD reporting obligations. However, the UCITS Manager would be required to report to the MFSA only in relation to the AIFs under management.

- Q15)** *In the case when the AIF is in liquidation, the ESMA Guidelines recommend that AIFMs submit the last report of the AIF immediately after it has been liquidated or put into liquidation. When should AIFMs submit this last report?*

- A15)** AIFMs should submit the last AIF report by not later than one month after the end of the quarter in which the AIF has been liquidated or put into liquidation.

- Q16)** *In the case where the AIF has liquidated its funds, which notification or report should the AIFM submit? If the AIFM submits a ‘Transparency Requirements’ report, what information should be included in such report?*

- A16)** The AIFM is required to submit the relevant XML reports in accordance with the contents of Appendix 13 to the Investment Services Rules for Investment Services Providers. These must be compiled in the XML version 1.2 format as applicable.

The ‘Last Reporting Flag field’ in the AIF Report should indicate that the report will be the final report submitted by the AIFM in respect of that particular AIF.

Therefore, when submitting an XML file for an AIF that has been or is being liquidated and the report in question will be the final report by the AIFM in respect of that AIF, the ‘Last Reporting Flag’ field should be set to read ‘True’.

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In addition, the AIFM should use the ‘Reporting Period Type’ code to report the date of the liquidation event (according to the most relevant reporting reference period).

Q17) *Will the Authority carry out a validation check when the AIFM submits the AIFM and AIF XML files via the MFSA Licence Holders’ Web Portal? How will an AIFM know that the reports submitted to the MFSA are correct?*

A17) The Authority will carry out validation checks upon submission of files via the MFSA License Holders’ Web Portal. These checks include :

- (i) Checks for completeness of mandatory files – completion of a number of fields in the AIFMD reports is mandatory. These fields must be completed before a report can be submitted to ESMA. If the AIFM fails to complete the mandatory fields the Portal will not allow the submission of the report.
- (ii) Consistency checks – the Portal provides functionality to execute a set of validation sense checks when reports are being completed to identify any inconsistencies.

Following receipt of the XML files, the MFSA may require AIFMs to provide additional information or clarification and request re-submission of one or more files depending on the additional content checks carried out at ESMA level.

Q18) *How would one know the status of an AIFMD return submission?*

A18) A status dashboard is included in the MFSA Licence Holders’ Portal. The list of the statuses available can be viewed on Section 5 of Appendix C to the MFSA’s [Reporting Guidelines for Alternative Investment Fund Managers](#).

Q19) *What does an ‘invalid’ status on the ‘User Logs’ tab denote after the Zip files are successfully uploaded on the MFSA Licence Holders’ Web Portal?*

A19) The XML file(s) submitted have failed the content validation checks and is/ are incorrect. An invalid submission is deemed as a failure to submit the applicable returns.

The ‘AIFMD User’s Guide – Validation of AIF/M Files’ available on the [MFSA Licence Holders’ Web Portal](#) provides instructions for AIFMs to determine whether the AIF/AIFM reports are valid and to highlight any errors. Please note that this is only a Guide and that there are alternative software packages to the solution provided.

Q20) *If a discrepancy is identified in one or more fields, how can the previously submitted file be overwritten?*

A20) The Licence Holder may submit an updated file which will automatically overwrite the file previously submitted. The filing type, Question 4 in Annex I to Appendix 13 to the Investment Services Rules for Investment Services Providers, should be filled in as

‘AMND’ to indicate that the respective file includes an amendment to a previously submitted report.

Q21) *Can AIFMs delegate the reporting function prescribed in Article 24 AIFMD?*

A21) Yes, AIFMs are permitted to delegate the operational function of transparency reporting to third party service providers. However, the sole responsibility to ensure that the returns are submitted accurately and in a timely manner lies on the AIFM.

Q22) *What will happen if an AIFM misses its reporting deadline?*

A22) Failure to submit the required regulatory reporting may trigger regulatory action in terms of the Investment Services Act, 1994. The MFSA will be adopting a lighter approach for the submission due by 2 February 2015 depending on the circumstances of the case.

FORMAT AND CONTENT OF REPORTING

Q23) *What type of information are AIFMs expected to report?*

A23) AIFMs will be required to provide both qualitative and quantitative information. AIFMs will be required to file the following two files:

- i. An aggregated file at AIFM level reporting information concerning AIFs managed and/or marketed in the EU as stipulated in Annex I to Appendix 13 to Part BIII of the Investment Services Rules for Investment Services Providers; and
- ii. A file at AIF level for each AIF managed and/or marketed in the EU as stipulated in Annexes II to IV to Appendix 13 to Part BIII of the Investment Services Rules for Investment Services Providers.

Q24) *What is the system that the MFSA will be using to receive the Reporting information prescribed in terms of AIFMD?*

A24) AIFMs are to submit data in XML format (version 1.2 as issued by ESMA) in a secure manner through the MFSA Licence Holders’ Web Portal. The files will be subsequently sent to ESMA through the ESMA hub.

AIFMs are required to register with the MFSA by submitting the form provided in Appendix D to the MFSA’s [Reporting Guidelines for Alternative Investment Fund Managers](#).

Q25) *Are AIFMs required to report the information prescribed in Article 24(2) AIFMD for all AIFs under management?*

A25) An EU AIFM is required to report the contents prescribed in terms of Article 24(2) AIFMD, as applicable for: (i) each of the EU AIF it manages, and (ii) each of the AIFs it markets in the EU.

Q26) *When a non-EU AIFM reports information to the national competent authority of a Member State as prescribed in terms of Article 42 AIFMD, which AIFs should be included in the reports?*

A26) When a non-EU AIFM reports information to the national competent authority of a Member State in terms of Article 42, the information reported must only include information on the AIFs marketed in that Member State.

Q27) *In the case where a non-EU AIFM terminates the marketing by private placement of AIFs in a particular Member State, should the non-EU AIFM still continue to report to the national competent authority of the said Member State after the marketing period of the AIF has ended?*

A27) In the case of non-EU AIFMs marketing their AIFs in the EU in terms of Article 42 AIFMD, the reporting obligations to national competent authorities does not depend on the actual marketing period of the AIF but rather on the existence of investors in the AIF in the jurisdiction of the Member State concerned.

Therefore, a non-EU AIFM should continue to report to national competent authorities after the marketing period has ended unless the non-EU AIFM confirms that no investors in the jurisdiction of the particular Member State concerned are invested in the AIFs.

Q28) *In the case where a non-EU AIFM markets its AIFs in several Member States in terms of Article 42 AIFMD, should the non-EU AIFM calculate a reporting frequency for each Member State where it markets its AIFs or should the AIFM calculate a unique reporting frequency for all Member States in which it markets its AIFs?*

A28) According to Article 110 AIFMR, AIFMs shall take into account all the EU AIFs they manage and AIFs they market in the Union to calculate the reporting frequency. The AIFM should therefore calculate a unique reporting frequency taking into account all the AIFs it markets in the Union and apply the same reporting frequency to all Member States where it markets its AIFs.

Q29) *Is a Maltese AIFM that manages a non-EU Master AIF and a Feeder AIF that is either an EU-AIF or an AIF marketed in the EU required to report the information required in terms of Article 24(2) AIFMD separately for the Master AIF and Feeder AIF?*

- A29)** A Maltese AIFM (i) falling within the half-yearly or quarterly reporting frequencies, (ii) managing a non-EU Master AIF and (iii) which has one of its Feeder AIFs managed or marketed in the EU is required to provide the information required in terms of Section 3 (11) and (12) of the ESMA Opinion [\[ESMA/2013/1340\]](#).

Moreover, in the case where the AIFM falls within the scope of half-yearly or quarterly reporting obligations, the said AIFM is required to report the information prescribed in terms of Article 24(2) AIFMD separately for the Master AIF and the Feeder AIF.

- Q30)** *In the Reporting Guidelines for Alternative Investment Fund Managers, the Authority recommends that every AIFM establishes a threshold testing policy to determine whether changes in the final NAV have to be reported to the MFSA through an updated return for the respective reporting period. How should this threshold be determined?*

- A30)** An AIFM should determine the threshold testing policy depending on the nature and the characteristics of the AIF under management, including the portfolio of investments and redemption policy.

- Q31)** *Is an AIFM of an AIF that has multiple share classes required to identify the different share classes and if so what identification information should be reported?*

- A31)** Yes, AIFMs should identify all share classes of an AIF. Where applicable AIFMs should obtain and report the ISIN code to identify each share class.

SPECIFIC INFORMATION CONTENT

- Q32)** *Should the Net Asset Value of an AIF be expressed in the base currency of the AIF or in the Euro equivalent?*

- A32)** The Net Asset Value of an AIF should reflect the AIF's net asset value per unit or share subject to the Offering Documents or instruments of incorporation.

- Q33)** *Should AIFMs use the NAV when they report information under Questions 48 and 86 to 93 of Annex II to Appendix 13 to Part BIII of the Investment Services Rules for Investment Service Providers for AIF-specific information?*

- A33)** No, AIFMs should use the total value of assets under management calculated in accordance with Article 2 AIFMR for Questions 48 and 86 to 93 of Annex II to Appendix 13 to Part BIII of the Investment Services Rules for Investment Service Providers as applicable.

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- Q34)** *What information should be included in Questions 24 to 30 specified in ESMA's consolidated reporting template according to the AIFMD reporting IT technical guidance (rev 4) [updated] [ESMA 2013/1358] if the AIF does not have a LEI code, or ISIN code, or CUSIP code, or SEDOL code, or Bloomberg Code, or Reuters code and/or an ECB code?*
- A34)** In accordance with the IT Technical guidance (2013/1358) published by ESMA, Questions 24 to 30 are optional and should be left blank if the AIFM has no data to report.
- Q35)** *Must all AIFMs answer Questions 296 to 301 of ESMA's consolidated reporting template provided in Annex IV to Appendix 13 to Part BIII of the Investment Services Rules for Investment Services Providers?*
- A35)** No. Only AIFMs managing AIFs employing leverage on a substantial basis must answer Questions 296 to 301 stipulated in Annex IV to Appendix 13 of the Investment Services Rules for Investment Services Providers.
- Q36)** *How should the AIFM determine leverage on a substantial basis for the purposes of reporting under Article 24(4) AIFMD?*
- A36)** An AIF with a leverage ratio of at least three times its NAV calculated according to the Commitment Approach is deemed to be employing leverage on a substantial basis.
- Q37)** *What information should be included in Questions 14 and 15 specified in ESMA's consolidated reporting template according to the AIFMD reporting IT technical guidance (rev 4) [updated] [ESMA 2013/1358]?*
- A37)** Questions 14 and 15 relate to disclosures of any assumptions made to arrive at answer to any question in returns. For the sake of consistency and referencing, the applicable question number shall be entered in Question 14 while the description of the assumption in text format shall be disclosed in Question 15.
- Q38)** *What information should be included in Questions 31 and 32 specified in ESMA's consolidated reporting template according to the AIFMD reporting IT technical guidance (rev 4) [updated] [ESMA 2013/1358]?*
- A38)** Questions 31 and 32 are optional and should be left blank if there is no change in the AIF national identifier during the reporting period.
- Q39)** *What information should be included in Question 94 specified in ESMA's consolidated reporting template according to the AIFMD reporting IT technical guidance (rev 4) [updated] [ESMA 2013/1358]?*

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- A39)** In Question 94, the AIFM is required to rank the ten principle exposures by sub-asset type and type of position (long or short). The sub-asset type categories for real estate/ property investments are provided in Questions 59 to 61 of column F of Table 1 of ESMA's [AIFMD Reporting - Annex 2 -Tables 1-7](#).
- Q40)** *How should the five most important portfolio concentrations in Question 103 of Annex II of the Appendix 13 of the Investment Services Rules for Investment Service Providers be ranked?*
- A40)** The portfolio concentration requested in Question 103 shall be ranked by asset type, market and position type in line with Table 1 of ESMA's [AIFMD Reporting - Annex 2 -Tables 1-7](#).
- Q41)** *What information should be included in Questions 203 to 207 specified in ESMA's consolidated reporting template according to the [AIFMD reporting IT technical guidance \(rev 4\) \[updated\] \[ESMA 2013/1358\]](#)?*
- A41)** The fields in Questions 203 to 207 are optional and should be completed in line with the respective Offering Documents.
- Q42)** *In which currency, should AIFMs report information on the five principal markets and five principal instruments in which they trade (Questions 29 and 32 of the consolidated reporting template for AIFM-specific information)?*
- A42)** AIFMs are required to report this information in the euro currency.
- Q43)** *Which period should AIFMs use when reporting information on 'Instruments traded and individual exposures' (Questions 121 to 124 of the consolidated reporting template) – the residual maturity of the instrument or the maturity at issuance?*
- A43)** AIFMs should use the residual maturity as at the reporting date.
- Q44)** *How should AIFMs calculate the percentage of market value for securities traded on regulated markets and OTC markets (Questions 148 and 149 of Annex III to Appendix 13 to Part BIII of the Investment Services Rules for Investment Services Providers)?*
- A44)** AIFMs should aggregate the market value of all securities traded and report the percentage of the market value of securities traded on a regulated exchange and OTC. Regulated exchanges include regulated markets, multilateral trading facilities and organised trading facilities. Securities that are not traded on regulated exchanges should be considered as traded OTC. The total should equal 100%.
- Q45)** *How should AIFMs report the information on the liquidity portfolio when the AIF is invested in assets with no current liquidity for which it is not possible to determine the*

future liquidity (Questions 178 to 184 of Annex III to Appendix 13 to Part BIII of the Investment Services Rules for Investment Services Providers)?

- A45)** AIFMs should adopt a conservative approach and assign the instrument to the longest period bucket.
- Q46)** *AIFMs should report the BIC and LEI of the five biggest counterparties to which an AIF has exposure (Questions 163 and 164 of Annex III to Appendix 13 to Part BIII of the Investment Services Rules for Investment Services Providers). How should AIFMs identify those counterparties if they do not have such codes?*
- A46)** AIFMs should only report the full name of the counterparty.
- Q47)** *How should AIFMs managing AIFs holding cash report the breakdown of investment strategies?*
- A47)** When the holding of cash is part of a strategy, AIFMs should not report cash separately. For example, an AIF with a commodity trading strategy representing 70% of its NAV, out of which 30% of the NAV is made up of cash at the time of the reporting date, should allocate 70% of its NAV to the strategy.

If the cash holding is not a significant part of an investment strategy, AIFMs should use the strategy 'other' of the predominant AIF type selected and report the corresponding percentage of the NAV held in cash. AIFMs should also use the Question 61 of Annex II to Appendix 13 to Part BIII of the Investment Services Rules for Investment Service Providers 'description' to make it clear that the field 'other' is made up of cash.

OTHER GUIDANCE

Q48) *How should an AIFM with no AIFs under management report?*

A48) Where an AIFM does not have any information to report on an AIF, the AIFM shall submit a return by using a specific field as described hereunder.

The AIFM files shall be completed in the following manner:

- Items 1-21 shall be completed as applicable;
- Item 21 'AIFM no reporting flag' should read T; and
- The other data in the file must be left blank as otherwise the file will not pass the validation.

No AIF files are required to be submitted if the AIFM does not have any AIFs under management.

Q49) *How should an AIFM managing AIFs not yet in operation report?*

A49) The AIFM file should be completed as specified in Q&A 50 above, whilst the AIF file should be should be completed as follows:

- Items 1-23 shall be completed in order;
- Question 23 shall be set to T or True; and
- The remaining questions in the file shall be left blank as otherwise the file will fail the validation test.

Q50) *Will the MFSA as the AIFMs' national competent authority assign unique identifiers to each AIFM and its reporting AIFs?*

A50) The unique identifiers for AIFMs and AIFs will be the unique licence code available on the licence of the AIFM or AIF taking into consideration letters and numbers only (i.e. excluding any spaces and punctuation marks). For example, if the licence code of an AIF is 'AIF/ 1234', the unique identifier will be 'AIF1234'.

Q51) *What is the AIFM National Code for Self-Managed AIFs?*

A51) If the AIFM is a multi-fund self-managed scheme, its national code is the licence number of its sub-funds as stated in Question 50 above with the omission of the last letter of the number. For example, if the licence code of an AIF is 'PIF/ 1234A', the unique identifier of the AIFM will be 'PIF1234'.