

12 April 2021

## Introduction of the Annual Fund Return

As part of its ongoing work and efforts to improve risk-based supervision and facilitate extraction of financial data, various sections within rulebooks relating to all collective investment schemes (locally licensed or notified) have been updated to introduce the requirement for all collective investment schemes to submit a new Fund Return, hereunder referred to as “the Annual Fund Return”.

The Annual Fund Return, which will cover the same period as the annual report and audited financial statements (“the audited financial statements”), aims to capture salient information generally included in such audited financial statements as well as additional information in the form of a spreadsheet. A single collective investment scheme will be required to submit one Fund Return on an annual basis covering all sub-funds of the respective scheme.

The Annual Fund Return will become applicable for UCITS schemes with reference date 31 December 2020 onwards. The first deadline for the submission of the Annual Fund Return applicable to UCITS with an accounting reference date of 31 December 2020 is 31 August 2021. UCITS shall thereafter submit the Annual Fund Return within the same submission period as the audited financial statements. On the other hand, the Annual Fund Return will become applicable for AIFs, NAIFs and PIFs for reference date 31 December 2021 onwards, and is to be submitted to the MFSA together with the audited financial statements of the respective period.

The Fund Return is to be submitted through the MFSA’s LH portal together with a scanned signed Representation Sheet as found within the Annual Fund Return (signed by 2 directors) as well as a scanned signed Auditor’s Report on the said Return, in accordance with the newly updated rules, as detailed further below. The Representation Sheet and the Auditor’s Report are also to be sent in original to the MFSA. The [LH submission documentation table](#) has been updated accordingly to reflect the required submission of the Annual Fund Return together with the Representation Sheet and the related Auditor’s Report.

As explained above, the following sections of the rules have been amended to reflect the introduction of such a new requirement:

- SLC 5.06 of Part B of the Investment Services Rules for Alternative Investment Funds;
- SLCs 1.88, 1.62 and 1.64 of Part BI, BII and BIII of the Investment Services Rules for Professional Investor Funds respectively;
- SLC 11.36 of Part BIII of the Investment Services Rules for Alternative Investment Fund Managers; and
- SLC 12.8 of Part BII of the Investment Services Rules for Retail UCITS Schemes.

The MFSA has prepared additional [guidelines](#) on the compilation of the Annual Fund Return applicable to Collective Investment Schemes, to assist such Licence Holders in populating the return. All fields are to be inputted by all types of collective investment schemes, with the exception of a small number of items which are not applicable to PIFs, as referenced in the Annual Fund Return template and the guidelines.

Licence Holders are to address specific queries relating to the Annual Fund Return on: [funds@mfsa.mt](mailto:funds@mfsa.mt).