

Template for comments

Public consultation on the draft recast ECB Regulation on investment fund statistics

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General comments

Template for comments

Public consultation on the draft recast ECB Regulation on investment fund statistics

Please enter all your feedback in this list.

When entering feedback, please make sure that:

- each comment deals with a single issue only;
- you indicate the relevant chapter/article/paragraph/page, where appropriate;
- you indicate whether your comment is a proposed amendment, clarification or deletion.

Deadline:	12-Feb-24
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ID	Chapter	Article	Paragraph	Page	Type of comment	Detailed comment	Concise statement as to why your comment should be taken on board	Name of commenter	Personal data
1	Annex I	Table 1	line 41		Deletion	Item required = of which leveraged loans to NFCs The definition of leveraged loans is on Annex II, table A, paragraph 1. "Deposits and loan claims" and is the following "Leveraged loans are syndicated loans extended to corporations with low (below investment grade) credit quality." For IF which make loan as an investment, these loans often have a non-rated counterparty, so it will be complex to qualify them as leveraged or not.	If this requested item remains the quality of reported information will certainly be poor	Faltoni, Guido	Publish
2	Annex I	Table 5	item 8	19	Amendment	Investment funds with sub-funds : For an IF which is a sub-fund of an umbrella fund we can report the identifier of the sub-fund (in France : AMF Code), but we don't have the identifier of the umbrella fund, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund.	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
3	Annex I	Table 5	item 9	19	Amendment	Investment policy : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
4	Annex I	Table 5	item 10	19	Amendment	Investment style : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish

5	Annex I	Table 5	item 11	19	Amendment	Geographical focus : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund. We would question how this would be deemed a static requirement and suggest that such information would be obtained from the data provided in relation to investments in the fund. Many AIF's and UCITS could have very dynamic portfolios where geographic region would change regularly - resulting in repeated updates to Static information.	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
6	Annex I	Table 5	item 13	20	Amendment	Focus of bond investments : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund. It is not clear as to how this would be determined i.e. based on supplement disclosures of the portfolio at any given date. As this is to be considered static data we would propose that this is based on the overall objective of the fund and would therefore be static regardless of the exact make-up of the portfolio. In Luxembourg, the prospectus does not always detail the type of bonds.	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
7	Annex I	Table 5	item 14	20	Amendment	Listing status: We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
8	Annex I	Table 5	item 16	20	Amendment	Investor base : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund. In Ireland, we already provide sectoral breakdown of investors and would suggest that such information be obtained from data already provided.	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
9	Annex I	Table 5	item 17	20	Amendment	Focus of real estate holdings : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund We don't have this data in our systems. We would question how this would be deemed a static requirement and suggest that such information would be obtained from the data provided in relation to real estate investments as required within "non-financial assets". In Luxembourg, the prospectus does not always detail the type of real estate holdings	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish

10	Annex I	Table 5	item 20	20	Amendment	Redemption frequency : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund NB : this requested data may be replaced by NAV calculation frequency (data available in our systems)	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
11	Annex I	Table 5	item 21	20	Deletion	Environmental, social and governance (ESG) type : We don't have this data in our systems, we will have to collect this data. It will be more simple for ECB to collect directly this data directly from the NCA of the fund NB : as we know the SFDR regulation will be amended, and it seems that this classification of IF will disappear (or at least changed)	If this requested item remains we will need time to put in place collection and storage of this data in our systems	Faltoni, Guido	Publish
12	Regulation		6 3	8	Amendment	Details on whether the issued fund shares are bearer or registered shares and also on specific bearers are currently not available. Obtaining those details from e.g. distribution teams in a timely manner to meet the requirements of the monthly reporting is not feasible. (Most of French IFs are distributed via EUROCLEAR. This feature means that nor the IF, or CSD have any information about the bearer. CSD only knows the depositary bank of the bearer.)	If the requirement remains, we will not able to report required data	Faltoni, Guido	Publish
13	Regulation	Article 14, 16, 17	All	13	Amendment	We consider that the proposal date for implementation of this new regulation is too optimistic. After the finalisation of this regulation by ECB, each NCB will have to publish their own local regulation (taking account of local situation), then reporting agents will have to develop and test new IT reporting tools, put in place new databases to collect data to be reported which is not yet available, and increase staffing resources. A minimum of 18 months lead time should be allowed from the finalisation of NCB's requirements for the application of the new requirements.	A too aggressive deadline will result in inaccurate and incomplete reporting	Faltoni, Guido	Publish

14	Annex I	Table 5	All	19-20	Amendment	<p>As a fund administrator we do not customarily record static data on investment policy, style, geographical focus, bond and real estate holdings focus in a systematic way that can facilitate data extract for thousands of sub-funds on a monthly basis. This information is published in fund prospectuses, and given portfolios can be dynamic and subject to change, this would be very challenging to manage.</p> <p>Can the NCBs or ECB source instead such data from the respective national competent authority that is responsible for authorising and overseeing the IFs?</p>	Reliance on fund administrators for the investment classification of certain data points could result in reporting of inaccurate data	Faltoni, Guido	Publish
15	Regulation		9.2	10	Amendment	<p>Lag reporting: For funds that do not produce valuations on a daily basis, particularly quarterly, semi-annual or annual funds, there will be a significant increase in the amount of lagged reporting that is submitted if monthly returns are required, most of which will be either stale or incomplete/estimated. We would question the relevance of such data and propose such funds are exempt from the monthly cycle.</p>		Faltoni, Guido	Publish