

**Foreign EEA-based AIF managers' marketing of EEA-based AIF to professional investors (notification from home country authority) and semi-professional investors (authorisation) in Sweden (Chapter 5, section 7, first paragraph of AIFMA)**

**Foreign EEA-based AIF managers' marketing of non-EEA-based AIF to professional and semi-professional investors in Sweden (Chapter 5, section 7, second paragraph of AIFMA)**

*Last reviewed: 2021-07-23*

<p>a) Notification and prior approval of marketing.</p>	<p>A foreign EEA-based AIF manager that in its home country has such authorisation as referred to in the AIFM Directive, after receiving permission from Finansinspektionen pursuant to Chapter 5, section 7, first paragraph of AIFMA, may market to professional investors in Sweden and such retail investors as referred to in Chapter 4, section 5, second paragraph of AIFMA participations or shares in an EEA-based alternative investment fund in Sweden that it manages and that meets the requirements set out in Chapter 4, section 5, first paragraph of AIFMA.</p> <p>A foreign EEA-based AIF manager that in its home country has such authorisation as referred to in the AIFM Directive, after receiving permission from Finansinspektionen pursuant to Chapter 5, section 7, second paragraph of AIFMA, may market to professional investors in Sweden and such retail investors as referred to in Chapter 4, section 5, second paragraph of AIFMA participations or shares in a non-EEA-based alternative investment fund in Sweden that it manages and that meets the requirements set out in Chapter 4, section 5, first paragraph of AIFMA.</p> <p>Permission pursuant to Chapter 5, section 7, second paragraph of AIFMA may only be granted if there are suitable cooperation arrangements between Finansinspektionen and the supervisory authority in the country where the fund or the master fund or its manager are established for the monitoring of systemic risks, and the country where the fund or master fund, or its manager, is established have taken necessary measures to counteract money laundering and terrorist financing.</p>
<p>b) Notification and prior approval of marketing communications.</p>	<p>Contents of the application</p> <ul style="list-style-type: none"> <li>• A certification from a competent authority in the manager's home country that the AIF</li> </ul>

	<p>manager has authorisation in its home country as referred to in the AIFM Directive.</p> <ul style="list-style-type: none"> <li>• a business plan with information about the fund that it will market and where it is established,</li> <li>• the fund rules, articles of association or equivalent regulations,</li> <li>• information about the fund's depository,</li> <li>• information about where the master fund is established, if the marketing refers to a feeder fund to an alternative investment fund,</li> <li>• the information set out in Article 23 of the AIFM Directive,</li> <li>• information regarding the measures the AIF manager has adopted and implemented to prevent participations or shares in the alternative investment fund from being marketed to retail investors other than those set out in Chapter 4, section 5, second paragraph of AIFMA,</li> <li>• information on the investors' right to redemption,</li> <li>• the investment policy of the alternative investment fund, and</li> <li>• the most recent annual report.</li> </ul> <p>Permission for marketing pursuant to Chapter 5, section 7, first paragraph of AIFMA may also be granted to an AIF manager if it is registered in its home country in accordance with national legislation that implements the AIFM Directive. The application must then contain the above points with the exception of points 4, 6 and 10.</p>
c) Marketing to retail or to professional investors.	Professional and semi-professional investors.
d) Additional requirements applicable in particular to the marketing of certain categories of AIFs that exist under national law.	
e) Any other requirements for the marketing of AIFs that the competent authority considers appropriate.	Foreign EEA-based AIF managers that market <i>either</i> EEA-based AIF to semi-professional investors in Sweden <i>or</i> non-EEA-based AIF to professional investors or semi-professional investors in Sweden, must report, through an authorised person, via Finansinspektionen's Reporting Portal; please refer to

<https://www.fi.se/sv/rapportera/rapporteringsportalen/>.

For information about the deadlines for the reporting, please go to

<https://www.fi.se/sv/marknad/rapportering/fond/>.

The reporting obligation enters into effect when the AIF manager has held the relevant authorisation for one full calendar quarter.