

CONSULTATION PAPER – 21-02

CONSULTATION ON PROPOSED AMENDMENTS TO INVESTMENT FUNDS LISTING RULES

Dublin, 20 October 2021

Background

Currently the Euronext Dublin listing rules for an investment fund which is a Regulated Applicant must comply with Chapter 3 in full and also where applicable Chapter 6 of The Code of Listing Requirements and Procedures – Investment Funds. A Regulated Applicant refers to applicants authorised by the Central Bank of Ireland or the competent authority of another member state deemed equivalent by Euronext Dublin. At present, there is no distinction in Chapter 3 and Chapter 6 between a UCITS or an AIF.

As the UCITS regime has evolved over the years the rules of Chapter 3 and Chapter 6 have not changed significantly. As Euronext now operates markets in 7 different locations, Euronext Dublin feel it is now appropriate to re-examine the regime specifically for UCITS funds and to streamline the rules as much as possible and align with those of other Euronext jurisdictions in order to have reasonably consistent regimes across markets.

Intended Changes to the Listing Rules

Euronext Dublin intends to amend Chapter 3 and Chapter 6 of its listing rules so that Chapter 3 will no longer apply to a UCITS fund and a UCITS fund will not need to include many of the existing Chapter 6 disclosure requirements within the listing particulars.

It is our opinion that the intended changes better reflect the significant regulation and ongoing supervision to which a UCITS fund is subject without compromising investor protection objectives. Many of these rules have become superfluous over time due to the highly regulated nature of UCITS and the significant disclosure requirements already imposed on these products. It should be noted that the intended changes only apply to UCITS funds. All other regulated applicants such as AIFs will be required to comply with Chapter 3 and Chapter 6 in full.

In addition there will be minimal changes to the continuing obligations for UCITS funds and a UCITS fund will also now need to include the latest KIID with its approval submission.

We have also taken the opportunity to make some minor amendments to our rules post Brexit and to clarify the wording of some rules.

Consultation

The purpose of this consultation paper is to apprise stakeholders of the imminent changes and invite feedback on the resulting rule changes.

The proposed rule changes are set out in Appendix I. Please also see a marked up version of the rules attached. We invite stakeholders to provide written feedback by email to tmoore@euronext.com by **1 December 2021**.

A copy of the Consultation Paper will also be available on our website at the following link: <https://www.euronext.com/en/markets/dublin>

In the meantime, if you have any questions about the proposed changes, please contact me on +353 1 617 4211 or Aisling McArdle, Head of Admissions Dublin, on +353 1 617 4216.

Kind regards

Thérèse Moore,

Regulation Manager

Appendix I – Summary of Rule changes to Code of Listing Requirements & Procedures Investment Funds

<u>Chapter</u>	<u>Rule No.</u>	<u>New/Change</u>	<u>Rule/Comment</u>
<u>1</u>	<u>1.3.5</u>	<u>Change</u>	* Please note where an Applicant has been approved as a UCITS by the Central Bank or the competent authority of another Member State deemed equivalent by Euronext Dublin it is not required to provide the director's responsibility letter referenced above.
<u>1</u>	<u>1.4.1</u>	<u>Change</u>	Addition of UK to the list of countries
<u>1</u>	<u>1.4.24</u>	<u>Change</u>	Wording of this rule regarding sub-custodians has been clarified.
<u>3</u>		<u>Change</u>	This chapter does not apply to Applicants which have been approved as a UCITS by the Central Bank or the competent authority of another Member State deemed equivalent by Euronext Dublin.
<u>4</u>	<u>4.6.5</u>	<u>Change</u>	Wording of this rule has been clarified.
<u>5</u>	<u>5.4.2</u>	<u>Change</u>	Addition of UK to the list of countries
<u>6</u>	<u>6.1.3</u>	<u>Change</u>	Any Applicant which has been approved as a UCITS by the Central Bank or the competent authority of another Member State deemed equivalent by Euronext Dublin must only include the below items of information in the Listing Particulars: 6.1.3* *Please ensure any significant change in the financial or trading position of the Applicant since the end of the period for which the audited financial statements are prepared is included in the Listing Particulars. For UCITS approved applicants a negative statement is not required.

			(Note : All other Chapter 6 rules no longer apply to UCITS)
<u>7</u>	<u>7.8.9</u>	<u>New</u>	A Listed UCITS Fund must notify a RIS, without delay, of the following information relating to the operation of a Listed UCITS Fund : any general suspension of redemptions, transfers or calculation of net asset value
<u>8</u>	<u>8.3.2</u>	<u>New</u>	An Applicant which is an approved UCITS fund must provide the most recent available KIID (Key Investor Information Document)