

In case of discrepancies between the French and the English text, the French text shall prevail.

Luxembourg, 1 July 2019

To all investment fund managers incorporated under Luxembourg law, to all Luxembourg undertakings for collective investment, pension funds, securitisation undertakings and to those that take part in the functioning of these entities

CIRCULAR CSSF 19/721

Re: Dematerialisation of requests to the CSSF

Ladies and Gentlemen,

1. Background and purpose of the circular

This circular applies to the following supervised entities:

- a. undertakings for collective investment subject to the Law of 17 December 2010 relating to undertakings for collective investment (hereinafter the “2010 Law”);
- b. specialised investment funds subject to the Law of 13 February 2007 relating to specialised investment funds;
- c. investment companies in risk capital subject to the Law of 15 June 2004 relating to the investment company in risk capital (SICAR);
- d. pension funds subject to the Law of 13 July 2005 on institutions for occupational retirement provision in the form of a SEPCAV and an ASSEP;
- e. securitisation undertakings subject to the Law of 22 March 2004 on securitisation;
- f. investment fund managers incorporated under Luxembourg law (hereinafter the “IFMs”); IFM means:
 - i. Luxembourg management companies subject to Chapters 15 and 16 of the 2010 Law;
 - ii. investment companies which have not designated a management company within the meaning of Article 27 of the 2010 Law;
 - iii. Luxembourg branches of IFMs subject to Chapter 17 of the 2010 Law;

- iv. alternative investment fund managers authorised under Chapter 2 of the Law of 12 July 2013 on alternative investment fund managers (hereinafter the “2013 Law”);
- v. internally managed alternative investment funds within the meaning of Article 4(1)(b) of the 2013 Law.

The purpose of this circular is to inform the entities listed under the preceding paragraph of the implementation of the eDesk portal which must be used for all the requests to the CSSF laid down below in accordance with the applicable legal and regulatory provisions.

2. Dematerialised requests

Some requests to the CSSF can henceforth only be made via the eDesk portal.

The eDesk portal is available at <https://www.cssf.lu/edesk>.

A list of the eDesk requests is published and regularly updated on the homepage of the eDesk portal. The entities must check this list regularly.

Additional information and guidelines in the form of a user guide are available online for each dematerialised request.

3. Access to the eDesk portal

Access to the eDesk portal requires:

- a. the creation of a user account by every person or representative authorised by an entity concerned to act on its behalf with the CSSF in relation to the requests available via the eDesk portal; the creation of a user account is subject to the procedure described in Part 1 of the Annex to this circular;
- b. the change of one or several user accounts by adding the status of “advanced user” for each entity concerned, pursuant to the procedure described in Part 2 of the Annex to this circular; and
- c. the use of the identification means referred to in Part 3 of the Annex to this circular.

4. Responsibility of the entities concerned

- a. All entities referred to in this circular must, under their responsibility, keep themselves regularly informed of the update of the list of requests on the homepage of the eDesk portal and must ensure that the available requests that are applicable to them are completed appropriately and in due time via the eDesk portal.
- b. The transmission to the CSSF of the required information in the framework of the above dematerialised requests must be performed exclusively in accordance with the instructions on the eDesk portal. After the entry into force of this circular, the use of other means of communication in this respect will no longer be accepted by the CSSF.
- c. The entity concerned is solely responsible for all actions on the eDesk portal carried out on its behalf by the advanced users and users (whether they are employees or representatives) linked to its eDesk account.

For further questions, please contact our helpdesk (edesk@cssf.lu / +352 26 25 1 - 2414).

Yours faithfully,

COMMISSION de SURVEILLANCE du SECTEUR FINANCIER

Claude WAMPACH

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ANNEX

1. CREATION OF THE USER ACCOUNT

Any person connecting to the eDesk portal is free to create a user account. The creation of a user account is explained in the procedure available at: <https://www.cssf.lu/edesk>.

In order to make a request which is available on the eDesk portal on behalf of an entity, the account of the user (employee or representative) must first be linked to the entity concerned.

To this end, a request to link the user to the entity concerned must be validated by an “advanced user” (cf. Part 2 of this Annex).

2. CHANGE TO THE STATUS OF “ADVANCED USER”

Each entity concerned is required to designate one or several advanced users from among its employees or representatives who will validate the users’ requests to be linked to the entity and then manage them pursuant to the procedure available at: <https://www.cssf.lu/edesk>.

3. IDENTIFICATION MEANS REQUIRED TO CONNECT TO THE EDESK PORTAL

Access to the eDesk portal by the users and advanced users requires the implementation of identification means described at the following address: <https://www.cssf.lu/edesk>.