

Cross-border (pre-)marketing: CSSF digitalised process

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On 12 May 2022, the CSSF issued Circular 22/810 indicating that the reception and processing by the CSSF of the following (pre)marketing notification and de-notification procedures will be progressively digitalised and will henceforth have to be carried out (exclusively) via the CSSF eDesk Portal:

UCITS:

- Marketing notification and de-notification procedures of Luxembourg UCITS in a Member State other than Luxembourg.

AIFs:

- Marketing notification and de-notification procedures of EU/Luxembourg AIFs by Luxembourg AIFMs in any Member State including Luxembourg;
- Notification of pre-marketing of EU/Luxembourg AIFs by Luxembourg AIFMs in any Member State including Luxembourg.

EuVECA/EuSEF:

- Marketing notification and de-notification procedures of EuVECAs/EuSEFs by Luxembourg EuVECA/EuSEF managers in any Member State including Luxembourg;
- Notification of pre-marketing of EuVECAs/EuSEFs by Luxembourg EuVECA/EuSEF managers in any Member State including Luxembourg.

The CSSF further indicates that CSSF Circular 11/509 concerning the marketing notifications procedures to be followed by UCITS will be repealed (not yet but ultimately).

Circular 22/810 applies as from 12 May 2022. However, the precise list of digitalised (pre)-marketing notification/de-notification procedures will progressively be made available on the homepage of the eDesk Portal and the CSSF will inform the entities concerned in due course by separate *communiqués*. A user guide providing additional information and instructions for the online submission via the eDesk Portal will also be made available.

For any further information please contact us or visit our website at www.elvingerhoss.lu.

The information contained herein is not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific legal advice concerning particular situations.

We undertake no responsibility to notify any change in law or practice after the date of this newsletter

ELVINGER HOSS PRUSSEN

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