

Unofficial translation of the French original

Grand-Ducal Regulation of 1 August 2016 amending the amended Grand-Ducal Regulation of 23 January 2003, implementing the Law of 19 December 2002 on the register of commerce and companies and the accounting and annual accounts of undertakings.

[...]

Art. 1. Following Article 10 of the amended Grand-Ducal Regulation of 23 January 2003 implementing the Law of 19 December 2002 on the register of commerce and companies and the accounting and annual accounts of undertakings, a new Article 10*bis* is added which reads as follows:

"**Art. 10*bis*.** For reserved alternative investment funds which do not have the legal form of a SICAV or of a common fund and which are not registered with the register of commerce and companies pursuant to Article 1 of the Law of 19 December 2002 on the register of commerce and companies and the accounting and annual accounts of undertakings, an individual file, kept in electronic form, is established at the register of commerce and companies in which all the documents relating to that person are listed in chronological order of filing."

Art. 2. In the first paragraph of Article 11 of the same Grand-Ducal Regulation, an indent is added after the first indent, which reads as follows:

"- Section L receives the files of reserved alternative investment funds referred to in Article 10*bis*. The following information is inscribed therein:

1. the name of the fund;
2. the date of constitution of the fund;
3. for the management company of the fund:

if it is a legal entity that is not registered with the Luxembourg register of commerce and companies, the name or company name, the legal form, the exact address of the registered office and the registration number at the register of commerce and companies, if the legislation of the State by which the legal entity is governed provides for such a number, as well as the name of the register, if any, or

if it is a legal entity that is registered with the Luxembourg register of commerce and companies, only the registration number."

Art. 3. Following Article 11 of the same Grand-Ducal Regulation, a new Article *11bis* is added which reads as follows:

"**Art. 11bis.** Reserved alternative investment funds must request the manager of the register of commerce and companies to inscribe them on the list referred to in paragraph (3) of Article 34 of the Law of 23 July 2016 on reserved alternative investment funds by registered mail indicating:

- the name and address of the reserved alternative investment fund;
- the name of the management company;
- the date of the notarial deed recording the constitution."

Art. 4. In Appendix J (Schedule of fees of the register of commerce and companies) section "Electronic Deposits with Requisitions" of the same Grand-Ducal Regulation, a new item is added after the item "Common funds", as follows:

"Reserved alternative investment funds referred to in Article *10bis*

€ 105.91 € 54.78 € 10.96 € 105.91".

Art. 5. This Grand-Ducal Regulation enters into force on 2 August 2016.

Art. 6. Our Minister of Justice is responsible for the execution of this Regulation, which will be published in the *Mémorial*.