



Regulatory reporting of performance fees for fund managers

Towards the end of 2020, the European Securities and Markets Authority (“ESMA”), in a bid to create greater transparency and to ensure investment fund managers act in the best interest of the funds they manage, published its guidelines on performance fees disclosures applicable to UCITS and certain types of AIFs. These guidelines set out common standards for fund managers to use when disclosing UCITS and AIF performance fees to investors.

Building upon the ESMA’s guidelines, the Luxembourg financial services watchdog – *Commission de Surveillance du Secteur Financier* (“CSSF”) – released Circular CSSF 20/764 on 18 December 2020 to promote supervisory convergence in respect of performance fee disclosures.

Fast forward to today, on 30 September 2021, the CSSF has officially released their online tool for regulatory reporting on performance fees of the UCITS and AIFs (including, sub-funds of those structures) managed by local fund managers. Fund managers can start submitting their reports on performance fees via a dedicated eDesk module as of today.

You can always reach out to a member of our investment funds practice who would be pleased to assist you in dealing with the new reporting requirements or any other project in this legal area.

