

Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (recast) (Text with EEA relevance)

FINAL PROVISIONS

Article 92

Amendments to Directive 2011/61/EU

Directive 2011/61/EU is amended as follows:

- (1) in point (r) of Article 4(1), the following point is added:
 - (vii) a Member State, other than the home Member State, in which an EU AIFM provides the services referred to in Article 6(4);;
- (2) Article 33 is amended as follows:
 - (a) the title is replaced by the following:

Conditions for managing EU AIFs established in other Member States and for providing services in other Member States;
 - (b) paragraphs 1 and 2 are replaced by the following:
 1. Member States shall ensure that an authorised EU AIFM may, directly or by establishing a branch:
 - a manage EU AIFs established in another Member State, provided that the AIFM is authorised to manage that type of AIF;
 - b provide in another Member State the services referred to in Article 6(4) for which it has been authorised.
 - 2 An AIFM intending to provide the activities and services referred to in paragraph 1 for the first time shall communicate the following information to the competent authorities of its home Member State:
 - a the Member State in which it intends to manage AIFs directly or to establish a branch, and/or to provide the services referred to in Article 6(4);
 - b a programme of operations stating in particular the services which it intends to perform and/or identifying the AIFs that it intends to manage..