**APPLICATION FORM**

for non-EEA AIFM

to marked shares or units of AIFs in Norway

Section 6-5 of the Norwegian AIFM Act ("NAIFMA"),

Article 42 of the AIFMD

*In order for a non-EEA AIFM to market in Norway to professional investors shares or units of an AIF under its management, the AIFM has to submit the following application to the Norwegian FSA. The AIFM may market units or shares of the AIF to professional investors in Norway when a marketing authorisation has been granted by the Norwegian FSA.*

**GENERAL INFORMATION ABOUT THE AIFM**

|  |  |
| --- | --- |
| Name of the AIFM  |  |
| Address  |  |
| Country  |  |
| LEI number |  |
| Other identification code (registry number, etc) |  |
| Contact person and contact details at the AIFM |  |
| Name of the supervisory authority supervising the AIFM  |  |
| Identification code (reference number at the supervisory authority supervising the AIFM) |  |
| Description regarding the kind of supervision in home country (e.g. authorisation or registration or other).  |  |
| Link to home regulator detailing authorisation. |  |
| Altinn user name and connected email (procedure for first time registration can be found at [Finanstilsynet's](https://www.finanstilsynet.no/en/aifmd) website)  |  |

**GENERAL INFORMATION ABOUT THE AIF**

|  |  |
| --- | --- |
| Name of AIF that the AIFM intends to market in Norway to professional investors  |  |
| Address  |  |
| Country  |  |
| LEI number |  |
| Other identification code (registry number, etc) |  |
| Legal form of the AIF |  |
| Name of the supervisory authority supervising the AIF  |  |
| Description regarding the kind of supervision in home country (e.g. authorisation or registration or other).  |  |
| Link to home regulator detailing authorisation where available |  |
| Name of Master fund  |  |
| Address of Master fund  |  |
| Country of Master fund  |  |
| Name of the supervisory authority supervising the Master fund  |  |
| Identification code (reference number at the supervisory authority supervising the AIFM) |  |
| Information on measures adopted by the AIFM to prevent shares in the AIF being marketed to retail investors in Norway |  |

**INFORMATION IN ACCORDANCE WITH SECTION 6-5 OF THE NORWEGIAN AIFM ACT (ARTICLE 42 AIFMD)**

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| --- | --- |
| **NAIFMA / AIFMD reference** | **Description of compliance** |
| *NAIFMA Section 6-5 subsection (1) litra a)* The AIF and the AIFM are subject to satisfactory supervision in the home state and fulfil the requirements for carrying on business in the home state. Describe the home country's supervisory regime (e.g. authorisations, registration or other). If the AIFM or the AIF is not subject to authorisations or registrations, provide a description of how the AIFM/AIF fulfills the requirement. |  |
| *NAIFMA Section 6-5 subsection (1) litra b) AIFMD art. 42 (1) a*The AIFM complies with the provisions of chapter 4 of the Norwegian AIFM Act and provisions made pursuant thereto.  |  |
| *NAIFMA Section 6-5 subsection (1) litra c)* *AIFMD art. 42 (1)b*Satisfactory collaboration has been established between the supervisory authorities in the AIF's home state, the AIFM's home state and Norway.  |  |
| *NAIFMA Section 6-4 subsection (1) litra b)* The AIFM takes the necessary steps to be able to make payments in Norway to investors, redeem units and shares and provide the information to be prepared by the AIFM under the rules of the home state.  |  |
| *NAIFMA Section 6-4 subsection (1) litra d)**AIFMD art. 42 (1) c* The AIF's home state is not listed by the Financial Action Task Force on Money Laundering (FATF) as a non-cooperating country. |  |

**DISCLOSURES TO INVESTORS IN ACCORDANCE WITH SECTION 4-2 OF THE NORWEGIAN AIFM ACT
(ARTICLE 23 AIFMD)**

|  |  |  |  |
| --- | --- | --- | --- |
| **NAIFMA / AIFMD reference** | **Regulatory text** | **Disclosure text***(fill in text of applicable disclosure below)* | **Document name, page and section** |
| NAIFMA sec. 4-2 (1) aAIFMD art. 23 (1) a | investment strategy and objectives of the AIF |  |  |
|  | what types of assets the AIF may invest in  |  |  |
|  | investment techniques |  |  |
|  | risk profile |  |  |
|  | any applicable investment restrictions |  |  |
|  | information on the use of leverage |  |  |
| NAIFMA sec. 4-2 (1) bAIFMD art. 23 (1) a | a description of the procedure for changing the investment strategy |  |  |
| NAIFMA sec. 4-2 (1) cAIFMD art. 23 (1) a | whether the AIF is a feeder fund and, if so, where the master fund is established, together with information on where the underlying funds are established if the AIF is a fund of funds |  |  |
| NAIFMA sec. 4-2 (1) dAIFMD art. 23 (1) c | the main legal implications of investing in the AIF, including information on legal venue, choice of law and on the existence or not of any treaty providing for the recognition and enforcement of judgments in the home state of the AIF |  |  |
| NAIFMA sec. 4-2 (1) eAIFMD art. 23 (1) d | the identity of the AIFM, the AIF's depositary, auditor and any other service providers and a description of their duties and the investors' rights |  |  |
| NAIFMA sec. 4-2 (1) fAIFMD art. 23 (1) e | the AIFM's professional indemnity insurance or additional own funds pursuant to section 2-7 subsection (3) |  |  |
| NAIFMA sec. 4-2 (1) gAIFMD art. 23 (1) f | a description of any delegated portfolio management, risk management, functions as mentioned in section 2-2 subsection (2) first sentence, depositary functions as mentioned in chapter 5, the identification of the delegates and any conflicts of interest that may arise from such delegations |  |  |
| NAIFMA sec. 4-2 (1) hAIFMD art. 23 (1) g | valuation procedures pursuant to section 3-10 and associated regulations |  |  |
| NAIFMA sec. 4-2 (1) iAIFMD art. 23 81) h | liquidity management procedures pursuant to section 3-9 |  |  |
| NAIFMA sec. 4-2 (1) jAIFMD art. 23 (1) i | expenses, and maximum amounts thereof, which are directly or indirectly borne by investors |  |  |
| NAIFMA sec. 4-2 (1) kAIFMD art. 23 (1) j | principles for equal treatment of investors and a description of any preferential treatment, including the type of investors who obtain such preferential treatment and, where relevant, their legal or economic links with the AIF or AIFM |  |  |
| NAIFMA sec. 4-2 (1) lAIFMD art. 23 (1) k | the latest annual report |  |  |
| NAIFMA sec. 4-2 (1) mAIFMD art 23 (1) l | the procedure and conditions for the issue, redemption and sale of units or shares, and any redemption agreements with investors |  |  |
| NAIFMA sec. 4-2 (1) nAIFMD art. 23 (1) m | the net asset value of the AIF or the latest market price of the unit or share of the AIF, in accordance with section 3-10 |  |  |
| NAIFMA sec. 4-2 (1) oAIFMD art. 23 (1) n | the historical return of the AIF |  |  |
| NAIFMA sec. 4-2 (1) pAIFMD art. 23 (1) o | the identity of the prime broker and a description of any agreements of the AIF with its prime brokers and the way the conflicts of interest in relation thereto are managed |  |  |
| NAIFMA sec. 4-2 (1) qAIFMD art. 23 (1) p | how and when the information required under section 4-3 will be disclosed |  |  |
| NAIFMA sec. 4-2 (3)AIFMD art. 23 (2) | The AIFM shall inform the investors before they invest in the AIF of any arrangement made by the depositary to contractually discharge itself of liability under regulations made pursuant to section 5-4, and shall also inform investors of any changes with respect to depositary liability without undue delay |  |  |
| SFDR applies to non-EU AIFM when they market an Alternative Investment Fund in EU/EEA. This is according to the European Supervisory Authorities’ (ESAs) Consolidated questions and answers (Q&A) on the SFDR (Regulation (EU) 2019/2088) and the SFDR Delegated Regulation (Commission Delegated Regulation (EU) 2022/1288). |
| SFDR art. 6 (1) a | The manner in which sustainability risks are integrated intoinvestment decisions. Where financial market participants deem sustainability risks not to be relevant, an explanation of the reasons shall be provided. |  |  |
| SFDR art. 6 (1) b | The results of the assessment of the likely impacts of sustainability risks on the returns of the fund |  |  |
| SFDR art. 7 (1) a | A clear and reasoned explanation of whether, and, if so, how the fund considers principal adverse impacts on sustainability factors |  |  |
| SFDR art. 7 (1) b | A statement that information on principal adverse impacts on sustainability factors is available in the information to be disclosed pursuant to Article 11(2) |  |  |
| SFDR art. 7 (2) | Where a financial market participant does not consider the adverse impacts of investment decisions on sustainability factors a statement with the reasons therefore shall be provided |  |  |
| SFDR art. 8 (1) a | Where a fund promotes, among other characteristics, environmental or social characteristics the information to be disclosed shall include information on how those characteristics are met |  |  |
| SFDR art. 8 (1) b | If an index has been designated as a reference benchmark, information on whether and how this index is consistent with those characteristics |  |  |
| SFDR art. 8 (2) | An indication of where the methodology used for the calculation of the index referred to in paragraph 1 of this Article is to be found |  |  |
| SFDR art. 9 (1) | Where a fund has sustainable investment as its objective and an index has been designated as a reference benchmark it shall be disclosed information on how the designated index is aligned with that objective and an explanation as to why and how the designated index aligned with that objective differs from a broad market index |  |  |
| SFDR art. 9 (2) | Where a fund has sustainable investment as its objective and no index has been designated as a reference benchmark the disclosed information shall include an explanation on how that objective is to be attained |  |  |

**Attachments:**

1. The latest version of the articles of association of the AIF, or instruments of incorporation
2. Description of, or any information on, the AIF available to investors (e.g. the latest version of the prospectus)
3. The latest published annual report
4. Documentation that the AIFM and the AIF are subject to adequate supervision in their home states (including, if possible, a link to the public register of the competent authorities of the home states)