

Foreign EEA-based AIF managers' marketing to retail investors in Sweden and foreign EEA-based AIF managers' marketing of non-EEA-based AIF or feeder funds whose master fund or its manager are not EEA-based (Chapter 5, section 6, first paragraph of AIFMA)

Last reviewed: 2021-07-23

a) Prior authorisation for marketing.	Chapter 5, section 6 of AIFMA (no equivalent in AIFMD but is in line with Article 43 of AIFMD); Article 6 of AIFMD.
b) Format and content of marketing material, including identification of the information and documents to be notified to the competent authority prior to beginning of marketing.	Chapter 5, section 6 of AIFMA; Chapter 5, sections 4–5 of FFFS 2013:10. Chapter 4, section 2, Chapter 9, Chapter 10, section 2 of AIFMA; Chapter 14 of FFFS 2013:10; Article 23 of AIFMD; Commission Regulation (EU) No 583/2010 of 1 July 2010 implementing Directive 2009/65/EC of the European Parliament and of the Council.
c) Verification of marketing communications by the competent authority.	Chapter 5, section 6 of AIFMA; Chapter 5, sections 4–5 of FFFS 2013:10.
d) Marketing to retail investors or to professional investors.	Retail investors.
e) Reporting obligations in relation to marketing.	Chapter 13, sections 2–4 of AIFMA and Annex IV of Commission Delegated Regulation (EU) No 231/2013.
f) Passporting regime.	Chapter 5, section 6 of AIFMA; Chapter 5, sections 4–5 of FFFS 2013:10.
g) Distribution of funds established in a third country under the national private placement regime.	
h) Distribution of open-ended AIFs and of closed-ended AIFs.	Both.
i) De-notification of arrangements made for marketing;	Withdrawal at own request.
j) Other rules governing the marketing of AIFs applicable within the jurisdiction of the competent authority.	

Disclaimer: Finansinspektionen has taken reasonable care to ensure that the information on the national provisions governing the marketing requirements for AIFs in Sweden included on this webpage is up-to-date and complete. Finansinspektionen is not responsible for maintaining external websites and is not liable for any error or omission on any external website to which hyperlinks are provided on this webpage.

Other requirements

In addition to the provisions referred to above, which are set out specifically for the marketing of AIFs, there may be other legal provisions that may apply when marketing them in Sweden, although they are not specifically designed for the marketing of AIFs, depending on the individual situation of those involved in the marketing of shares or units of AIFs. Marketing in Sweden may trigger the application of other requirements, such as consumer law or tax law.

Disclaimer: The following is a non-exhaustive list of national laws that could be applicable and Finansinspektionen is not liable for any omission in that list. Supervision of the requirements deriving from these laws is not under the supervision of Finansinspektionen. The applicability of these requirements, and any other legal requirements, should be assessed before marketing or investing in an AIF. Where uncertainty exists, those marketing or investing in UCITS or AIFs should obtain independent advice as to the applicable requirements to their individual situation.