AUTORITÉ
DES MARCHÉS FINANCIERS

Book III - Service providers

Title II - Other service providers

Chapter III - AIF depositaries

Section 1 - Duties of the depositary of AIF

General regulation of the AMF

Article 323-25 into force from 14 August 2013 to 08 March 2018

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Article 323-25

As regards the custody of the financial instruments and pursuant to Article L. 214-24-8, II of the Monetary and Financial Code, the depositary shall ensure that all those financial instruments that can be registered in a financial instruments account opened in the depositary's books are registered in the depositary's books within segregated accounts in accordance with the principles set out in Article 312-6, opened in the name of the AIF or in the name of the asset management company acting on behalf of the AIF, so that they can be clearly identified as belonging to the AIF.

For the purposes of record keeping of the other assets by the depositary, and pursuant to Article L. 214-24-8, II, 2 of the Monetary and Financial Code, the depositary checks their ownership by the AIF or its asset management company on the basis of information or documents provided by the AIF or its asset management company and, where available, on external evidence.

The terms of application of this Article are specified in Articles 88 to 91 of Delegated Regulation (EU) n° 231/2013 of the Commission of 19 December 2012.

- Version into force since 23 April 2021
- Version into force from 9 March 2018 to 22 April 2021
- **Version into force from 14 August 2013 to 8 March 2018**