



## Book III - Service providers

### Title II - Other service providers

#### Chapter III - AIF depositaries

##### Section 3 - Procedures for custody of certain assets by the AIF depositary

Sub-section 2 - Procedures for keeping positions in pure registered financial instruments, deposits and cash accounts

### General regulation of the AMF

#### Article 323-37 into force since 17 April 2016

DISCLAIMER : Information boxes have been inserted within the General Regulation. They allow for a direct access to the relevant European regulations on the subject matter.

The user will be redirected to the European regulations as initially published in the Official Journal of the European Union and to the subsequent corrigenda, if any. The AMF does not guarantee the completeness of the redirections to these European regulations and corrigenda.

The boxes are located at the most relevant level of the GRAMF depending on the provision of the EU regulations to which they refer (Book, Title, Chapter, Section, etc.).

This additional material is provided for information purposes only and does not constitute a regulatory instrument. The AMF shall not be held liable or responsible for any harm resulting directly or indirectly from the provision or the use of these information boxes.

#### Article 323-37

Acting on the instructions of the portfolio management company, the depositary shall make the cash payments related to transactions in pure registered financial instruments, deposits and between cash accounts opened in the name of the AIF. It shall notify the portfolio management company of any problems encountered at this time.

The asset management company's instructions shall be transmitted to the depositary in accordance with the procedures and intervals defined in the agreement referred to in Article 323-30.

As soon as it has knowledge of them, the asset management company shall send the following to the depositary:

- 1 • Documents evidencing the purchase and sale of registered financial instruments;
- 2 • Documents related to any deposits made and cash accounts open at another institution;
- 3 • Documents that provide the depositary with information about the characteristics and events affecting pure registered

2023-10-10

financial instruments and deposits, such as certifications by the issuer, which shall be transmitted to the depositary in accordance with the procedures stipulated in the agreement referred to in Article 323-30.

---

📄 **Version into force since 17 April 2016**