

## Book III - Service providers

### Title II - Other service providers

#### Chapter II - Depositaries of UCITS

##### Section 3 - Procedures for safekeeping of certain assets by the UCITS depositary

###### Sub-section 1 - Procedures for keeping register in financial contracts

## General regulation of the AMF

### Article 323-16 into force since 17 April 2016

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#### Article 323-16

Pursuant to Article L. 214-10-5, III, 3 of the Monetary and Financial Code, acting on instructions from the SICAV or the asset management company of the UCITS, the depositary shall execute transfers of the cash and the financial instruments needed to constitute initial margin and respond to margin calls. It shall notify the SICAV or the asset management company of the UCITS of any problems encountered at this time.

These instructions shall be transmitted to the depositary in accordance with the procedures and intervals defined in the agreement referred to in Article 323-11.

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

- 1 • Information about the characteristics of a new framework agreement signed on financial contracts or amendments to an existing framework agreement;
- 2 • Copies of the signed trade confirmation slips or trade confirmations with regard to financial contracts, which identify the

transactions and their specific characteristics;

- 3 • The list of framework agreements with regard to financial contracts at intervals to be defined in the agreement referred to in Article 323-11. Where applicable, the list shall indicate amendments made to the characteristics of the framework agreements. The depositary may ask for copies of the framework agreements and any further information required for the performance of its tasks.

At intervals to be defined in the agreement referred to in Article 323-11, the depositary shall send the asset management company a statement with the list of financial contracts held by the UCITS, along with the list of security provided, indicating security involving transfers of full ownership.

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