

Summaries of national provisions on marketing requirements for UCITS

This summary contains information on the national laws, regulations and administrative provisions relating to marketing requirements for UCITS, as referred to in Section 5(1) of Regulation (EU) 2019/1156 of the European Parliament and of the Council of 20 June 2019 on facilitating the cross-border distribution of collective investment undertakings.

This information was last modified on 20 February 2024.

Summary of marketing requirements for UCITS

Prior notification to the AFM of the marketing communications that a UCITS manager intends to use in the context of dealing with investors is not required.

Marketing communications provided to investors should be clear and not misleading.

The Financial supervision act (*Wet financieel toezicht*) lays down additional rules for the careful provision of services by a UCITS management company or UCITS. The Decree on the Supervision of the Conduct of Financial Undertakings (*Besluit Gedragstoezicht financiële ondernemingen*) and the Further Regulation on the Supervision of the Conduct of Financial Undertakings Wft (*Nadere regeling gedragstoezicht financiële ondernemingen Wft*) provide further rules on the provision of information and non-compulsory pre-contractual information.

The key investor information document (as referred to in the UCITS Directive) must be provided in the Dutch language. Other information and documents that must be made public must be made available in Dutch.

The AFM must be informed of changes in the data contained in the original notification and of the suspension of the repurchase or redemption of units in a UCITS.

A management company of a UCITS established in another Member State, who intends to offer that UCITS to investors in the Netherlands, must comply with the requirements of Section 92 and 93 of the UCITS Directive. The withdrawal of a European Passport for the offering of units in a UCITS must comply with the requirements of Section 93a, first paragraph, of the UCITS Directive.