

## Single passport

### **Specific information on the marketing in Romania of units or shares issued by UCITS from other EU Member States, in compliance with the provisions of Art. 175 (1) of G.E.O. 2012/32 as subsequently amended and supplemented**

Specific information on the marketing in Romania of units or shares issued by UCITS from other EU Member States

I. Member State: Romania

II. Date of issuance/last update: 18.12.2015

III. Documents/information attached to the notification letter which are not required by the directive, but are required by the national legislation:

a) definition of phrase “marketing of UCITS units or shares” or the equivalent legal term provided for in the national legislation or used in practice

Marketing of UCITS units or shares means the offer for sale of units issued by a UCITS.

b) requirements for the contents, format and manner of presentation of marketing communications, including all compulsory warnings and restrictions on the use of certain words or phrases

The marketing communications addressed to existing or prospective investors from Romania of UCITS from other Member States shall comply with the provisions of Chapter XI-Rules on transparency and publicity of UCITS, Section 1-Publicity of UCITS of FSA Regulation No. 9/2014, of Art. 132 of FSA Regulation No. 9/2014 and of Law No. 158/2008 on misleading and comparative advertising published in the Official Journal of Romania No. 559/24 July 2008.

c) details on any additional information to be provided to investors

Information shall be provided to investors in Romania by UCITS from other Member States in compliance with the capital market legislation and Ordinance No. 21/1992 on consumer protection, republished, as subsequently amended and supplemented

d) details on the exemption of certain UCITS, certain classes of shares/units of UCITS or certain categories of investors from the application of the rules or requirements that govern the marketing methods applicable in Romania

### **Not applicable**

e) requirements for any reporting or transmission of information to FSA, and the procedure for lodging updated versions of required documents

In addition to any key investor information which must be translated into the Romanian language, the remaining documents may be submitted to FSA and investors either in Romanian or English.

Translations of information and/or documents referred above shall be produced under the responsibility of the UCITS and shall faithfully reflect the content of the original information.

f) requirements for any fees or other sums to be regularly paid to FSA or any other statutory body in Romania, when the provisions of FSA Regulation No. 16/2014, as subsequently amended and supplemented, become applicable to UCITS from other Member States marketing units or shares in Romania

g) requirements for any necessary measures which must be taken by UCITS to ensure that facilities are available in Romania for making payments to unit holders, repurchasing or redeeming units or shares and making available the information which UCITS are required to provide.

UCITS marketing units or shares in Romania must take all measures to ensure that facilities are available in Romania for making payments to unit/share holders, repurchasing or redeeming units or shares and making available the information which UCITS are required to provide. For that purpose, the UCITS shall present on its website or on that of the management company details/specific procedure on the manner of fulfilment of these obligations.

h) conditions for the termination of marketing of units or shares of UCITS in Romania by a UCITS situated in another Member State

The intention of UCITS from other Member States to terminate the marketing in Romania of units or shares must be notified to FSA and investors at least 30 days before the date of termination, in order to ensure that the rights of holders purchasing units in the territory of Romania, including those relating to the repurchase of units, are respected.

i) detailed contents of the information FSA decides to incorporate in Part B of the notification letter regulated by Art. 1 of Regulation (EU) No 584/2010

#### **1. Units shall be marketed in the territory of Romania through:**

- a) investment firms and investment management companies from Romania, authorised by FSA;
- b) investment firms and investment management companies authorised by the competent authorities of Member States, following completion of the notification procedure in accordance with the capital market legislation in force;
- c) credit institutions from Romania authorised by NBR or credit institutions authorised by the competent authorities of Member States, following completion of the notification procedure in accordance with the banking legislation in force;
- d) branches of investment firms/investment management companies/credit institutions from non-Member States, following completion of the notification procedure in accordance with the capital market and banking legislation in force;
- e) other entities that may be authorised by the FSA in this respect.

2. Making payments to unit/share holders, repurchasing or redeeming units or shares and making available information which UCITS are required to provide shall be performed by the entity/entities marketing units or shares in Romania.

3. The issue or redemption price of units or shares of a UCITS from another Member State shall be available on the website of that UCITS and on that of the distributors in Romania.

j) email address for notification purposes regarding updates or changes of UCITS documents:  
notificationUCITS@asfromania.ro.