

COMMISSION de SURVEILLANCE
du SECTEUR FINANCIER

CSSF
NEWSLETTER

No. 130

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HUMAN RESOURCES

Since the publication of the last Newsletter, the CSSF has recruited three new agents who were assigned to the following departments:

Supervision of specialised PFS

Annick HEINTZ

Supervision of Banks

Timo LITZENBERGER

Livia MORETTI

The CSSF counts 407 agents of which 210 are men and 197 are women as at 8 November 2011.

NEWS

On 21 October 2011, ESMA, the European Securities and Markets Authority, published its second annual activity report on the enforcement of International Financial Reporting Standards (IFRS) by European enforcers in 2010. This report, available on ESMA's website, gives a review of the controls made with respect to compliance with IFRS of financial information published by the companies listed in the European Economic Area during the financial year 2010. It is based on the activities of the EECS (European Enforcers Co-ordination Sessions) composed of representatives of the different European enforcers and operating under the oversight of the Corporate Reporting Standing Committee of ESMA. The main objective of this group is to coordinate the enforcement activities of the different European Member States in order to increase convergence which should contribute to fostering investor confidence.

Regularly, ESMA publishes enforcement decisions taken by the different European enforcers in order to improve transparency of the enforcement of the IFRS by the different market participants. These decisions, considered as most representative, are extracted from the EECS' database.

SANCTIONS

SICAR

In accordance with Article 17 of the law of 15 June 2004 relating to investment companies in risk capital (SICAR), the CSSF imposed 39 administrative fines on the managers of 12 investment companies in risk capital (SICAR) for non-filing or delayed filing of the audited annual reports and management letters for the financial year 2010.

Audit profession

Following a "*recours gracieux*" and payment of all fees and fines owed to the CSSF, the CSSF reconsidered its position based on the explanations received and withdrew its decisions against Mr Kurt LALLEMAND and iaab S.à r.l. published on 4 August 2011 in the *Mémorial* B - No.74.

This has been published in *Mémorial* B – No. 92 of 2 November 2011.

Investment firms

In accordance with Article 63 of the law of 5 April 1993 on the financial sector, the CSSF imposed an administrative fine on the manager of an investment firm for breach of the professional obligations as regards the fight against money laundering and terrorist financing.

Transparency obligations

On 14 November 2011, the Luxembourg issuer of shares Aardvark Investments S.A., registered with the CSSF under the issuer number E-0002, was fined by the CSSF in accordance with Article 25(1) of the law of 11 January 2008 on transparency requirements for issuers of securities (the "Transparency Law").

The CSSF noted that the issuer concerned failed to act in response to orders of the CSSF with regard to non-compliance with the periodic information requirements laid down in Articles 3, 4 and 5 of the Transparency Law. Indeed, Aardvark Investments S.A. has not published any financial report since its half-yearly financial report dated 31 March 2009 and has thus breached several provisions of the Transparency Law.

This sanction is disclosed according to Article 25(2) of the Transparency Law.

NATIONAL REGULATION

UCI PROSPECTUSES: ADDITIONAL INFORMATION FOR INVESTORS TO INCLUDE IN THE UCI PROSPECTUS (UCITS AND UCIS OF PART II OF THE LAW OF 17 DECEMBER 2010 RELATING TO UNDERTAKINGS FOR COLLECTIVE INVESTMENT)

Article 151(1) of the law of 17 December 2010 relating to undertakings for collective investment provides that "The prospectus must include the information necessary for investors to be able to make an informed judgement of the investment proposed to them, and, in particular, of the risks attached thereto." In this context, the CSSF requires that from now on a paragraph relating to the exercise of the rights of investors towards the UCI be included in the UCI prospectuses.

This paragraph shall be included with immediate effect in the prospectuses of the UCIs created as of today. For all existing UCIs to date, this paragraph shall be introduced with the next update of the prospectus and by 30.06.2012 at the latest.

The text concerned, in French, English and German, shall be adapted in accordance with the legal status of the UCI:

« [La société d'investissement /le FCP/l'OPC(VM)/la société de gestion] attire l'attention des investisseurs sur le fait que tout investisseur ne pourra pleinement exercer ses droits d'investisseur de façon directe à l'encontre de l'OPC(VM) [notamment le droit de participer aux assemblées générales des actionnaires - pour les OPC(VM) constitués sous forme de société d'investissement] que dans le cas où l'investisseur figure lui-même et en son nom dans le registre des actionnaires [pour les OPC(VM) constitués sous forme de société d'investissement] / dans le registre des porteurs de parts [pour les OPC(VM) constitués sous forme de FCP] de l'OPC(VM). Dans les cas où un investisseur investit dans l'OPC(VM) par le biais d'un intermédiaire investissant dans l'OPC(VM) en son nom mais pour le compte de l'investisseur, certains droits attachés à la qualité d'actionnaire [pour les OPC(VM) constitués sous forme de société d'investissement] ou de porteur de parts [pour les OPC(VM) constitués sous forme de FCP] ne pourront pas nécessairement être exercés par l'investisseur directement vis-à-vis de l'OPC(VM). Il est recommandé à l'investisseur de se renseigner sur ses droits. »

« The [investment company, FCP, UCI(TS)/management company] draws the investors' attention to the fact that any investor will only be able to fully exercise his investor rights directly against the UCI(TS), [notably the right to participate in general shareholders' meetings - for UCI(TS) incorporated in form of an investment company] if the investor is registered himself and in his own name in the shareholders' register [for UCI(TS) incorporated in form of an investment company] / in the unitholders' register [for UCI(TS) incorporated in form of an FCP] of the UCI(TS). In cases where an investor invests in the UCI(TS) through an intermediary investing into the UCI(TS) in his own name but on behalf of the investor, it may not always be possible for the investor to exercise certain shareholder rights [for UCI(TS) incorporated in form of an investment company] or unitholder rights [for UCI(TS) incorporated in form of an FCP] directly against the UCI(TS). Investors are advised to take advice on their rights. »

« Die/Der [Investmentgesellschaft, FCP, OGA(W), Verwaltungsgesellschaft] weist die Investoren auf die Tatsache hin, dass jeglicher Investor seine Investorenrechte in ihrer Gesamtheit unmittelbar gegen den OGA(W) nur dann geltend machen kann [insbesondere das Recht an Aktionärsversammlungen teilzunehmen – für OGA(W) die in Form einer Investmentgesellschaft aufgelegt sind], wenn der Investor selber und mit seinem eigenen Namen in dem Aktionärsregister [für OGA(W) die in Form einer Investmentgesellschaft aufgelegt sind] oder in dem Anteilhaberregister [für OGA(W) die in Form eines FCP aufgelegt sind] des OGA(W) eingeschrieben ist. In den Fällen, wo ein Investor über eine Zwischenstelle in einen OGA(W) investiert hat, welche die Investition in seinem Namen aber im Auftrag des Investors unternimmt, können nicht unbedingt alle Investorenrechte unmittelbar durch den Investor gegen den OGA(W) geltend gemacht werden. Investoren wird geraten, sich über Ihre Rechte zu informieren. »

Circular CSSF 11/520

The purpose of this circular is to list the circulars that specify the application of Article 24-7(1) and (2) of the law of 10 November 2009 on payment services and which lay down the requirements for electronic money institutions regarding central administration and infrastructure.

Circular CSSF 11/521

The purpose of this circular is to supplement Circular CSSF 01/27 relating to the practical rules on the role of *réviseurs d'entreprises agréés* (approved statutory auditors) by including the control of the professional obligations to be observed as regards the rules of conduct, following the introduction of the law of 10 November 2009 on payment services.

Circular CSSF 11/522

This circular defines the periodic reporting scheme for electronic money institutions referred to in Article 1(17) of the law of 10 November 2009 on payment services.

Circular CSSF 11/523

This circular applies to payment institutions from another Member State that intend to provide payment services in Luxembourg by means of branches or through agents and specifies the obligations of these branches or agents with regard to external audit.

Circular CSSF 11/524

This circular specified the external audit requirements to be observed by the branches through which electronic money institutions from another Member State intend to carry out the business of issuing electronic money in Luxembourg, by the branches and agents through which electronic money institutions from another Member State intend to provide payment services in Luxembourg, as well as by the natural and legal persons through which electronic money institutions from another Member State intend to distribute or redeem electronic money in Luxembourg

Circular CSSF 11/525

In Circular CSSF 11/525 of 4 November 2011, the CSSF draws the attention of all professionals of the financial sector to a new FATF statement on certain jurisdictions whose anti-money laundering and combating the financing of terrorism regime has substantial and strategic deficiencies. Moreover, the CSSF also informs that the list of jurisdictions whose progress regarding anti-money laundering and terrorist financing is not considered sufficient by the FATF as well as the list of jurisdictions whose anti-money laundering and combating the financing of terrorism regime is currently not considered satisfactory by the FATF have been updated.

WARNING

Warning concerning the activities of an entity named CulverHouse Capital

The CSSF warns the public of the activities of an entity named CulverHouse Capital, which claims to be located at L-1248 Luxembourg, rue de Bouillon (website: www.culverhousecapital.com).

According to the information available to the CSSF, this entity proposes investment services and investment advice to the persons contacted.

The CSSF informs the public that CulverHouse Capital has not been granted the required authorisation to offer financial services in or from Luxembourg.

PRESS RELEASES

■ ARM ASSET BACKED SECURITIES S.A.

Press release 11/42 of 11 November 2011

The Commission de Surveillance du Secteur Financier (“**CSSF**”) informs that on 10 November 2011, at its request, the Luxembourg district court, sitting in commercial matters

- decided that the protective measures listed in article 28 of the Luxembourg law of 22 March 2004 on securitisation¹, are applicable to the Luxembourg société anonyme ARM Asset Backed Securities S.A., with registered office at 11-13, bd. Grande-Duchesse Charlotte, L-1331 Luxembourg,
- decided that the request of the CSSF to be replaced as supervisory commissioner (*commissaire de surveillance*) is well-founded,
- appointed ERNST & YOUNG, with registered office at 7, rue Gabriel Lippmann, Parc d'Activité Syrdall 2, L-5365 Munsbach, represented by Mr. Jean-Michel Pacaud, as supervisory commissioner (*commissaire de surveillance*) of the société anonyme ARM Asset Backed Securities S.A.,
- decided that the supervisory commissioner must be informed of any measures, even of a protective nature, to be taken by ARM Asset Backed Securities S.A.,
- decided that the written authorisation of the supervisory commissioner is required for all actions or measures other than protective actions or measures and for the performance of all contracts including the proposed transaction between ARM Asset Backed Securities S.A. and Insetco plc,
- decided that the supervisory commissioner may submit for consideration to the relevant corporate bodies of ARM Asset Backed Securities S.A. any proposals which he considers appropriate and that the supervisory commissioner may attend the meetings and discussions of the management, executive or supervisory bodies of the undertaking,
- decided that the expenses and fees of the supervisory commissioner shall be advanced by ARM Asset Backed Securities S.A. and that the court shall arbitrate these fees and expenses,
- decided that the expenses of this judgment are to be borne by ARM Asset Management S.A.,
- decided that this judgment shall be enforceable immediately notwithstanding any appeal and without posting of a bond.

¹ **Art. 28.** The decision of the CSSF withdrawing the name of a securitisation undertaking from the list provided for in Article 21 shall by operation of law, as from the notification thereof to such undertaking, and until the decision has become final, entail for such undertaking suspension of any payment by said undertaking and prohibition for such undertaking, under penalty of voidance, to take any measures other than protective measures, except with the authorisation of the supervisory commissioner.

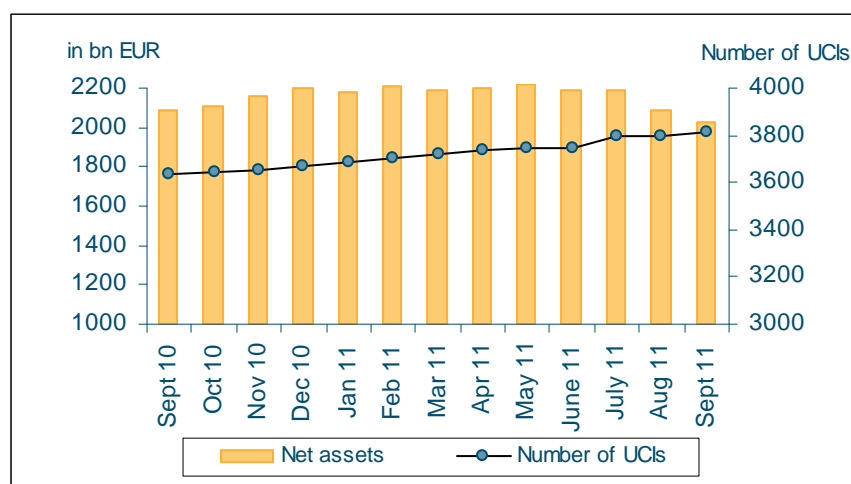
■ GLOBAL SITUATION OF UNDERTAKINGS FOR COLLECTIVE INVESTMENT AND SPECIALISED INVESTMENT FUNDS AT THE END OF SEPTEMBER 2011

Press release 11/41 of 7 November 2011

I. Overall situation

As at 30 September 2011, total net assets of undertakings for collective investment and specialised investment funds reached EUR 2,032.077 billion compared to EUR 2,085.941 billion as at 31 August 2011, i.e. a 2.58% decrease over one month. Over the last twelve months, the volume of net assets decreased by 2.48%.

Overall, the Luxembourg UCI industry showed a negative variation amounting to EUR 53.864 billion during September. This decrease is the result of the unfavourable impact of the financial markets amounting to EUR 42.521 billion (-2.04%) and the negative net issues amounting to EUR 11.343 billion (-0.54%).



The number of undertakings for collective investment (UCIs) and specialised investment funds (SIFs) taken into consideration totalled 3,816 as against 3,799 in the previous month. A total of 2,419 entities have adopted an umbrella structure, which represents 11,915 sub-funds. When adding the 1,397 entities with a traditional structure to the previous figure, a total of 13,312 entities are active in the financial centre.

As regards net capital investment and the impact of financial markets on Luxembourg UCIs, the following can be said about September 2011.

In September, all equity markets recorded losses, owing, on the one hand, to the continuing sovereign debt crisis in the Euro zone, and, on the other hand, to a downgrade of economic indicators. Consequently, almost all categories of Luxembourg equity UCIs suffered a fall in prices during September. The only exception was the category of Japanese equity UCIs which recorded price increases owing to the appreciation of the Japanese currency against the Euro of more than 6%.

Concerning net capital investment, all categories of equity UCIs recorded net redemptions except for UCIs investing in Japanese equities.

Development of equity UCIs during the month of September 2011*

	Market variation	Net issues
Global market equities	-5.16%	-0.71%
European equities	-4.66%	-2.59%
US equities	-2.14%	-2.59%
Japanese equities	3.10%	0.64%
Eastern European equities	-11.82%	-2.12%
Asian equities	-8.09%	-1.20%
Latin American equities	-11.31%	-2.79%
Other equities	-7.37%	-1.91%

* Variation in % of Net Assets as compared to the previous month

On the European government bond markets, yield differences between countries continued widening in September. Following the persisting tensions caused by the public debt crisis and a more pessimistic economic outlook, investors turned towards government bonds of higher-rated countries as defensive securities. Simultaneously, risk premiums rose again in the weakest Euro zone states.

On the US government bond market, the Fed announced an operation aiming to strengthen long-term bond redemptions in order to decrease yields and thereby stimulate investment.

On the corporate bond markets and emerging countries bond markets, investor uncertainty due to economic risk led to an increase in risk premiums.

As a consequence, prices of bond UCIs denominated in EUR slightly fell while USD-denominated bond UCIs rose, owing to an appreciation of the USD against the EUR of more than 7%.

Overall, bond UCIs recorded negative net issues in September, the greatest variation being recorded for high-yield bonds which were the worst hit by the growing risk aversion of investors. Monetary UCIs recorded a net capital investment.

Development of fixed-income UCIs during the month of September 2011*

	Market variation	Net issues
EUR money market	0.00%	1.61%
USD money market	6.89%	1.80%
Global market money market	-0.01%	1.66%
EUR-denominated bonds	-0.04%	-1.03%
USD-denominated bonds	3.08%	1.55%
Global market bonds	-1.22%	-0.38%
High Yield bonds	-0.53%	-3.75%
Others	-1.95%	-1.72%

* Variation in % of Net Assets as compared to the previous month

The development of net assets of Luxembourg UCIs investing in mixed transferable securities and of funds of funds during the month of September is illustrated in the table below:

Diversified income UCIs and funds of funds during the month of September 2011*

	Market variation	Net issues
Diversified UCIs	-2.16%	-0.02%
Funds of funds	-1.32%	-0.56%

* Variation in % of Net Assets as compared to the previous month

II. Breakdown of the number and the net assets of UCIs according to Parts I and II of the 2002 and 2010 law and SIFs

	PART I UCIs		PART II UCIs		SIFs		TOTAL	
	NUMBER	NET ASSETS (in bn €)	NUMBER	NET ASSETS (in bn €)	NUMBER	NET ASSETS (in bn €)	NUMBER	NET ASSETS (in bn €)
31/12/2007	1,653	1,646.341 €	643	295.939 €	572	117.115 €	2,868	2,059.395 €
31/01/2008	1,662	1,539.494 €	653	293.197 €	617	118.450 €	2,932	1,951.141 €
29/02/2008	1,680	1,543.385 €	654	296.900 €	638	122.560 €	2,972	1,962.845 €
31/03/2008	1,700	1,480.352 €	663	292.614 €	649	122.479 €	3,012	1,895.445 €
30/04/2008	1,733	1,541.312 €	675	296.483 €	675	126.281 €	3,083	1,964.076 €
31/05/2008	1,736	1,566.198 €	678	303.800 €	691	126.961 €	3,105	1,996.959 €
30/06/2008	1,755	1,480.895 €	682	292.539 €	716	128.658 €	3,153	1,902.092 €
31/07/2008	1,784	1,471.973 €	688	292.279 €	748	132.105 €	3,220	1,896.357 €
31/08/2008	1,817	1,487.918 €	695	293.025 €	772	137.050 €	3,284	1,917.993 €
30/09/2008	1,827	1,375.104 €	699	285.360 €	796	136.232 €	3,322	1,796.696 €
31/10/2008	1,845	1,243.344 €	701	270.891 €	805	132.793 €	3,351	1,647.028 €
30/11/2008	1,840	1,206.535 €	709	265.744 €	815	131.958 €	3,364	1,604.237 €
31/12/2008	1,826	1,169.389 €	708	259.809 €	837	130.455 €	3,371	1,559.653 €
31/01/2009	1,837	1,183.116 €	710	252.878 €	851	135.540 €	3,398	1,571.534 €
28/02/2009	1,838	1,149.100 €	709	246.367 €	855	134.824 €	3,402	1,530.291 €
31/03/2009	1,840	1,154.891 €	698	240.229 €	858	131.443 €	3,396	1,526.563 €
30/04/2009	1,847	1,213.147 €	697	240.906 €	871	138.879 €	3,415	1,592.932 €
31/05/2009	1,849	1,243.508 €	693	235.626 €	883	140.135 €	3,425	1,619.269 €
30/06/2009	1,846	1,255.762 €	691	232.770 €	898	142.724 €	3,435	1,631.256 €
31/07/2009	1,848	1,327.841 €	684	234.610 €	906	143.579 €	3,438	1,706.030 €
31/08/2009	1,851	1,360.316 €	678	232.282 €	920	146.819 €	3,449	1,739.417 €
30/09/2009	1,849	1,394.016 €	670	229.669 €	938	150.149 €	3,457	1,773.834 €
31/10/2009	1,844	1,399.816 €	664	227.254 €	946	150.458 €	3,454	1,777.528 €
30/11/2009	1,858	1,415.274 €	651	221.603 €	964	152.033 €	3,473	1,788.910 €
31/12/2009	1,843	1,465.743 €	649	221.203 €	971	154.047 €	3,463	1,840.993 €
31/01/2010	1,842	1,477.013 €	649	220.250 €	989	163.425 €	3,480	1,860.688 €
28/02/2010	1,843	1,511.384 €	646	221.532 €	1,009	165.018 €	3,498	1,897.934 €
31/03/2010	1,847	1,584.238 €	643	226.268 €	1,026	170.032 €	3,516	1,980.538 €
30/04/2010	1,842	1,611.938 €	640	227.551 €	1,039	173.398 €	3,521	2,012.887 €
31/05/2010	1,846	1,589.202 €	637	225.773 €	1,059	177.438 €	3,542	1,992.413 €
30/06/2010	1,843	1,600.977 €	636	224.773 €	1,071	184.887 €	3,550	2,010.637 €
31/07/2010	1,849	1,610.800 €	638	222.244 €	1,095	186.179 €	3,582	2,019.223 €
31/08/2010	1,855	1,653.112 €	637	223.081 €	1,122	192.797 €	3,614	2,068.990 €
30/09/2010	1,858	1,667.806 €	631	220.834 €	1,144	195.100 €	3,633	2,083.740 €
31/10/2010	1,854	1,688.755 €	630	219.558 €	1,161	199.262 €	3,645	2,107.575 €
30/11/2010	1,851	1,733.602 €	629	219.956 €	1,176	207.314 €	3,656	2,160.872 €
31/12/2010	1,846	1,762.666 €	629	222.178 €	1,192	214.150 €	3,667	2,198.994 €
31/01/2011	1,847	1,748.015 €	626	220.255 €	1,211	215.757 €	3,684	2,184.027 €
28/02/2011	1,857	1,770.049 €	620	220.032 €	1,228	218.117 €	3,705	2,208.198 €
31/03/2011	1,858	1,755.924 €	622	216.151 €	1,244	218.821 €	3,724	2,190.896 €
30/04/2011	1,858	1,759.531 €	624	213.823 €	1,254	222.054 €	3,736	2,195.408 €
31/05/2011	1,864	1,782.367 €	619	211.981 €	1,266	224.860 €	3,749	2,219.208 €
30/06/2011	1,864	1,750.292 €	616	210.172 €	1,269	224.535 €	3,749	2,184.999 €
31/07/2011	1,861	1,752.281 €	629	210.582 €	1,305	226.802 €	3,795	2,189.665 €
31/08/2011	1,860	1,652.805 €	627	204.518 €	1,312	228.618 €	3,799	2,085.941 €
30/09/2011	1,858	1,600.158 €	618	201.939 €	1,340	229.980 €	3,816	2,032.077 €

■ LIFEMARK S.A.

Press release 11/40 of 2 November 2011

The CSSF informs that on 27 October 2011, at its request, the 1st vice-president of the Luxembourg district court, sitting in commercial matters, appointed, in accordance with article 25(2) of the Luxembourg securitisation law of 22 March 2004, KPMG LUX S.à r.l., represented by Mr. Zia Hossen, as provisional administrator (*administrateur provisoire*) of the société anonyme LIFEMARK S.A., with registered office at 46A, avenue John F. Kennedy, Luxembourg, for a new period of three (3) months from the delivery of this order, with an unchanged mandate and unchanged most extensive management powers (please refer to our press release of 15 February 2010). The decision explicitly confirms that this new mandate replaces and brings about the expiry of the previous mandate given by the court order of 10 May 2011 (please refer to our press release of 13 May 2011). The court has also confirmed that the measure of 27 October 2011 in itself is not to be considered as an insolvency procedure such as bankruptcy, controlled management, a procedure of suspension of payments or judicial liquidation.

The CSSF and the UK Regulator, the Financial Services Authority (FSA), are continuously working together in close cooperation in this matter.

■ DECISION TO RECAPITALISE THE EUROPEAN BANKS

Press release 11/39 of 27 October 2011

The EU summit decided yesterday to strengthen European banks' capital positions by the end of June 2012. The agreement, whose purpose is to restore investor confidence in the European banking sector, covers two aspects:

1. Establishment of a temporary capital buffer commensurate with the banks' exposures to European sovereign debt. This measure aims to ensure that banks hold sufficient capital to support the latent losses related to the valuation of their European sovereign debt exposures at current market prices, the latter having substantially declined for European countries that are facing a difficult sovereign debt situation.
2. Requirement of a Core Tier 1 (CT1) solvency ratio of at least 9%. This requirement, which includes CT1 capital that only comprises the highest quality capital instruments (subscribed capital, reserves, profit or loss brought forward and profit not available for distribution, except hybrid instruments), is deemed appropriate to ensure that the banking sector has a sufficient capital buffer to withstand potential risks beyond the risks linked to European sovereign debt exposures.

Based on preliminary assessments to be confirmed by the EBA in November 2011, the *Banque et Caisse d'Epargne de l'Etat*, the only Luxembourg bank directly included in EBA's sample, already meets the CT1 requirement of 9% and will thus not need any additional capital.

Please refer to the press release of the European Banking Authority (EBA) for further information:

<http://www.eba.europa.eu/News--Communications/Year/2011/The-EBA-details-the-EU-measures-to-restore-confide.aspx>

■ SUSPENSION OF DEXIA SHARES

Press release 11/38 of 27 October 2011

The Commission de Surveillance du Secteur Financier (CSSF) has been informed by the Financial Services and Markets Authority (FSMA), the competent authority of Belgium, of the suspension of DEXIA shares (BE0003796134) (and derivatives) from trading on Euronext Brussels on 27 October 2011 as from 9 a.m., pending the publication of a press release. Therefore, the CSSF has required, in accordance with article 9 (3) of the law of 13 July 2007 on markets in financial instruments, the suspension of said financial instrument from trading on the regulated market of the Luxembourg Stock Exchange until the market has been duly informed.

■ ARM ASSET BACKED SECURITIES S.A.

CSSF STATEMENT ON ARM ASSET BACKED SECURITIES S.A. (“ARM”) AND ARM’S LETTER OF 25 OCTOBER 2011 SENT TO INVESTORS (THE “INVESTOR LETTER”) ON THE PROPOSED TRANSACTION BETWEEN ARM AND INSETCO PLC (THE “INSETCO DEAL”)

Press release 11/37 of 26 October 2011

The present statement follows on from the ARM FAQ document published by CSSF press release 11/31 of 23 September 2011 and is to be read in conjunction with question 10.2 of that document which stated that the CSSF was liaising daily with ARM to ensure that ARM’s intended consultation of investors regarding the Insetco deal was based on complete, not misleading and factually correct information.

Since numerous bondholders have made requests to obtain more detailed information on the Insetco deal and in view of the fact that it now appears unrealistic that ARM and the CSSF will find a common ground on the precise contents of the Investor Letter, the CSSF informed ARM on 21 October 2011 that it does not object to ARM sending out, under its own responsibility, the Investor Letter in the format ARM deems appropriate.

The CSSF however wants to stress that it has not given its approval to the contents of the Investor Letter. The Investor Letter aims not only at informing the investors about the current situation in respect of the Insetco deal, but its main purpose is to ask existing ARM bondholders and pending investors, together “the Investors”, to give their view on whether they would like the Insetco deal to go ahead or not. This is why the CSSF has taken the view vis-à-vis ARM that the contents of the Investor Letter should be as comprehensive and balanced as reasonably possible.

However, in light of the final version of the Investor Letter prepared by ARM, the CSSF considers that Investors currently are not in a position to make an informed decision on the proposed Insetco deal on the basis of available information.

The CSSF holds the view that Investors would only be in a position to make an informed choice on the merits of the Insetco deal once several important issues will have been clarified, among which the two following essential points:

- Clarification as to the ownership and treatment of the pending investors' monies. According to information received by the CSSF, it is possible that these monies beneficially belong to certain or all of the pending investors. If that were so, ARM would, if it were to transfer these monies to Insetco, dispose over monies which do not beneficially belong to it. The Investor Letter as released by ARM suggests that these monies would only be transferred in proportion to the accepting pending investors. However, the CSSF cannot read this into the copy of the Insetco sale and purchase agreement which has been made available to it. This agreement (unless it would have been varied in the meantime) seems to clearly provide that all the monies are to be transferred to Insetco, notwithstanding the decision (positive or negative) of individual pending investors. The uncertainty surrounding the treatment of these monies might have an impact on the validity or effectiveness of the Insetco deal. It cannot be excluded in this context that the question of the ownership of the pending investors' monies will have to be determined by the competent courts in the UK and/or Luxembourg;
- Clarification of the economic model/mathematical formulae explaining the link between the market value of assets transferred to Insetco (supposed to be 80 mio US\$) and the nominal value of bonds to be issued by Insetco (equivalent to 226 mio US\$) as well as the apparent proportionality between the amount of cash transferred and such amount of bonds to be issued by Insetco.

While the Investor letter invites Investors to express an opinion on the Insetco deal based on currently available information, the CSSF encourages Investors to request and collect all relevant information in order to be able to form an independent view on the merits of the Insetco deal and to seek independent professional advice in case they intend to respond to the poll.

The CSSF further holds the view that, in order to allow Investors and their professional advisers to form an independent view on the merits of the Insetco deal, it would be appropriate for ARM to disclose the full content of the Insetco sale and purchase agreement.

On a final note, the CSSF wants to stress that it never ordered an information blackout or a prohibition of communication on the Insetco deal. To the contrary, the CSSF encouraged ARM on several occasions to communicate with Investors on the Insetco deal for information purposes. It is however true that the CSSF did request ARM to refrain from polling Investors on their opinion about that deal, while ARM and the CSSF were trying to reach an agreement on a balanced content of the Investor Letter.

Please find below links to former CSSF press-releases relating to ARM:

29 August 2011: www.cssf.lu/fileadmin/files/Publications/Communiqués/Communiqués_2011/CP_1128.pdf

23 September 2011: www.cssf.lu/fileadmin/files/Publications/Communiqués/Communiqués_2011/CP_1131.pdf

26 October 2011: www.cssf.lu/fileadmin/files/Publications/Communiqués/CP_1136_ARM_Addendum1.pdf

■ ARM ASSET BACKED SECURITIES S.A. ("ARM")

FREQUENTLY ASKED QUESTIONS – ADDENDUM 1 TO PRESS-RELEASE 11/31

Press release 11/36 of 26 October 2011

1. What is the nature of ARM's challenge?

On 29 September 2011, ARM formally requested the Commission de Surveillance du Secteur financier ("CSSF") to revise its decision whereby it had refused to grant a licence to ARM as a regulated securities undertaking under the Luxembourg law of 22 March 2004 on securitisation (the "Decision"). The request was submitted under form of an application with the CSSF to review its Decision, a so-called "*recours gracieux*". This application by itself does not trigger a review before the Luxembourg courts at this stage. It is an invitation addressed to the CSSF to review its own Decision. It has as an effect to suspend the period within which a judicial appeal must normally be brought before the Luxembourg courts to challenge the Decision (which is one month). The CSSF may respond at any time to this application, but if it does not do so within 3 months after the filing of the application, a new one-month appeal period will start to run automatically.

During this period, the CSSF remains *commissaire de surveillance* ("**Supervisory Commissioner**") and the regime of suspension of payments by ARM and prohibition for ARM, under penalty of voidance, to take any measures other than protective measures unless otherwise authorized by the CSSF remain in place.

2. What happens if the CSSF changes its Decision?

If the CSSF, following the *recours gracieux*, were to change its Decision so as to accept that ARM be admitted to the list of licensed securitisation undertakings under the Luxembourg law of 22 March 2004 on securitisation, the suspension of payments would be lifted and the CSSF would no longer take on the role of Supervisory Commissioner.

3. What happens if the CSSF upholds its Decision?

If the CSSF, following the *recours gracieux*, were to uphold its Decision (either expressly or implicitly by not responding to the application), ARM would be given a period of one (1) month to formally appeal to the Luxembourg administrative courts for a formal judicial review of the Decision (*recours administratif*). A Luxembourg court would then have to decide on whether to reverse the Decision or to uphold it. Depending on the outcome, the CSSF or ARM could thereafter appeal against the court's ruling at first instance.

4. Will ARM now be liquidated and what are the timelines?

ARM is currently not in liquidation and no liquidator has been appointed.

A liquidator will only be appointed by a Luxembourg court if one of the following situations occurs:

- ARM withdraws its *recours gracieux* before the CSSF expressly takes a position in respect of the *recours gracieux*. In this case, the Decision would have become final and a liquidator could be appointed within a matter of weeks;

- the CSSF, following the *recours gracieux* decides to uphold its Decision (or does not respond to the *recours gracieux*) and ARM decides not to lodge a formal appeal with the Luxembourg courts for a formal judicial review of the Decision (*recours administratif*). In this scenario the process would most likely be rather speedy and one could anticipate that ARM would enter into liquidation within weeks after the expiry of the one-month appeal period; or
- the CSSF upholds its Decision and ARM lodges a formal judicial appeal (*recours administratif*) and the Luxembourg administrative courts eventually uphold the CSSF's Decision following a *recours administratif* lodged by ARM. This process is likely to take several years.

5. What is the current situation?

ARM submitted a *recours gracieux* with the CSSF, requesting the CSSF to review its Decision on 29 September 2011. From that date, the CSSF has a maximum period of three months to undertake such review and to decide whether to uphold or change its Decision. If the CSSF does not take an explicit decision either way within this three-month period, this will in essence have the same effect as if the CSSF had rejected the *recours gracieux*.

If the CSSF upholds its Decision or does not respond, ARM has one month (starting with the notification that its application has been rejected or, as the case may be, with the expiry of the three-month period) to lodge a *recours administratif* with the Luxembourg courts:

Once the Luxembourg courts have ruled on the matter in the first instance, either party could then appeal to a higher (and last instance) court. The overall process could take several years.

In the meantime ARM would remain in a situation of suspension of payments and be supervised by a Supervisory Commissioner.

Please find below links to former CSSF press-releases relating to ARM:

29 August 2011: www.cssf.lu/fileadmin/files/Publications/Communiqués/Communiqués_2011/CP_1128.pdf

23 September 2011: www.cssf.lu/fileadmin/files/Publications/Communiqués/Communiqués_2011/CP_1131.pdf

■ PROFIT AND LOSS ACCOUNTS OF THE CREDIT INSTITUTIONS AS AT 30 SEPTEMBER 2011: 18% DECREASE OF NET PROFIT

Press release 11/35 of 25 October 2011

Based on provisional figures, the CSSF estimates net profit of the Luxembourg banking sector at EUR 2,647 million as at 30 September 2011. Compared to the same period in 2010, net profit thus fell by 17.8%.

To date, uncertainties with regard to the development of the European public finances have not had any negative impact on gross profit of Luxembourg banks, as reflected by the rise in interest income and commissions received.

Banking income thus grew by 5.6% year-on-year.

As regards **general expenses**, the 2.9% growth is mainly due to integration and restructuring costs caused by the different acquisitions and disposals of activities among professionals of the financial sector.

For the third quarter of 2011, the development of banking income and general expenses leads to **profit before provisions** that rise by 8% year-on-year.

However, owing to value adjustments in the Greek debt that Luxembourg banks constituted as at 30 September 2011, **net profit** of the Luxembourg banking sector **fell by 17.8%** year-on-year.

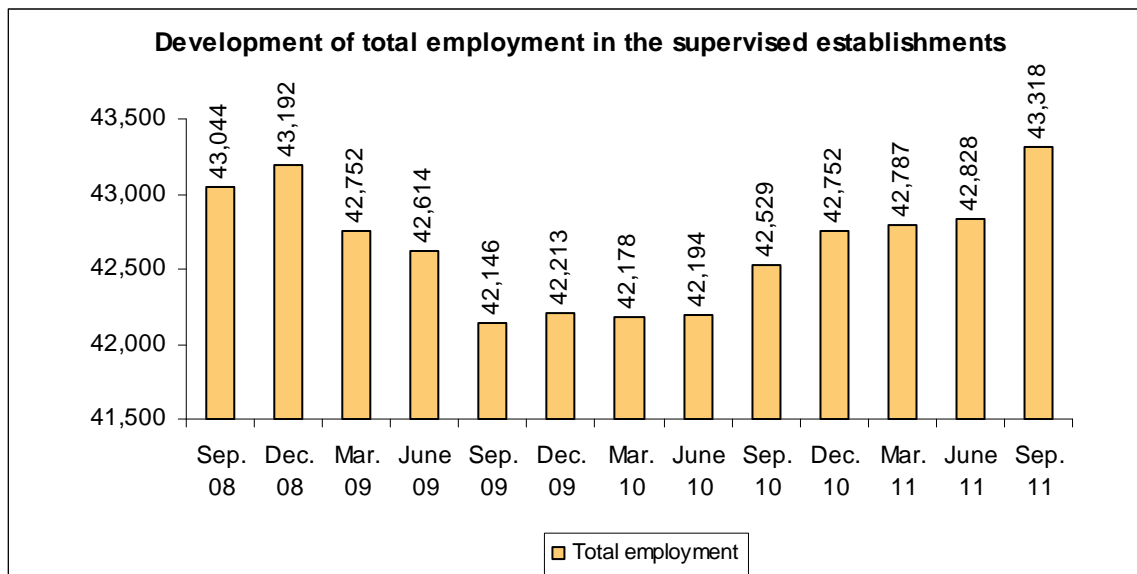
Profit and loss account as at 30 September 2011

Items in million EUR	September 2010	September 2011	%
Interest-rate margin ¹	4,285	4,419	+3.1%
Commissions received	2,641	2,928	+10.9%
Other net income	471	464	-1.4%
Banking income	7,397	7,812	+5.6%
Staff costs	1,907	1,918	+0.6%
Other general expenses	1,537	1,626	+5.8%
General expenses	3,443	3,544	+2.9%
Result before provisions	3,954	4,268	+8.0%
Net profit	3,219	2,647	-17.8%

¹ Including dividends received from subsidiaries

STATISTICS

■ DEVELOPMENT OF TOTAL EMPLOYMENT IN THE SUPERVISED ESTABLISHMENTS

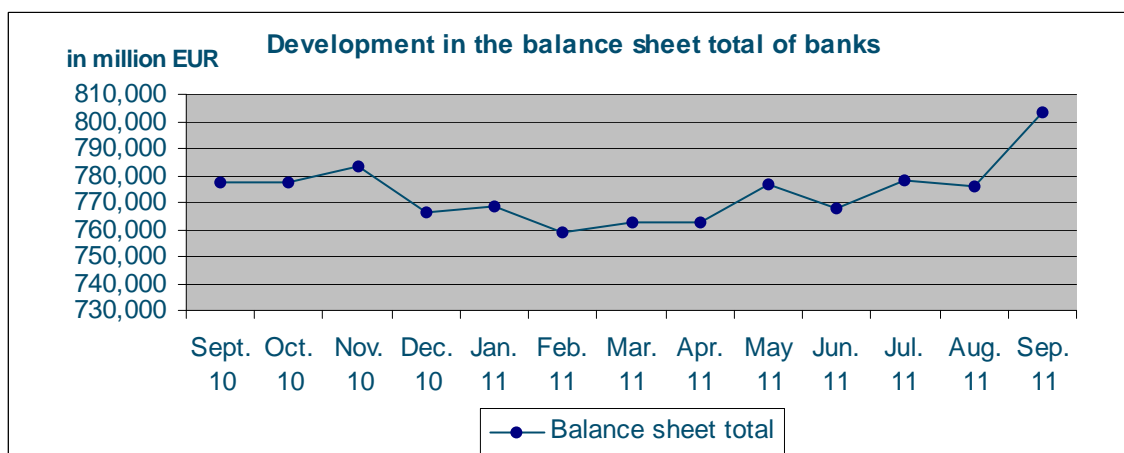


The notable rise in total employment mainly results from two elements:

- The takeover of the specialised PFS FASTNET by the bank Caceis: This change resulted in a decrease of total specialised PFS employment by 551 persons and a correlative growth of banking employment.
- A substantial rise of support PFS employment which is notably due to the correction of a reporting error in June 2011. As regards support PFS employment, it is important to note that the creation of a new support PFS does not in principle result in the creation of new employment as most of the time the existing companies only change their status.

■ BANKS

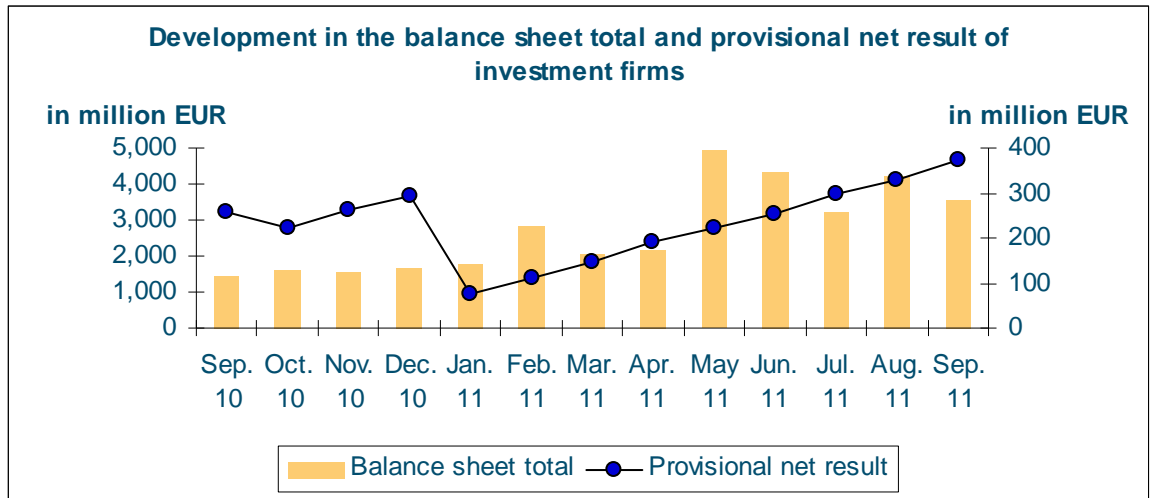
Increase in the banks' balance sheet total as at 30 September 2011



The balance sheet total increased by 3.53% over one month. On a yearly basis, the rise reached 3.36%.

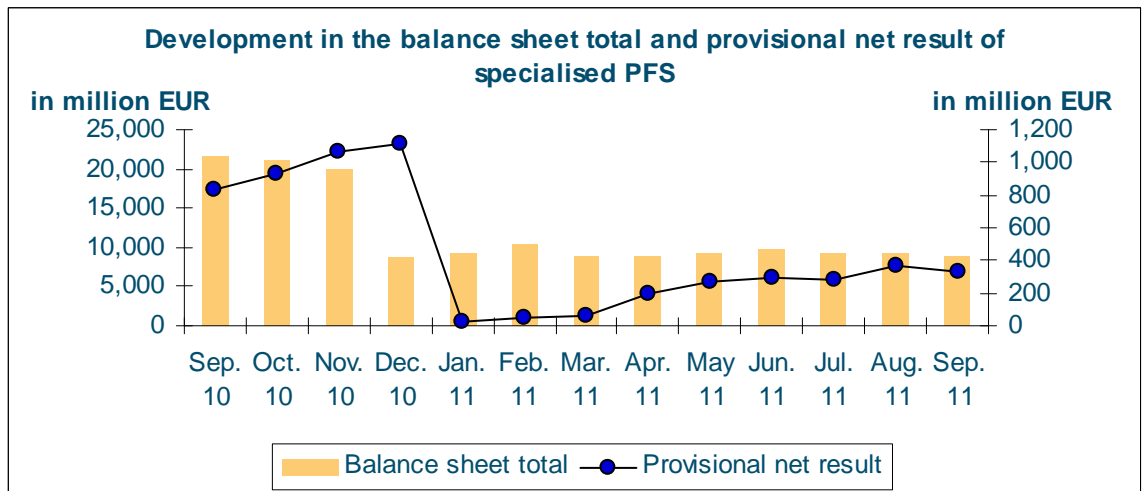
■ INVESTMENT FIRMS

Decrease in the investment firms' balance sheet total as at 30 September 2011



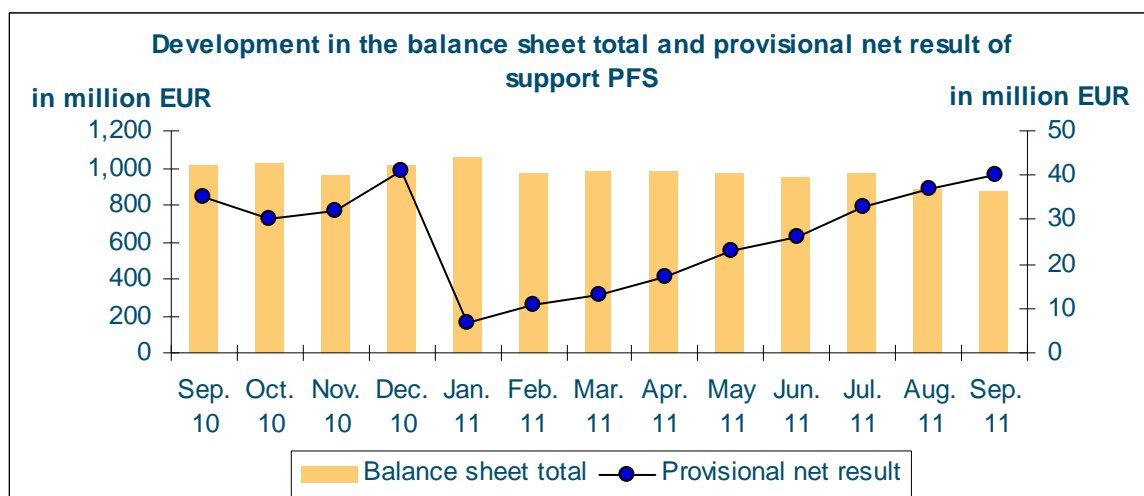
■ SPECIALISED PFS

Decrease in the specialised PFS' balance sheet total as at 30 September 2011



■ SUPPORT PFS

Decrease in the support PFS' balance sheet total as at 30 September 2011



■ PENSION FUNDS, SICARS AND AUTHORISED SECURITISATION UNDERTAKINGS

As at 9 November 2011, 15 pension funds in the form of pension savings companies with variable capital (sepcav) and pension savings associations (assep) were registered on the official list of pension funds subject to the law of 13 July 2005.

The number of professionals authorised to act as liability managers for pension funds subject to the law of 13 July 2005 amounted to 14 as at 9 November 2011.

Since the publication of the last Newsletter, the following SICAR has been registered on the official list of SICARs governed by the law of 15 June 2004 relating to investment companies in risk capital (SICAR).

- FIVE ARROWS SECONDARY OPPORTUNITIES III FEEDER S.C.A. SICAR, 3, rue Goethe, L-1637 Luxembourg

The following SICARs were removed from the official list:

- TINTORETTO SICAR S.A., 19-21, boulevard du Prince Henri, L-1724 Luxembourg

- PANGEA I, SCA, SICAR, 44, rue de la Vallée, L-2661 Luxembourg

As at 9 November 2011, the number of SICARs registered on the official list amounted to 270 entities.

The number of securitisation undertakings authorised by the CSSF in accordance with the law of 22 March 2004 on securitisation amounted to 27 entities as at 9 November 2011.

■ PUBLIC OVERSIGHT OF THE AUDIT PROFESSION

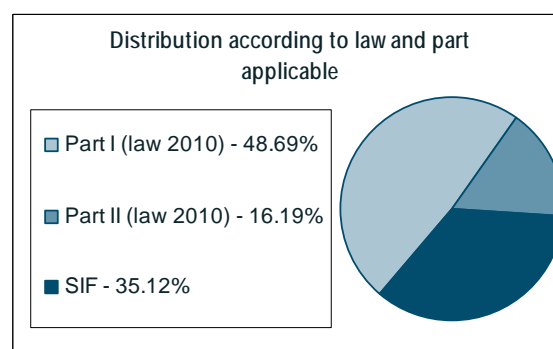
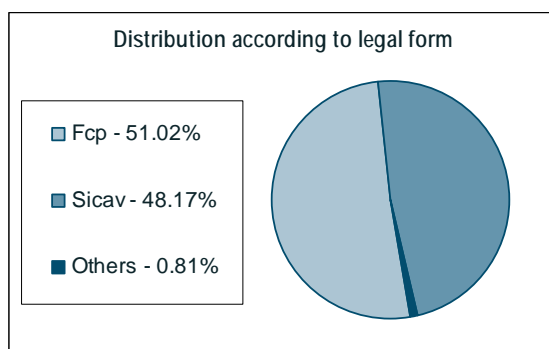
The public oversight of the audit profession covers 71 *cabinets de révision agréés* (approved audit firms) and 233 *réviseurs d'entreprises agréés* (approved statutory auditors) as at 31 October 2011. The oversight also includes 54 third-country auditors and audit firms duly registered in accordance with the law of 18 December 2009 concerning the audit profession.

UCI STATISTICS

Quarterly statistics on the undertakings for collective investment industry – Situation as at 30 September 2011

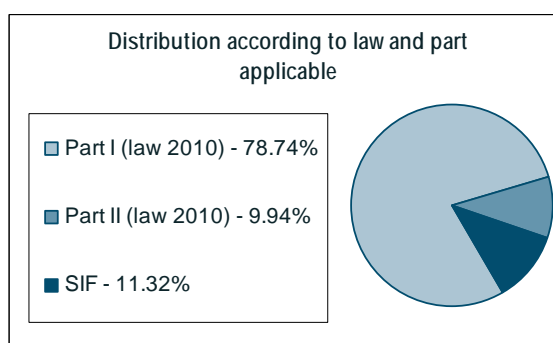
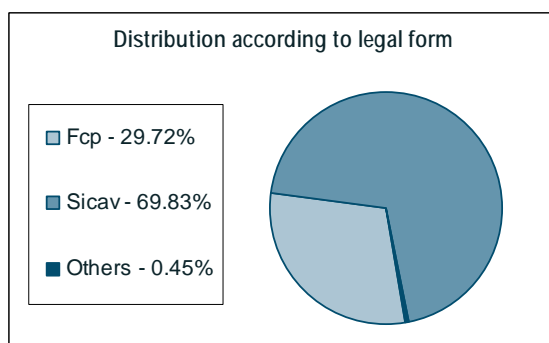
Every three months, in addition to the monthly statistics, the CSSF newsletter provides more detailed information on the investment fund sector, in particular regarding the origin of the promoters and the investment policy of the UCIs.

■ NUMBER OF UCIS



Law, Part/legal form	FCPs	SICAVs	Others	Total
Part I (law 2010)	1,139	719	0	1,858
Part II (law 2010)	295	317	6	618
SIFs	513	802	25	1,340
TOTAL	1,947	1,838	31	3,816

■ NET ASSETS OF UCIS

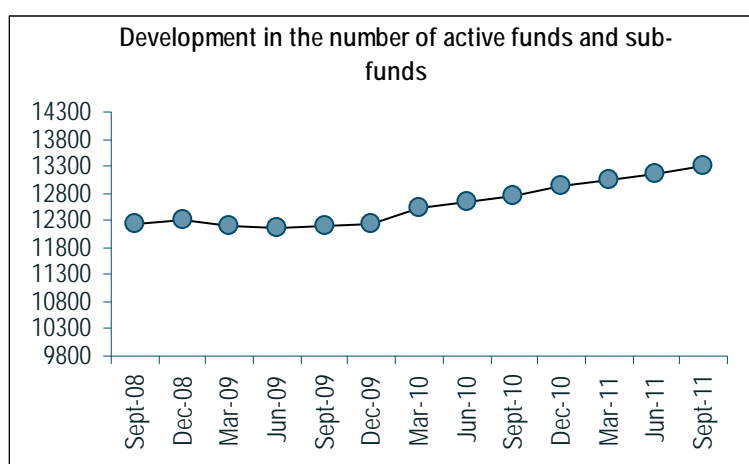


Law, Part/legal form (in bn EUR)	FCPs	SICAVs	Others	Total
Part I (law 2010)	425.999	1,174.159	0.000	1,600.158
Part II (law 2010)	78.798	122.218	0.923	201.939
SIFs	99.111	122.568	8.301	229.980
TOTAL	603.908	1,418.945	9.224	2,032.077

■ ORIGIN OF THE PROMOTERS OF LUXEMBOURG UCIS

	Net assets (in bn EUR)	In %
United States	463.803	22.8%
Germany	347.861	17.1%
Switzerland	315.285	15.5%
Great Britain	254.490	12.5%
Italy	166.991	8.2%
France	153.569	7.6%
Belgium	109.696	5.4%
Netherlands	41.517	2.1%
Luxembourg	40.076	2.0%
Sweden	34.489	1.7%
Others	104.300	5.1%
TOTAL	2,032.077	100%

■ DEVELOPMENT IN THE NUMBER OF UNITS



■ INVESTMENT POLICY OF LUXEMBOURG UCIS

	Net assets (in bn EUR)
Fixed-income transferable securities (*)	892.112
Variable-yield transferable securities (**)	546.021
Mixed transferable securities (***)	383.100
Fund of funds (****)	145.033
Cash	8.562
Real estate	23.473
Futures, options, warrants	20.575
Others (*****)	13.201
TOTAL	2,032.077

(*) Including EUR 274.907 billion in money market instruments and other short-term securities

(**) Including EUR 6.047 billion in non-listed transferable securities and EUR 0.191 billion in venture capital

(***) Including EUR 2.949 billion in non-listed transferable securities and EUR 0.462 billion in venture capital

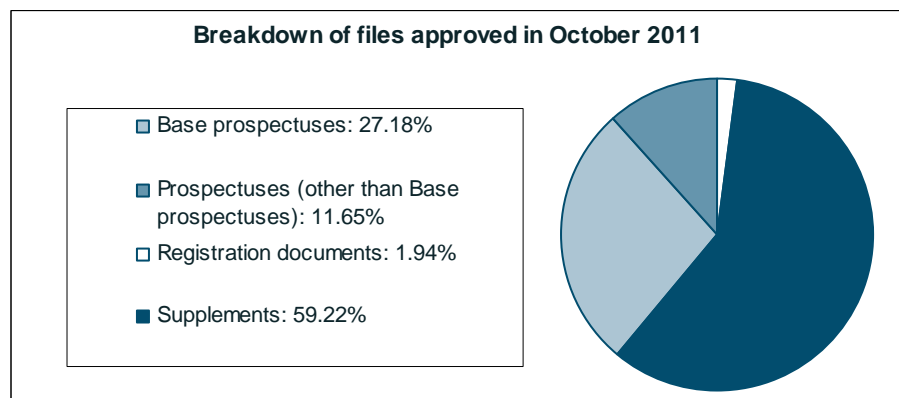
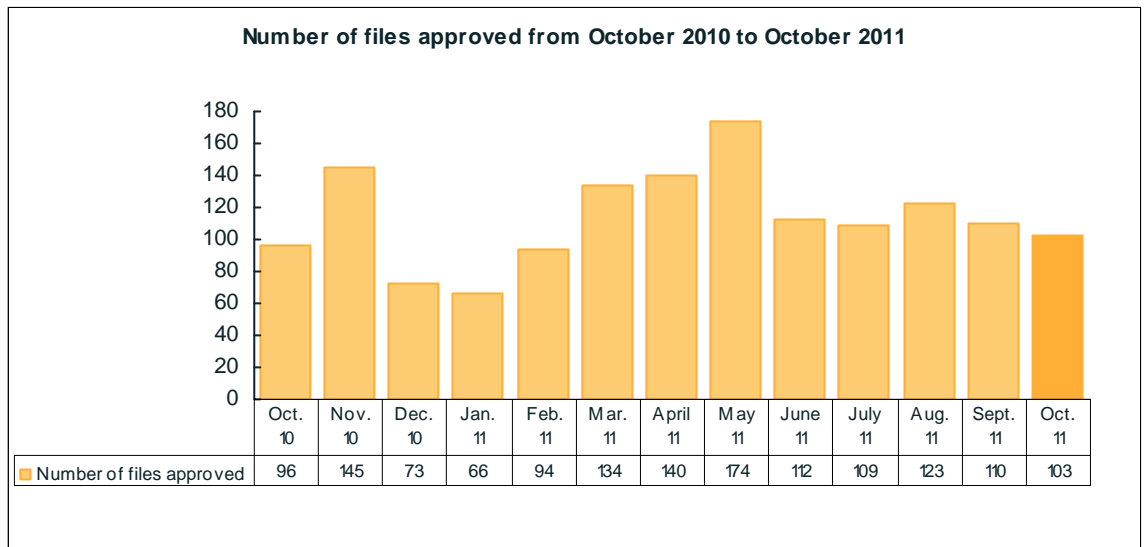
(****) Including EUR 0.352 billion in non-listed transferable securities and EUR 0.007 billion in venture capital

(*****) Including EUR 0.106 billion in venture capital

■ PROSPECTUSES FOR SECURITIES IN THE EVENT OF AN OFFER TO THE PUBLIC OR ADMISSION TO TRADING ON A REGULATED MARKET (PART II AND PART III, CHAPTER 1 OF THE LAW ON PROSPECTUSES FOR SECURITIES)

1. APPROVALS

In October 2011, a total of 103 documents have been approved by the CSSF, i.e. 12 prospectuses, 28 base prospectuses, 2 registration documents and 61 supplements.

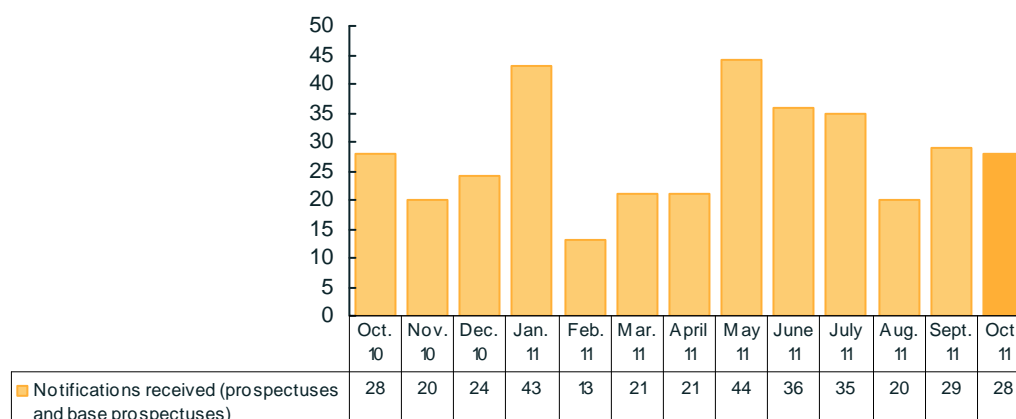


2. NOTIFICATIONS

2.1. Notifications received by the CSSF

In October 2011, the CSSF received 28 notifications relating to prospectuses and base prospectuses and 167 notifications relating to supplements from the competent authorities of several EU Member States.

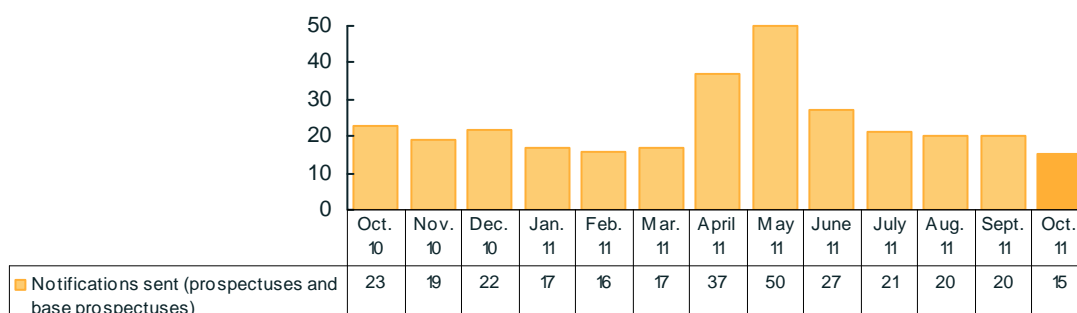
Notifications received (prospectuses and base prospectuses) by the CSSF from October 2010 to October 2011



2.2. Notifications sent by the CSSF

In October 2011, the CSSF sent notifications concerning 15 prospectuses and base prospectuses and 36 supplements² it has approved to the competent authorities of the EU Member States.

Notifications sent (prospectuses and base prospectuses) by the CSSF from October 2010 to October 2011

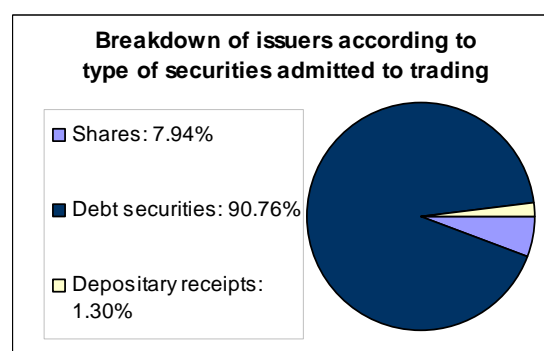
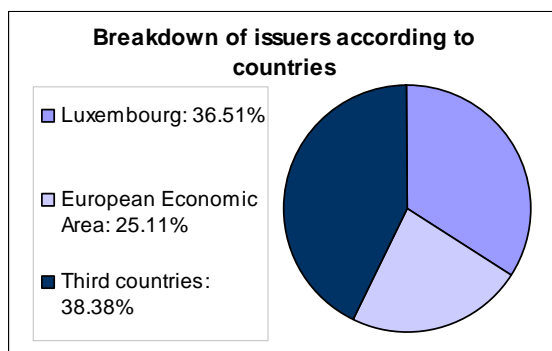


² This figure is the number of prospectuses, base prospectuses and supplements for which the CSSF sent one or several notifications. Where notifications have been sent at different dates and/or in several Member States, only the first notification is included in the statistical calculations. Each document notified in one or several Member States is thus only counted once.

■ ISSUERS FOR WHICH LUXEMBOURG IS THE HOME MEMBER STATE PURSUANT TO THE LAW OF 11 JANUARY 2008 ON TRANSPARENCY REQUIREMENTS FOR ISSUERS OF SECURITIES (THE "TRANSPARENCY LAW")

Since 12 October 2011, 3 issuers have chosen Luxembourg as home Member State for the purposes of the Transparency Law. Moreover, 6 issuers were removed from the list due to the fact that they do not fall within the scope of the Transparency Law any more.

As at 10 November 2011, 693 issuers, subject to the supervision of the CSSF, were included in the list of issuers for which Luxembourg is the home Member State pursuant to the Transparency Law.



OFFICIAL LISTS

■ LIST OF BANKS

Change of address:

JOH. BERENBERG, GOSSLER & CO – BERENBERG BANK -, HAMBURG (ALLEMAGNE), SUCCURSALE DE LUXEMBOURG

46, Place Guillaume II, L-1648 Luxembourg

Industrial and Commercial Bank of China Ltd., Luxembourg Branch

32, Boulevard Royal, L-2449 Luxembourg

Industrial and Commercial Bank of China (Europe) S.A., en abrégé ICBC (Europe) S.A.

32, Boulevard Royal, L-2449 Luxembourg

Changes of denomination:

DnB NOR Luxembourg S.A. became
DNB LUXEMBOURG S.A.

UFG-LFP PRIVATE BANK became
LA FRANÇAISE AM PRIVATE BANK

■ LIST OF PAYMENT INSTITUTIONS

Registration:

DINERS CLUB BENEFLEX S.A.

33, avenue Grande-Duchesse Charlotte, L-1331 Luxembourg

Ministerial authorisation of 11 October 2011

■ LIST OF PFS

New authorisations:

COMARCH LUXEMOURG S.A R.L.

23, route d'Arlon, L-8008 Strasses

Statuses: primary IT systems operator of the financial sector and secondary IT systems and communication networks operator of the financial sector

Ministerial authorisation of 5 October 2011

EF TRUST S.A.

6A, route de Trèves, L-2633 Senningerberg

Statuses: domiciliation agent of companies and professional performing services of setting-up and of management of companies

Ministerial authorisation of 5 October 2011

LEHNER INVESTMENTS ADVICE S.A.

2, rue Heinrich Heine, L-1720 Luxembourg

Status: investment adviser

Ministerial authorisation of 11 October 2011

LUXEMBOURG FUND SERVICES S.A.

72, avenue de la Faïencerie, L-1510 Luxembourg

Statuses: registrar agent, administrative agent of the financial sector, client communication agent, domiciliation agent of companies and professional performing services of setting-up and of management of companies

Ministerial authorisation of 5 October 2011

REGIS-TR S.A.

42, avenue J. F. Kennedy, L-1855 Luxembourg

Status: general provisions (Article 13)

Ministerial authorisation of 27 September 2011

Change of denomination:

NEXTIRAONE LUXEMBOURG S.A. became

NEXTIRAONE LUXEMBOURG PSF S.A.

Changes of status:

CARL KLIEM S.A.

251, route d'Arlon, L-1150 Luxembourg

Statuses: investment adviser, broker in financial instruments, commission agent, private portfolio manager

MARGUERITE ADVISER S.A.

41, boulevard Prince Henri, L-1724 Luxembourg

Statuses: investment advisor, broker in financial instruments, professional performing services of setting up and of management of companies, distributor of units/shares of investment funds not allowed to accept and make payments

Changes of address:

ANOVA CAPITAL S.A.

5, rue Goethe, L-1637 Luxembourg

IBM SERVICES FINANCIAL SECTOR LUXEMBOURG S.A R.L.

89C, rue Pafebruch, L-8308 Capellen

MAPLESFS (LUXEMBOURG) S.A.

6D, route de Trèves, L-2633 Luxembourg

■ LIST OF MANAGEMENT COMPANIES AUTHORISED ACCORDING TO CHAPTER 15 OF THE LAW OF 17 DECEMBER 2010

Withdrawal:

EFG ASSET MANAGEMENT S.A.

5, rue Jean Monnet, L-2180 Luxembourg

Changes of denomination:

UFG-LFP INTERNATIONAL became

LA FRANÇAISE AM INTERNATIONAL

SMART ASSET MANAGEMENT (LUXEMBOURG) S.A. became

NOVACAP ASSET MANAGEMENT S.A.

■ LIST OF MANAGEMENT COMPANIES AUTHORISED ACCORDING TO CHAPTER 16 OF THE LAW OF 17 DECEMBER 2010

Registration:

GGP INVESTMENT PARTNERS S.A.

8A, boulevard Joseph II, L-1840 Luxembourg

Change of denomination:

MFS INVESTMENT MANAGEMENT COMPANY (LUX) S.A. became

NOVACAP ASSET MANAGEMENT S.A.

Changes of address:

AXA ALTERNATIVE FINANCING MANAGEMENT S.A R.L.

24, avenue Emile Reuter, L-2420 Luxembourg

CAPMAN MEZZANINE V MANAGER S.A.

7A, rue Robert Stümper, L-2557 Luxembourg

■ LIST OF SECURITISATION UNDERTAKINGS

Change of address:

TAURUS CAPITAL S.A.

33A, avenue J. F. Kennedy, L-1855 Luxembourg

■ LIST OF SICARS

New authorisation:

FIVE ARROWS SECONDARY OPPORTUNITIES III FEEDER S.C.A. SICAR

3, rue Goethe, L-1637 Luxembourg

Withdrawals:

PANGEA I, SCA SICAR

44, rue de la Vallée, L-2661 Luxembourg

TINTORETTO SICAR S.A.

19-21, boulevard du Prince Henri, L-1724 Luxembourg

■ LIST OF ISSUERS OF SECURITIES FOR WHICH LUXEMBOURG IS THE HOME MEMBER STATE PURSUANT TO THE TRANSPARENCY LAW

New issuers:

<u>NAME</u>	<u>COUNTRY OF INCORPORATION</u>
BES Finance Ltd	Cayman Islands
FMC Finance VIII S.A.	Luxembourg
Fresenius Medical Care US Finance II, Inc.	United States

Withdrawals:

<u>NAME</u>	<u>COUNTRY OF INCORPORATION</u>
ArcelorMittal Rodange et Schifflange S.A.	Luxembourg
Corporación Interamericana de Entretenimiento S.A.B. de C.V.	Mexico
Economy Luxembourg S.A.	Luxembourg
Elcoteq S.E.	Luxembourg
High Grade Asset Backed S.A.	Luxembourg
P.A.R.A.D.I.S.O. TRUST II S.A.	Luxembourg

■ LIST OF UNDERTAKINGS FOR COLLECTIVE INVESTMENT (UCIS)

Registrations and voluntary withdrawals from the official list of the Luxembourg undertakings for collective investment during the month of September 2011

During the month under review, the following forty-one undertakings for collective investment and specialised investment funds have been registered on the official list:

1) UCIs Part I Law 2010:

- HUDSON RIVER RUSSIA FUNDS, 36, avenue du X Septembre, L-2550 Luxembourg
- SELECTUM STOCK PICKING FUND, 12, rue Eugène Ruppert, L-2453 Luxembourg
- STRATEJI SICAV, 4, rue Thomas Edison, L-1445 Luxembourg-Strassen
- UNIGARANT: DEUTSCHLAND (2016) III, 308, route d'Esch, L-1471 Luxembourg
- UNIGARANTPLUS: ERNEUERBARE ENERGIEN (2018), 308, route d'Esch, L-1471 Luxembourg
- UNIINSTITUTIONAL FLEXIBLE COMMODITIES, 308, route d'Esch, L-1471 Luxembourg
- YCAP CREDIT FUNDAMENTAL, 19, rue de Bitbourg, L-1273 Luxembourg

2) SIFs:

- 1798 FUNDS II, 20, rue de la Poste, L-2346 Luxembourg
- A4INVESTMENTS SICAV-SIF, 6A, rue Gabriel Lippmann, L-5365 Munsbach
- ALTERCAP II, 412F, route d'Esch, L-1471 Luxembourg
- ASSALOCA SICAV-SIF, S.C.A., 11, boulevard de la Foire, L-1528 Luxembourg
- CENTRAL AMERICAN TIMBER FUND FCP-SIF, 15, rue Edward Steichen, L-2540 Luxembourg
- CONSTELLATION III GERMAN ASSET LIGHT S.C.A., SICAV-FIS, 124, boulevard de la Pétrusse, L-2330 Luxembourg
- CRM LARGE CAP SIF, 22-24, boulevard Royal, L-2449 Luxembourg
- CROWN PREMIUM PRIVATE EQUITY V EUROPE PLUS NORTH AMERICA S.A., SICAV-FIS, 2, place Dargent, L-1413 Luxembourg
- CROWN PREMIUM PRIVATE EQUITY V MASTER EUROPE S.C.S., SICAF-FIS, 2, place Dargent, L-1413 Luxembourg
- CROWN PREMIUM PRIVATE EQUITY V MASTER NORTH AMERICA S.C.S., SICAF-FIS, 2, place Dargent, L-1413 Luxembourg
- CROWN PREMIUM PRIVATE EQUITY V S.A., SICAV-FIS, 2, place Dargent, L-1413 Luxembourg
- DIAPASON FUNDS, 5, allée Scheffer, L-2520 Luxembourg
- EHOFF SCA SICAV SIF, 12, rue Léandre Lacroix, L-1913 Luxembourg
- ERGO GLOBAL, 12, rue Eugène Ruppert, L-2453 Luxembourg
- EXOCET FUND S.C.A., 3A, rue Guillaume Kroll, L-1882 Luxembourg
- GGP FINANCIAL OPPORTUNITIES, FCP-FIS, 8A, boulevard Joseph II, L-1840 Luxembourg
- GREEN TREE FUND SICAV SIF S.A., 5, allée Scheffer, L-2520 Luxembourg
- INOVALIS REAL ESTATE S.C.A., SICAV-SIF, 5, rue Guillaume Kroll, L-1882 Luxembourg
- KOBALT MUSIC ROYALTIES SCA SICAV-SIF, 5, allée Scheffer, L-2520 Luxembourg
- LOMBARD ODIER GATEWAY, 5, allée Scheffer, L-2520 Luxembourg
- LUX J1 FUND, 287-289, route d'Arlon, L-1150 Luxembourg
- MAINORIA SICAV-SIF, 1A, rue Pierre d'Aspelt, L-1142 Luxembourg
- MANTRA ALTERNATIVE PRIVATE EQUITY, 16, boulevard Royal, L-2449 Luxembourg
- METHESIS FINANCE OPPORTUNITIES, 23, rue Jean Jaurès, L-1836 Luxembourg
- NAMIRA CAPITAL FUND, 4, rue Jean Monnet, L-2180 Luxembourg
- NEUBERGER BERMAN US CORE EQUITY FUND, 287-289, route d'Arlon, L-1150 Luxembourg
- PATRIZIA WOHNMODUL I SICAV-FIS, 4, Grand-rue, L-1660 Luxembourg
- SARASIN SPECIAL INVESTMENTS FCP, 69, route d'Esch, L-1470 Luxembourg
- SOLAR INVESTMENT GROUP SIF S.C.A., 20, boulevard Emmanuel Servais, L-2535 Luxembourg
- SOMERSET CAPITAL PARTNERS UMBRELLA FUND FCP-SIF, 40, avenue Monterey, L-2163 Luxembourg
- SPECTRUM COMMODITY, 36, avenue du X Septembre, L-2550 Luxembourg
- TELLIS FIS 1, 33, rue de Gasperich, L-5826 Howald-Hesperange
- UBS (LUX) SIF FCP GLOBAL, 33A, avenue J-F Kennedy, L-1855 Luxembourg
- XEON FUND SICAV SIF S.A., 3A, rue Guillaume Kroll, L-1882 Luxembourg

The following twenty-four undertakings for collective investment and specialised investment funds have been withdrawn from the official list in September 2011:

1) UCIs Part I Law 2010:

- ALPHA TOP SELECT VORSORGE, 36, avenue du X Septembre, L-2550 Luxembourg
- BANNIER & CIE. INVESTMENT FUND, 4, rue Thomas Edison, L-1445 Luxembourg-Strassen
- COMINVEST EUROPA INVEST 9/2011, 6A, route de Trèves, L-2633 Senningerberg
- COMINVEST EUROPA PROTECT 9/2011, 6A, route de Trèves, L-2633 Senningerberg
- DEKA-WORLDGARANT 3/2011, 5, rue des Labours, L-1912 Luxembourg
- UBS (LUX) STRUCTURED SICAV 2, 33A, avenue J-F Kennedy, L-1855 Luxembourg
- UNIGARANTPLUS: EUROPA (2011) II, 308, route d'Esch, L-1471 Luxembourg
- WESTOPTIZINS, 30, boulevard Grande-Duchesse Charlotte, L-1330 Luxembourg
- WESTRENDIT, 1, rue Jean-Pierre Brasseur, L-1258 Luxembourg

2) UCIs Part II Law 2010:

- 1A AGGRESSIVE RETURN, 1C, rue Gabriel Lippmann, L-5365 Munsbach
- CLARIDEN LEU (LUX) SICAV II, 11, rue Aldringen, L-1118 Luxembourg
- DEKA PRIVATE BANKING PORTFOLIO IMMOBILIEN, 3, rue des Labours, L-1912 Luxembourg
- DEXIA FUND II, 283, route d'Arlon, L-1150 Luxembourg
- ING (L) PORTFOLIO, 3, rue Jean Piret, L-2350 Luxembourg
- SAINT-HONORÉ MICROFINANCE, 20, boulevard Emmanuel Servais, L-2535 Luxembourg
- SGAM VENTURE FUND, 16, boulevard Royal, L-2449 Luxembourg
- SUPERFUND OF HEDGE FUNDS SICAV, 5, allée Scheffer, L-2520 Luxembourg
- THALIA (LUX), 2, rue d'Alsace, L-1122 Luxembourg

3) SIFs:

- 1798 HEALTHCARE LONG/SHORT FUND, 5, allée Scheffer, L-2520 Luxembourg
- AVANA I FCP-FIS, 44, route d'Esch, L-1470 Luxembourg
- AVANA II FCP-FIS, 44, route d'Esch, L-1470 Luxembourg
- NEWEUROPE PROPERTY SICAV-FIS, 42, rue de la Vallée, L-2661 Luxembourg
- SAMARA, 5, allée Scheffer, L-2520 Luxembourg
- TMA ASIA AND OCEANIA EQUITY FUND A, 1B, rue Gabriel Lippmann, L-5365 Munsbach

Withdrawal decided by the CSSF:

CPS INVEST SCA, SICAV-FIS

A decision to withdraw the *société d'investissement à capital variable* CPS INVEST SCA, SICAV-FIS from the official list of specialised investment funds was taken by the CSSF on 7 November 2011 according to Articles 43(2) and 46 of the law of 13 February 2007 relating to specialised investment funds.

FINANCIAL CENTRE

Main updated figures regarding the financial centre:

Number of banks: **142** (9 November 2011) (↘ by 6 entities over a year)

Balance sheet total: **EUR 803.323 billion** (30 September 2011) (↗ by 26.105 billion over a year)

Profit before provisions: **EUR 4.26 billion** (30 September 2011) (↗ by 0.34 billion over a year)

Number of UCIs: - Part I of the 2010 law: **1,858** (10 November 2011)

- Part II of the 2010 law: **611** (10 November 2011)

- Specialised investment funds (SIFs): **1,353** (10 November 2011)

TOTAL: **3,822** (↗ by 182 entities over a year)

Total net assets: **EUR 2,032.077 billion** (30 September 2011) (↘ by 51.663 billion over a year)

Number of management companies: Chapter 15 (law of 17 December 2010): **184** (31 October 2011)

Number of management companies: Chapter 16 (law of 17 December 2010): **213** (31 October 2011)

Number of investment firms: **115** of which **11** branches (9 November 2011)

(↗ by 4 entities over a year)

Balance sheet total: **EUR 3.549 billion** (30 September 2011) (↗ by 2.084 billion over a year)

Provisional net profit: **EUR 372.780 million** (30 September 2011) (↗ by 115.66 million over a year)

Number of specialised PFS: **119** (9 November 2011) (↗ by 9 entities over a year)

Balance sheet total: **EUR 8.953 billion** (30 September 2011) (↘ by 12.707 billion over a year)

Provisional net profit: **EUR 329.763 million** (30 September 2011) (↘ by 501.495 million over a year)

Number of support PFS: **87** (9 November 2011) (↗ by 10 entities over a year)

Balance sheet total: **EUR 875.016 million** (30 September 2011) (↘ by 142.214 million over a year)

Provisional net profit: **EUR 40.84 million** (30 September 2011) (↗ by 5.47 million over a year)

Number of pension funds: **15** (9 November 2011) (no change over a year)

Number of SICARs: **270** (9 November 2011) (↗ by 31 entities over a year)

Number of authorised securitisation undertakings: **27** (9 November 2011) (↗ by 2 entities over a year)

Number of issuers of securities for which Luxembourg is the home Member State pursuant to the Transparency Law: **693** (10 November 2011) (↘ by 34 entities over a year)

Total employment in the supervised establishments: **43,318 persons** (30 September 2011) (↗ by 789 entities over a year), including:

- banks **26,804 persons** (30 September 2011)
- management companies (Chapter 15) **2,496 persons** (30 September 2011)
- investment firms **2,627 persons** (30 September 2011)
- Specialised PFS **3,112 persons** (30 September 2011)
- Support PFS **8,279 persons** (30 September 2011)

This rise does not mean a net creation of jobs, but includes the transfer of existing jobs from the non-financial sector to the financial sector.