

# GB-A Regulatory audit report investment companies with variable capital (SICAV) 2024

Version 08/2024

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## General information

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Applicable to financial years beginning on or after 1 January 2024.

Name of the institution

Place of domicile

FINMA license

FINMA supervisory category

Audit firm

Recipients of the report

### Contact person

Given name, surname

Telephone

E-mail

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## 1. Framework conditions governing the audit

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This section lists the framework for the audit pursuant to margin no. 64 FINMA Circular 2013/3.

### a) General framework of the audit

Audit scope / mandate

Beginning of the reporting period

End of the reporting period

Execution of the audit

**b) Key management personnel involved in the audit**

Function <input type="radio"/> Lead auditor <input type="radio"/> Person responsible for the mandate <input type="radio"/> Manager <input type="radio"/> Anti-money-laundering specialists <input type="radio"/> IT specialists <input type="radio"/> Tax specialists <input type="radio"/> Valuation specialists <input type="radio"/> Legal specialists <input checked="" type="radio"/> Other <input style="width: 100%;" type="text"/>	Surname, given name <input style="width: 95%;" type="text"/>	Function level <input type="radio"/> Partner <input type="radio"/> Director <input type="radio"/> Senior Manager <input type="radio"/> Manager <input checked="" type="radio"/> Other <input style="width: 100%;" type="text"/>
Function <input type="radio"/> Lead auditor <input type="radio"/> Person responsible for the mandate <input type="radio"/> Manager <input type="radio"/> Anti-money-laundering specialists <input type="radio"/> IT specialists <input type="radio"/> Tax specialists <input type="radio"/> Valuation specialists <input type="radio"/> Legal specialists <input checked="" type="radio"/> Other <input style="width: 100%;" type="text"/>	Surname, given name <input style="width: 95%;" type="text"/>	Function level <input type="radio"/> Partner <input type="radio"/> Director <input type="radio"/> Senior Manager <input type="radio"/> Manager <input checked="" type="radio"/> Other <input style="width: 100%;" type="text"/>

**c) Extent of reliance on the work of third parties**

Was there any reliance on the work of third parties?  
 Yes  No

**d) Confirmation of compliance with the audit strategy**

The audit firm confirms compliance with the audit strategy.  
 Yes  No

**e) Confirmation that the work was performed in accordance with the audit points defined by FINMA**

The audit firm confirms that the work was performed in accordance with the audit points defined by FINMA.  
 Yes  No

**f) Period during which the audit procedures were performed**

Activity <input style="width: 95%;" type="text"/>			
From		Until	
Month of the audit period	Year of the audit period	Month of the audit period	Year of the audit period
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Activity <input style="width: 95%;" type="text"/>			
From		Until	

Month of the audit period	Year of the audit period	Month of the audit period	Year of the audit period
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

### **g) Difficulties during the audit**

Did any difficulties arise during the audit?

Yes  No

### **h) Provision of information by the supervised institution**

The audit firm confirms that the supervised institution provided all the required information in a timely manner and in the required quality.

Yes  No

## **2. Independence of the audit firm**

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Audited financial year

The audit firm confirms that it has complied with the independence requirements under the Swiss Code of Obligations, the Audit Oversight Act and Ordinance, the Financial Market Auditing Ordinance and the supplementary provisions on independence under FINMA Circular 2013/3 in the above-mentioned financial year.

Yes  No

## **3. Additional mandates performed by the audit firm for the supervised institution**

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Did the audit firm provide additional services to the supervised institution during the regulatory audit reporting period that do not conflict with the independence rules?

Yes  No

## **4. Summary of audit results / further audit findings / confirmations and overall assessment**

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Presentation of all notices of reservation and recommendations by the audit firm, incl. associated resolution and/or implementation deadlines and the respective measures pending or already taken by the supervised institution to rectify the notice of reservation or implement the recommendation (only those notices of reservation or recommendations need to be addressed for which the audit firm had planned own audit procedures according to the audit strategy).

Any instances of the supervised institution not agreeing to a notice of reservation or recommendation must be recorded. Repeated notices of reservation or recommendations must be specifically indicated.

State of implementation or resolution of notices of reservation and recommendations from the previous audit period.

The notices of reservation and recommendations must be classified as per margin no. 75.2ff of FINMA Circ. 2013/3 "Auditing".

### **4.1 Notices of reservation**

For the period under review, we issue notices of reservation based on our audit procedures in accordance with the audit strategy.

Yes  No

#### 4.2 Recommendations

For the period under review, we make recommendations based on our audit procedures in accordance with the audit strategy.

Yes  No

#### 4.3 Notices of reservation in the prior year's report

Notices of reservation were issued in the prior year's report.

Yes  No

#### 4.4 Recommendations in the prior year's report

Recommendations were made in the prior year's report.

Yes  No

#### 4.5 Material weaknesses from additional mandates/services

Have any material weaknesses been identified in the context of additional mandates/services according to chapter 3?

Yes  No

#### 4.6 Material weaknesses raised by third parties

Have any material weaknesses been raised by third parties (including internal audit) that were not considered by the audit firm as notices of reservation or recommendation in connection with audit procedures in accordance with the audit areas in the audit strategy?

Yes  No

#### 4.7 Confirmations of the audit firm

##### 4.7.1 FINMA recommendations and rulings

The audit firm records its audit opinion on compliance with the recommendations and legally binding FINMA rulings in force during the reporting period, stating the audit depth applied.

The audit firm will only respond to legally binding rulings in connection with the approval of the institution or collective investment schemes if they contain explicit provisions, which must be audited.

Comments on the implementation of FINMA recommendations in the context of supervisory reviews / deep dives are also dealt with in this section.

Are there any legally binding rulings containing explicit provisions which must be audited?

Yes  No

Are there any legally binding FINMA recommendations?

Yes  No

##### 4.7.2 Real estate transactions with related parties

The audit firm confirms for real estate transactions in the reporting period with related persons:

The special requirements according to Art. 32a CISO have been complied with.

The real estate transactions with related persons were disclosed in the annual report of the collective investment scheme in accordance with Art. 32a para. 4 CISO.

##### 4.7.3 Audit report of the prior period

The audit firm confirms that the audit report of the prior period was discussed at a meeting of the body responsible for governance, supervision and control and that minutes were taken.

Yes  No

#### 4.8 Overall assessment of the audit firm

##### 4.8.1 Guarantee of irreproachable business conduct and good reputation

Based on the audit procedures performed, the audit did not reveal any findings that would call into question the guarantee of irreproachable business conduct by the institution and persons responsible for administration and management and the good reputation of those persons responsible for administration and management as well as qualified participants.

Yes  No

The influence of the company shareholders and qualified participants is not detrimental to a prudent and solid business activity.

Yes  No

##### 4.8.2 Licensing and approval requirements

The audit did not reveal any findings that would affect the ongoing compliance with the licensing and approval requirements. The notices of reservation listed under 4.1 with a deadline do not call into question compliance with the authorisation requirements as a whole.

Yes  No

There are no measures required on the part of FINMA

Yes  No

## 5. Important information on the audited institution

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### 5.1 Business activities and structure of client base

The audit firm describes the key business areas of the supervised institution, the relevant customer segments and the location of the head office.

Business areas

Customer segments

Location of the head office

### 5.2 Group structure and participations/relationships with other firms

The audit firm describes the structure of the group, the qualified participants and key relationships and dependencies with other companies or stakeholders (economically significant contracts, group-internal cooperation etc.)

Structure of the group

Qualified participants

Relationships and dependencies with other companies or stakeholders

### 5.3 Operational and organisational structure

The audit firm shows the organisation of the body responsible for governance, supervision and control (committees and commissions) and the management board and expresses an opinion on the allocation and completion of the imposed and irrevocable duties.

Organisation of the body responsible for governance, supervision and control as well as the management board

Allocation and completion of the imposed and irrevocable duties

### 5.4 Major changes at the supervised institution

The audit firm presents major changes at the supervised institution, especially regarding owners, management bodies, business model, relationships with other companies and strategic orientation.

Have there been any major changes at the supervised institution?

Yes  No

### 5.5 Future challenges

The audit firm provides a future-oriented outlook for key, especially regulatory, changes that will affect the supervised institution and possible impact its business activity, as well as an indication of the measures planned or initiated.

Description

## 6. Audit firm's confirmations and summary of the audit procedures performed

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By saying "Yes" or "No", the audit firm establishes its audit opinion on the audit points addressed. Where individual audit points are not applicable ("N/A"), this is explained. The statements to be made by the audit firm relate in each case to the ongoing compliance with the requirements mentioned.

If the audit firm answers an audit point with "Yes", it is not necessary to explain how the audit firm arrived at this assessment.

In the case of weaknesses or if an audit point was answered with "No", the audit firm provides a meaningful explanation. In the case of judgements based on facts established by Internal Audit or third parties, a corresponding disclosure is made.

The main audit procedures that form the basis for the audit firm's confirmation must be described (list).

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### 6.1 Corporate Governance

#### 6.1.1 Independence of SICAV and custodian bank

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Audit area

Audit field

Corporate Governance

Independence of SICAV and custodian bank

Explanation

The audit firm assesses the personal, functional and spatial separation between the SICAV and custodian bank. Any tasks delegated to the custodian bank by the SICAV need to be assessed in terms of their independence from the activities associated with the custodian bank function.

Net risk

Intervention in the reporting year

The independence of the SICAV and custodian bank is ensured.

The confirmations are based on the following audit procedures

### 6.1.2 Internal audit

Audit area

Audit field

Corporate Governance

Internal audit

Explanation

The audit firm comments on major negative audit results by internal audit and the measures taken in response by the supervised institution. Material weaknesses identified by internal audit impacting audit fields without intervention from the audit firm in the reporting year are to be summarised in chapter 4.6.

Net risk

Intervention in the reporting year

The institution has an internal audit unit and/or is covered by the internal audit unit of the group.

Internal audit has adequate resources.

Internal audit has the required professional competence.

The quality of the work by internal audit is adequate.

Internal audit has identified no material weaknesses in the institution.

The confirmations are based on the following audit procedures

### 6.2 Internal organisation

#### 6.2.1 Internal organisation and internal control system

Audit area

Audit field

Internal organisation

Internal organisation and internal control system

Explanation

The audit firm assesses the adequacy of the corporate governance by checking the structure of the balance between management and monitoring at the institution (principle of “checks & balances”).

For an externally managed SICAV it assesses the corporate governance with regard to the adequate execution of the supervision function by the board of directors of the SICAV.

If the SICAV has a sustainability context the audit firm assesses whether the respective internal organisation is adequate.

Net risk

Intervention in the reporting year

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Corporate governance is appropriate.	
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There is adequate separation between the body responsible for governance, supervision and control and operational management.	
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The members of the body responsible for governance, supervision and control as well as the executive management have the required professional qualifications.	
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The internal organisation is appropriately structured taking into account the nature and extent of the business activities.	
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There is an effective separation between decision-making (asset management), execution (trading and settlement) and administration for the management of collective investment schemes.	
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The internal control system is appropriately designed taking into account the nature and scope of the business activities.	
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The institution complies with the articles of association and organisational regulations approved by FINMA.	
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The authorised institution has an inventory of contracts and directives and keeps it up to date.	
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The confirmations are based on the following audit procedures

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### 6.2.2 Information technology

Audit area

Audit field

Internal organisation	Information technology
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Explanation

The audit firm assesses the appropriateness of the design of the IT structure. This includes in particular the infrastructure (hardware/software), IT strategy and IT organisation as well as IT security and Business Continuity Management (BCM).

The audit firm names the relevant systems for the fund management, fund administration, individual asset management, order processing, client relationship management (CRM), compliance and risk management.



Net risk	Intervention in the reporting year
<input type="text"/>	<input type="text"/>
IT is appropriately designed taking into account the nature and extent of the business activities.	<input type="text"/>
The confirmations are based on the following audit procedures	
<input type="text"/>	

### 6.2.3 Risk management

Audit area	Audit field
Internal organisation	Risk management
Explanation	
<p>If the SICAV has a sustainability context the audit firm assesses whether sustainability risks are adequately covered within risk management.</p> <p>If the licence holder holds personal data on individual persons (“client data”) – e.g. in connection with individual asset management – the audit firm will assess the organisational measures in place to protect this client data.</p>	

Net risk	Intervention in the reporting year
<input type="text"/>	<input type="text"/>
The risk management function is appropriately designed taking into account the nature and extent of the business activities.	<input type="text"/>
The risk management is functionally and hierarchically segregated from the operational business units.	<input type="text"/>
The risk management function has adequate professional competence and time resources.	<input type="text"/>
The risk management of the SICAV is adequate.	<input type="text"/>
The identification, measurement and control of liquidity risks and other material risks of the SICAV are carried out appropriately.	<input type="text"/>
The risk management in relation to operational risks is carried out appropriately.	<input type="text"/>
The risk management in relation to the confidentiality of client data is carried out appropriately.	<input type="text"/>
Risk reporting to the executive management and the body responsible for governance, supervision and control is appropriate.	<input type="text"/>
The liquidity management process for the SICAV is appropriate.	<input type="text"/>
The stress tests carried out for the SICAV are appropriately designed and are performed regularly.	<input type="text"/>

The crisis plan defines the processes and internal responsibilities appropriately, defines measures for the use of liquidity management tools at the SICAV level and is reviewed on a regular basis.

The confirmations are based on the following audit procedures

## 6.2.4 Compliance

Audit area

Internal organisation

Audit field

Compliance

Net risk

Intervention in the reporting year

The compliance function is appropriately designed taking into account the nature and extent of the business activities.

The compliance function is functionally and hierarchically segregated from the operational business units.

The compliance function has adequate professional competencies and time resources.

The compliance reporting to the executive management and the body responsible for governance, supervision and control is adequate.

The confirmations are based on the following audit procedures

## 6.2.5 Delegation of tasks / Outsourcing

Audit area

Internal organisation

Audit field

Delegation of tasks / Outsourcing

Explanation

The audit firm provides in annex under "10.1 List of delegations" an overview of the material tasks delegated by the supervised institution in table format (incl. specifying the mandataries) in accordance with Art. 12b-d CISO as well as (for self-managed SICAV) FINMA Cir. 2018/3.

For externally managed SICAV, the audit firm assesses the design of the outsourcing setup and the adherence to the monitoring duties of the board of directors of the SICAV.

The delegation of investment decisions is to be treated in section No. 6.2.6.

Net risk

Intervention in the reporting year

The institution maintains an inventory of outsourced functions.

The selection and instruction of mandataries when delegating tasks is adequate.	
The delegation of tasks is properly documented in written agreements. Where security-relevant functions are outsourced security requirements are defined.	
The monitoring and control of task performance by the mandataries is performed with diligence and with sufficient, adequately qualified human resources.	

The confirmations are based on the following audit procedures

## 6.2.6 Investment decision process

Audit area	Audit field
Internal organisation	Investment decision process

Explanation

If the SICAV has a sustainability context the audit firm assesses if the sustainability criteria are adequately considered in the investment decision process.

Net risk	Intervention in the reporting year

The investment decision process is appropriately designed taking into account the nature and extent of the business activities.	
The investment decision process corresponds to the legal and contractual documents approved by FINMA.	
Investment decisions are only delegated to, and executed by, parties that have the required authorisation (Art. 36 para. 3 CISA).	
Investment decisions by authorised third parties are effectively monitored.	
The involvement of investment advisers in the investment decision process is adequate.	

The confirmations are based on the following audit procedures

## 6.2.7 Compliance with investment guidelines

Audit area	Audit field
Internal organisation	Compliance with investment guidelines

Explanation

If the SICAV has a sustainability context the audit firm assesses if the sustainability criteria and/or restrictions (e.g. exclusions) are supervised adequately.

The audit firm assesses compliance with investment restrictions and the remediation of investment breaches for managed collective investment schemes and individual asset management.

The audit firm adopts a summary position on the material active investment breaches during the reporting year and states the measures taken to remediate the breaches. It also assesses whether passive investment breaches were rectified within an appropriate timeframe.

Net risk	Intervention in the reporting year
<input type="text"/>	<input type="text"/>
The organisational and operational structure for monitoring investment restrictions and remediating investment breaches is appropriate.	<input type="text"/>
Investments correspond to legal, fund contractual and contractual investment restrictions.	<input type="text"/>
The monitoring of investment regulations and/or restrictions is appropriate.	<input type="text"/>
The measures taken to remediate investment breaches were appropriate and in the interest of the investor.	<input type="text"/>

The confirmations are based on the following audit procedures

## 6.2.8 Valuation and NAV calculation

Audit area	Audit field
Internal organisation	Valuation and NAV calculation

Explanation

The audit firm takes a position regarding any material valuation errors during the period under review, how they were remediated and the appropriateness of the measures taken.

Net risk	Intervention in the reporting year
<input type="text"/>	<input type="text"/>
Internal directives and processes to value investments, calculate net asset values and issue and redemption prices are appropriate.	<input type="text"/>
Determination of the market value as per Art. 88 CISA is correct and complies with legal and regulatory provisions.	<input type="text"/>
Additionally for real estate SICAV's:	
The regulations regarding the valuation of properties, building land as well as construction projects and their inspection according to Art. 92 to 94 CISO resp. Art. 86 CISO-FINMA have been adhered to.	<input type="text"/>
The independence of the valuation expert according to Art. 64 para. 2 let. b CISA is guaranteed.	<input type="text"/>

The SICAV performs an appropriate and documented plausibility test of the valuation results.	
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The SICAV used the valuation results of the independent expert in the annual accounts without modifying them (Art. 93 para. 4 CISO).	
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The confirmations are based on the following audit procedures

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### 6.2.9 Duties in relation to derivative transactions

Audit area	Audit field
Internal organisation	Duties in relation to derivative transactions

Net risk	Intervention in the reporting year

Internal directives and methods/processes relating to the settlement via a central counterparty are appropriate and were applied effectively (for audit depth "audit").	
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Internal directives and methods/processes relating to notification duties to a trade repository are appropriate and were applied effectively (for audit depth "audit").	
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Internal directives and methods/processes relating to risk-mitigation obligations are appropriate and were applied effectively (for audit depth "audit").	
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Internal directives and methods/processes relating to the obligation to trade via trading venues and organised trading systems are appropriate and were applied effectively (for audit depth "audit").	
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The confirmations are based on the following audit procedures

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### 6.2.10 Notification obligations (institution and product level)

Audit area	Audit field
Internal organisation	Notification obligations (institution and product level)

Net risk	Intervention in the reporting year

The SICAV complied with the provisions relating to notification obligations.	
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The confirmations are based on the following audit procedures

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### 6.2.11 Offering of financial instruments FinSA

Audit area	Audit field
Internal organisation	Offering of financial instruments FinSA
Net risk	Intervention in the reporting year
The provisions for the offering of financial instruments are complied with.	
There are appropriate processes and controls when appointing third parties for the provision of financial services.	
Advertising for financial instruments is clearly indicated as such.	
The confirmations are based on the following audit procedures	

### 6.3 Minimum capital and capital adequacy requirements

Audit area	Audit field
Minimum capital and capital adequacy requirements	Minimum capital and capital adequacy requirements
Explanation	
<p>The minimum invested amount of the company shareholders according to Art. 54 para 1 resp. 2 CISO must be paid up in full and must not be impaired by a loss carried forward or a current loss of the year.</p> <p>The audit firm provides in annex under "10.2 Documents to be submitted " the calculation of the required and eligible capital based on the numbers in the financial statements (reference to the annual report may be made, provided it contains the relevant information regarding required and eligible capital).</p>	
Net risk	Intervention in the reporting year
Adequate processes and controls to monitor compliance with the minimum capital and the capital adequacy requirements are in place.	
The minimum capital requirements are complied with.	
The capital adequacy requirements are complied with.	
The prescribe capital is not is not lent to shareholders or persons closely related to them.	
The SICAV does not – neither directly nor indirectly – hold own shares (Art. 42 para. 2 CISA).	
The confirmations are based on the following audit procedures	

### 6.4 Rules of conduct

#### 6.4.1 Anti-money laundering provisions

Audit area	Audit field
Code of conduct	Anti-money laundering provisions

Net risk	Intervention in the reporting year

**A General audit points:**

The design of the organisational measures for compliance with anti-money laundering rules is appropriate.	
The management of high-risk business relationships is correct.	
High-risk transactions are managed correctly.	
Notification duties and asset freezes are performed correctly.	

**B Identification:**

The opening of business relationships (incl. identification of contracting party, determination of controlling persons, beneficial owners) is correct.		Year of last intervention	
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**C Complex structures:**

The management of business relationships with complex structures is correct.		Year of last intervention	
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**D Politically Exposed Persons (PEP):**

The management of business relationships with PEP is correct.		Year of last intervention	
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**E Trade Finance & Sanctions:**

The management of trade finance and sanctions is correct.		Year of last intervention	
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**F Virtual Assets / Virtual Asset Service Provider:**

Services in the context of Virtual Assets are provided correctly.		Year of last intervention	
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The confirmations are based on the following audit procedures

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References for supplements

(refer to FINMA audit points); mention other/additional audits
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## 6.4.2 Protection of investors' interests CISA

Audit area	Audit field
Code of conduct	Protection of investors' interests CISA

Net risk	Intervention in the reporting year
<input type="text"/>	<input type="text"/>
The processes and controls to ensure the protection of investor's interests are appropriate.	<input type="text"/>
Investors' interests are upheld.	<input type="text"/>
Additionally for real estate SICAV's:	
The appropriate directives and processes are in place to ensure that borrowing takes place at market conditions.	<input type="text"/>
The confirmations are based on the following audit procedures	
<input type="text"/>	

### 6.4.3 Conduct rules FinSA

Audit area	Audit field
Code of conduct	Conduct rules FinSA
Net risk	Intervention in the reporting year
<input type="text"/>	<input type="text"/>
The processes and controls to ensure the compliance with the FinSA rules of conduct are adequate.	<input type="text"/>
The FinSA rules of conduct are complied.	<input type="text"/>
The confirmations are based on the following audit procedures	
<input type="text"/>	

### 6.4.4 Market conduct rules and market integrity

Audit area	Audit field
Code of conduct	Market conduct rules and market integrity
Net risk	Intervention in the reporting year
<input type="text"/>	<input type="text"/>
The internal directives and methods/processes for the identification, measurement, management and monitoring of risks in the area of market conduct are appropriate.	<input type="text"/>
The rules of market conduct are complied with.	<input type="text"/>
The confirmations are based on the following audit procedures	
<input type="text"/>	
References for supplements	
(refer to FINMA audit points); mention other/additional audits	



## 7. Additional audits

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The audit firm summarises the results of additional audits. Any notices of reservation and recommendations are to be included in chapter 4.

Were additional audits carried out in accordance with the audit strategy?

Yes  No

## 8. Additional comments

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### 8.1 Events after the completion of the audit procedures

Are there any significant events that were identified in the period between the completion of the audit procedures and the submission of the audit report?

Yes  No

### 8.2 Supplementary reports

Is there any supplementary reporting (e.g. management letter) with details of significant findings and recommendations?

Yes  No

### 8.3 Additional comments or information from the audit firm

Are there any additional comments or information from the audit firm?

Yes  No

## 9. Signatures/confirmation by the audit firm

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The lead auditor together with another auditor with signatory powers sign the PDF-report (qualified electronic signature), which they submit as an attachment to the electronic survey via the FINMA survey platform.

If it is not possible to sign the report electronically in a qualified manner, it must be printed out, signed by hand and submitted to FINMA by post in addition to the electronic submission of the survey via the FINMA survey platform.

## 10. Annex

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### 10.1 List of delegations

#### 10.1.1 Activities delegated by the SICAV to a third party

Supplement to audit field 6.2.5 Delegation of tasks/outsourcing

Are there any activities delegated to a third party?

Yes  No

### 10.2 Documents to be submitted

The following documents are to be submitted with the audit report:

- a) Annual report including audited financial statements and auditor's report according to Art. 728a CO
- b) Comprehensive report to the board of directors of the supervised institution according to Art. 728b para. 1 CO (taking into account the additional information according to FINMA Cir. 2013/3 Appendix 20)
- c) Group structure (organisational chart)
- d) Organisational chart of the SICAV
- e) Additional documents deemed relevant by the audit firm