



Guide to the RAIF AML/CFT Questionnaire

The scope of this guide prepared by the AED is to help the RAIFs to answer properly the questions included on this AML/CFT Questionnaire.

Chapter 1: Section 1 - Identification

This section includes information to identify the RAIF and its AML/CFT information (identification of its RR, RC, UBO and GoAML registration).

Question		Answer - Explanation
1.1	Name of the RAIF	Insert the precise legal name indicated on the Luxembourg Trade Register (R.C.S.).
1.2	R.C.S. Number of the RAIF	Insert the R.C.S. number of the RAIF as indicated on the Luxembourg Trade Register (R.C.S.).
1.4	Address - Country	Use the CountryCombo
1.5	Inception date	Insert date of incorporation/creation of the RAIF and not the date of registration within the Luxembourg Trade Register (R.C.S.)
1.7	Questionnaire not filled out by RR and/or RC	If the RR and/or RC have not filled out the questionnaire by themselves, the person who fills out the questionnaire needs to be officially mandated by the RR and/or RC to do so.
2	Information regarding the Governing Body of the RAIF	"Governing Body" refers to the body managing the RAIF, being for instance the board of directors/managers of the general partner of the RAIF. Insert precise information of the legal representative(s) of the RAIF (manager/director) indicated on the Luxembourg Trade Register (R.C.S.) up to 6 members.
2.4, 2.8, 2.12, 2.16, 2.20 and 2.24		Use the CountryCombo
3.1	Who is the "Responsible du Respect" in AML/CFT matters?	Use the WhoRR-Combo



3.2	First name of the RR	Insert the name of the governing body (Board of Managers/Directors) or the physical person designated as RR. If the governing body (board of Managers/Directors) is the RR, insert information regarding one of its members available in case of contact by the AED.
3.3	Last name of the RR	
3.4	Phone number of the RR	
3.5	Email address of the RR	
3.6	Country of residence of the RR	Use the CountryCombo
3.7 to 3.9		Use the YesNo combo
4.5	Country of residence of the RC	Use the CountryCombo
4.6 to 4.9		Use the YesNo combo
5	Information regarding the Ultimate Beneficial Owners (UBO)	<p>Article 1 (7) (a) (i) of the Luxembourg law dated 12 November 2004 on the fight against money laundering and terrorist financing as amended ("AML/CFT Law") states that the beneficial owner is any natural person who ultimately owns or controls a legal entity through direct or indirect ownership of more than 25% of the shares or voting rights of the legal entity.</p> <p>Moreover, article 1 (7) (a) (ii) of the AML/CFT Law states that if there is no identification of any beneficial owner as described above, "any natural person who holds the position of senior managing official" should be identified as beneficial owner.</p> <p>At least one beneficial owner must be indicated (must be a natural person). For instance, one of the members of the board of directors/managers of the general partner of the RAIF would be indicated as beneficial owner.</p>
5.3 and 5.4		Use the CountryCombo



6.1	Are you registered on the goAML web platform to file suspicions with the Financial Intelligence Unit (Cellule de Renseignement Financier)?	<p>Use the YesNo combo</p> <p>Every RAIF has to register itself on the goAML platform to file suspicions with the Luxembourg Financial Intelligence Unit (<i>Cellule de Renseignement Financier</i>) (CRF). Nevertheless, a registration done by the RC of the alternative investment fund manager (AIFM) managing the RAIF can only be accepted if:</p> <ul style="list-style-type: none">- (i) the RC of the AIFM is also appointed as RC of the RAIF managed by the AIFM; and- (ii) this RC registers himself on the goAML web platform as stating proxy ("<i>déclarant mandataire</i>") and after agreement received by the CRF, he can register the RAIF as principal entity ("<i>entité mandante</i>"). <p>Then, the RC of the AIFM/RAIF will be able to file suspicions with the CRF in the name and on behalf of the RAIF. Please refer to the following link of the CRF website: https://faq.goaml.lu/manuels-dutilisation/menu-administration/decl-actifs-delegations/delegations-fonds-dinvestissement/</p>
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Chapter 2: Section 2 - MLTF risks

This section includes information to identify the money laundering and terrorist financing risks faced by the RAIF related to its related parties, AML actions (cooperation with authorities/internal ML/TF risk assessment) and investment strategy.

Question		Answer - Explanation
1.2 and 1.5		Use the CountryCombo
1.7, 1.10 and 1.13		Use the YesNo combo
2	Advisors ML/TF risks	"Advisors" term refers to investment advisors or "conseillers en investissement" (this excludes legal or tax advisors ...)
2.1 to 2.3		Use the YesNo combo
5.1, 5.5 and 5.9		Use the YesNo combo
5.4 and 5.8		AuM figures are required in EURO without decimals and without commas or dots (i.e., 1 million = 1000000). The "AuM as of 31/12/2022 (EUR)" refers to the NAV of the RAIF as of 31/12/2022 in EURO.
7.1	What is your own assessment of your ML/TF risk ?	Use the MLTFRisk-Combo The "internal ML/TF risk assessment" refers to the inherent risk (i.e., before mitigating measures) of the RAIF.
8.1	What is the total AuM you manage as of 31/12/2022 (in EUR)?	AuM figures are required in EURO without decimals and without commas or dots (i.e., 1 million = 1000000).
8.2	What is your predominant investment strategy?	Insert one of the investment strategies indicated from point 8.3 to point 8.17 included.
8.3 to 8.11 and 8.13 to 8.14		Use the YesNo combo
8.4, 8.6, 8.8, 8.10, 8.12, 8.14, 8.16, 8.18 and 8.20	Percentage of total investments	Insert the percentage of the investments done in the different investment strategies listed from 8.3 to 8.17 included. The amounts have to be inserted without the % sign. The total percentages in point 8.24 needs to be equal to 100%.



Chapter 3: Section 3 - Mitigations

This section includes information related to mitigation measures put in place by the RAIF in order to fight against the MLTF risks described in above-mentioned Section 2.

Question		Answer - Explanation
1.1 and 1.2		Use the YesNo combo
2.1 and 2.2		Use the YesNo combo
3.1	Have all relevant staff members been trained in 2022 on AML/CFT-related matters? (Art.4 (2) of the AML/CFT Law)?	Article 4 (2) of the AML/CFT Law states that the term "employees" includes "the members of the management bodies and the effective direction". Consequently, the term "relevant staff members" refers to employees of the RAIF and the members of the management bodies and the effective direction of the RAIF, being for instance the members of the board of managers/directors of the general partner of the RAIF.
3.1., 3.2. and 3.4 to 3.6		Use the YesNo combo
4.1	Do you ensure that AML/CFT due diligence on your investments is performed?	Use the YesNo combo
5.1 to 5.6		Use the Frequency-Combo
5.6	What is the frequency of the update of the TFS lists? (please choose the closest that applies)	"TFS" stands for targeted financial sanctions.
6.1	Do you have blocked positions due to outstanding or incomplete KYC documentation?	Use the YesNo combo
6.3	Total value of assets concerned (EUR)	AuM figures are required in EURO without decimals and without commas or dots (i.e., 1 million = 1000000).
6.5	Blocked Positions affected by Targeted Financial Sanctions?	Use the YesNo combo
7.1 and 7.2		Use the YesNo combo
8.1 and 8.2		Use the YesNo combo



9.1	What is your own assessment of the quality of your AML/CFT organisation for the year 2022?	Use the MLTRisk-Combo
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Conclusion:

Each RAIF AML/CFT Questionnaire with data not respecting the recommendations of this guide, especially regarding the Combo Boxes and/or AuM figures, will not be accepted by the AED and be sent back to the sender.