



Hedge Fund Regulation

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Hedge Fund Regulation

Theodor Baums, Andreas Cahn



Hedge Fund Regulation:

U.S. Regulation of Hedge Funds Douglas L. Hammer, 2005 This authoritative resource surveys federal securities laws and rules applicable to the organization capitalization and operations of private U S domestic investment partnerships that invest and trade mainly in the public securities markets Includes a detailed index

Hedge Fund Regulation in the European Union Phoebus Athanassiou, 2009-04-14 While hedge funds have been part and parcel of the global asset management landscape for well over fifty years it is only relatively recently that they came to prominence as one of the fastest growing and most vigorous sub sectors of the financial services industry Despite their growing significance for global and European financial markets hedge funds continue enjoying a sui generis regulatory status The ongoing credit crisis and its lessons for the wisdom of unregulated or loosely regulated pockets of financial activity raise with renewed urgency the issue of deciding how long for the relative regulatory immunity of hedge funds is to be tolerated in the name of financial innovation This well thought out book the first of its kind in this particular field examines the case for the European onshore hedge fund industry s regulation making concrete proposals for its normative future Following a detailed account of the established regulatory systems in Ireland and Luxembourg as well as of the emerging hedge fund jurisdictions in Italy France Spain and Germany and of the regulatory treatment of hedge funds in the UK this book examines to what extent the continuing exclusion of hedge funds from harmonized European regulation is defensible whether their differences to traditional asset management products justify their distinct regulatory treatment and ultimately if their EU wide regulation is possible and if so what form this should take This book offers enormously valuable insights into all facets of the subject of the regulation of hedge funds including the legitimacy of the public policy interest in their activities the conceptual underpinnings and systemic stability emphasis of a realistic hedge fund regulatory scheme the main parameters of a workable onshore hedge fund regulatory framework the role of investor protection and market integrity as part of a holistic hedge fund regulatory scheme the possible use of the UCITS framework as a foundation for the EU wide regulation of hedge funds the MiFID s impact on the regulatory future of the European hedge fund industry existing cross jurisdictional differences and similarities in the normative treatment of hedge funds within the EU hitherto initiatives and recommendations of the Community institutions and bodies and the need for more efficient co operation and information sharing arrangements amongst national supervisors for the monitoring of the cross border risks inherent in the activities of hedge funds As the first ever comprehensive account of the profile main features and normative future of the contemporary global and European hedge fund markets including a systematic inquiry into the conceptual underpinnings of hedge fund regulation and a detailed examination of the European hedge fund industry s treatment under Community and domestic law this book represents a major contribution to the literature on hedge funds and their regulation which through its concrete proposals for the onshore industry s regulation and its clear analysis of the conditions necessary for their implementation should be of extraordinary value to policymakers

supervisors and academics alike **Hedge Funds** Theodor Baums, Andreas Cahn, 2004 The number of hedge funds and the assets they have under management has increased in recent years This increase became significantly more pronounced after the market downturn in 2001 Hedge funds can help investors to benefit from volatile and even sinking stock markets However despite the prominent use of the word hedge in their name such funds rarely offer a safe hedge against risk given that they depend heavily on skill based investment techniques and often invest in highly speculative financial instruments Nevertheless such funds received no specific treatment in the legislation of such major markets as Germany and the United States for years Against the backdrop of international regulatory concern for hedge funds the Institute for Law and Finance ILF in cooperation with Deutsches Aktieninstitut e V DAI brought together leading scholars lawyers and bankers to assess the risks opportunities and regulatory challenges that hedge funds present At the time of the conference German lawmakers were still discussing the need and possible content of a new law The fruit of their discussions was the German Investment Modernization Act Investmentmodernisierungsgesetz which entered into force on January 1 2004 and increased the attractiveness of offering hedge fund products in the German market This inaugural volume of the Institute for Law and Finance Series contains the proceedings of the ILF DAI May 2003 conference entitled Hedge Funds Risks and Regulation and presents papers discussing the economic characteristics of and regulatory strategies for addressing hedge funds The first two papers examine hedge funds from an economic perspective Alexander M Ineichen Managing Director and Global Head of AIS Research at UBS reveals the economic reality of hedge funds from the myths that has surrounded them Then Franklin R Edwards Professor and Director of the Center for the Study of Futures Markets of the Columbia Business School in New York explains how the regulation of hedge funds should be tailored to their core economic reality and the goals of financial stability and investor protection Next Marcia L MacHarg a partner of Debevoise Plimpton LLP Ashley Kovas a Manager in the Business Standards Department of the Financial Services Authority London and Edgar Wallach a partner of Hengeler Mueller present the state of the relevant regulatory structures in the United States the United Kingdom and Germany respectively The book then closes with an analysis of corporate structures used for German hedge funds offered by Kai Uwe Steck a member of the German Asset Management practice group of Shearman Sterling LLP **Hedge Fund Structure, Regulation, and Performance Around the World** Douglas Cumming, Na Dai, Sofia A. Johan, 2013-03-07 This book uses data from a multitude of countries to explain how and why hedge fund markets differ around the world The authors consider international differences in hedge fund regulation which include but are not limited to minimum capitalization requirements restrictions on the location of key service providers and different permissible distribution channels via private placements banks other regulated or non regulated financial intermediaries wrappers investment managers and fund distribution companies **The Regulation of Hedge Funds** Ana Maria Fagetan, 2021 The Regulation of Hedge Funds A Global Perspective represents a timely and well argued contribution to the scientific literature on this subject It provides a

comprehensive review of recent development in hedge fund regulation and legislation with an appropriate study of comparative law of hedge funds in several jurisdictions The book of Ana Maria Fagetan is a very valuable tool for understanding the guidelines of regulation in this area including protection of investor interests risk prevention and market freedom Domenico Siclari Full Professor of Banking and Financial Regulation Sapienza University of Rome This book analyses elements of international finance comparing the regulation of hedge funds in United States Europe the UK and off shore jurisdictions in the aftermath of the financial crisis It critically compares the Dodd Frank Act in US with the Alternative Investment Funds Managers Directive in Europe Moreover it goes further by analyzing the implementation of the AIFM Directive in seven jurisdictions in Europe famous for the incorporation of hedge funds the United Kingdom Italy France Ireland Malta Luxembourg and Switzerland The book also analyses the effect of Brexit on the legislation in the UK regarding the application of the directive and the distribution of financial products in Continental Europe and will be of particular interest to researchers academics and students of international finance and financial regulation Ana Maria Fagetan is a Senior Lecturer in Banking and Financial Regulation at the University La Sapienza in Rome Italy where she teaches post graduate lectures and seminars on Banking and Financial Regulation She earned her PhD and her LLM in Banking and International Financial Law at Queen Mary University of London UK

The Regulation of Hedge Funds Ana Maria Fagetan, 2020-12-28 This book analyses elements of international finance comparing the regulation of hedge funds in United States Europe the UK and off shore jurisdictions in the aftermath of the financial crisis It critically compares the Dodd Frank Act in US with the Alternative Investment Funds Managers Directive in Europe Moreover it goes further by analyzing the implementation of the AIFM Directive in seven jurisdictions in Europe famous for the incorporation of hedge funds the United Kingdom Italy France Ireland Malta Luxembourg and Switzerland The book also analyses the effect of Brexit on the legislation in the UK regarding the application of the directive and the distribution of financial products in Continental Europe and will be of particular interest to researchers academics and students of international finance and financial regulation

Regulating Hedge Funds in the EU Alexandros Seretakakis, 2022-01-13 Hedge funds remain the most controversial vehicles of the alternative investment funds universe Their opaque nature alleged role in major crises around the world and perceived lack of investor protection have repeatedly led to calls for greater regulation Yet despite its tremendous growth the hedge fund industry is still shrouded in a veil of mystery largely due to the highly complex and dynamic trading strategies employed by hedge funds and the scarcity of information about them For the first time in one comprehensive volume this concise but thorough guide explains how hedge funds work analyses risk compares the European Union EU and United States US systems and proposes reforms to the European framework in order to improve its resilience Focusing on the contribution of the hedge fund industry to systemic risk the author elucidates the complex world of hedge funds and the legal issues linked to it The analysis proceeds as follows introduction to the world of hedge funds definition

main characteristics organizational structure investment strategies and benefits deeply informed exploration of the dangers posed by hedge funds documentation and examination of the major incidents connecting hedge funds and financial crises rationales for regulation of hedge funds comparison of relevant legislative developments in the US and EU and proposals for strengthening the current EU supervisory and regulatory framework Guiding legislation such as the EU Alternative Investment Fund Managers Directive and the US Dodd Frank Act is analysed along with topical issues such as hedge fund activism Because the direction that hedge fund regulation takes in the future has implications for the Eurozone and systemic risk in the wider financial system this book will be of immeasurable value to professionals in both the legal and business communities It will be welcomed by corporate lawyers regulatory authorities policymakers and academics in both business related and finance related disciplines

International Guide to Hedge Fund Regulation Martin Cornish,Ian Mason,2009

This book provides a detailed guide to the regulation of hedge funds in key jurisdictions It covers all the legal and regulatory matters in relation to hedge funds and discusses how funds can be operated to comply with laws and regulations in the most popular jurisdictions in which they operate Written by experts from each jurisdiction the book includes coverage of approximately 20 jurisdictions with each chapter examining the following key issues in relation to hedge funds authorization establishment and initial set up supervision and regulatory issues enforcement and taxation The jurisdictions include the US the UK the Channel Islands Isle of Man the Cayman Islands Bermuda the British Virgin Islands Australia Ireland Germany Luxembourg Asian jurisdictions and Latin American jurisdiction

Hedge Fund Compliance Jason A. Scharfman,2016-12-19

The long awaited guide for modern hedge fund compliance program development Hedge Fund Compliance Website provides straightforward practical guidance toward developing a hedge fund compliance program drawn from the author s experience training financial regulators consulting with government entities and analyzing hedge fund compliance structures across the globe In depth explanations of compliance principles are backed by illustrative case studies and examples Highly in demand templates of popular hedge fund compliance documentation provide actionable illustrations of key compliance policies Designed to assist investors fund managers service providers and compliance job seekers directly this book describes the fundamental building blocks of the hedge fund compliance function Compliance is one of the fastest growing areas in the hedge fund space This reference book provides an essential foundation in modern hedge fund compliance reflecting the recent changes of this dynamic field Design and run a hedge fund compliance program Access templates of core compliance documentation and checklists Discover how investors can evaluate and monitor compliance programs Interviews with hedge fund compliance practitioners A steady stream of regulatory changes combined with the enhanced enforcement efforts of regulators ensure that hedge funds compliance related expenditures will continue to grow While hedge fund compliance legislation continues to evolve globally little practical guidance exists for those tasked with the boots on the ground aspects of developing an actual compliance program to comply with best practices and regulatory guidance from leading hedge fund

regulators including the US Securities and Exchange Commission the National Futures Association the Commodity Futures Trading Commission and the United Kingdom s Financial Conduct Authority Hedge fund professionals and investors need a fundamental framework for establishing and evaluating an effective program and when compliance is the issue trial and error carries too much risk Hedge Fund Compliance Website provides clear guidance and practical tools to meet today s compliance professional needs Hedge Fund Regulation: Introduction to hedge funds Scott J. Lederman,2013-05

This book delves into Hedge Fund Regulation. Hedge Fund Regulation is a vital topic that needs to be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Hedge Fund Regulation, encompassing both the fundamentals and more intricate discussions.

1. The book is structured into several chapters, namely:

- Chapter 1: Introduction to Hedge Fund Regulation
- Chapter 2: Essential Elements of Hedge Fund Regulation
- Chapter 3: Hedge Fund Regulation in Everyday Life
- Chapter 4: Hedge Fund Regulation in Specific Contexts
- Chapter 5: Conclusion

2. In chapter 1, the author will provide an overview of Hedge Fund Regulation. This chapter will explore what Hedge Fund Regulation is, why Hedge Fund Regulation is vital, and how to effectively learn about Hedge Fund Regulation.
3. In chapter 2, this book will delve into the foundational concepts of Hedge Fund Regulation. The second chapter will elucidate the essential principles that need to be understood to grasp Hedge Fund Regulation in its entirety.
4. In chapter 3, the author will examine the practical applications of Hedge Fund Regulation in daily life. This chapter will showcase real-world examples of how Hedge Fund Regulation can be effectively utilized in everyday scenarios.
5. In chapter 4, the author will scrutinize the relevance of Hedge Fund Regulation in specific contexts. The fourth chapter will explore how Hedge Fund Regulation is applied in specialized fields, such as education, business, and technology.
6. In chapter 5, the author will draw a conclusion about Hedge Fund Regulation. The final chapter will summarize the key points that have been discussed throughout the book.

This book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of Hedge Fund Regulation.

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Hedge Fund Regulation Introduction

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