

21 April 2023

## NOTICE

### **Consultation Paper – Proposed Enhancements to Supervisory Powers within the Investment Funds Act 2006**

The Bermuda Monetary Authority (Authority or BMA) is committed to enhancing its regulatory regimes to ensure they remain appropriate for the financial sectors it regulates and supervises. To this end, in its 2022 Business Plan, the Authority disclosed that it would propose enhancements to the supervisory powers contained within the Investment Funds Act 2006 (IFA). In keeping with this commitment, this paper considers the existing supervisory powers in the IFA, the Investment Funds Rules 2019, and the Investment Fund Offering Document Rules 2019, (collectively ‘Rules’) and proposes enhancements to such powers.

The Authority now wishes to solicit feedback from stakeholders on the proposed amendments to the IFA and the Rules which the Authority hopes will support the enhancement of Bermuda’s investment funds regime.

The IFA amendments seek to propose additional powers including:

- a) The power to impose additional penalties/late fees;
- b) Broadening of the range of actions that the Authority may, by giving directions, require be taken in respect of a fund; and
- c) Additional powers regarding the communication of information to the Authority by the appointed auditor.

The Authority invites stakeholders to contribute their views on the proposals in this consultation paper. Stakeholders should send comments to **[policy@bma.bm](mailto:policy@bma.bm)** no later than the close of business on **19 May 2023**.