



Via e-mail: [levin.holle@bmf.bund.de](mailto:levin.holle@bmf.bund.de)

German Federal Ministry of Finance  
Department VII  
Mr. Dr. Levin Holle, Head of Department  
Wilhelmstrasse 97  
10117 Berlin

September 9, 2014

### **Improving the Ministerial Draft Amendments to the German Investment Regulation**

Dear Dr. Holle:

We refer to the joint letter of the ABV, BAI, BDI, bsi, BVK and ZIA dated August 21, 2014 as well as to our letter dated June 27, 2014 regarding the formal draft (*Referentenentwurf*) of a Regulation (the "Draft Regulation") amending the German Investment Regulation (*Anlageverordnung*) and the German Pension Fund Capital Investment Regulation (*Pensionsfonds-Kapitalanlageverordnung*).

The PEGCC wholeheartedly supports the concerns expressed by these trade associations and their request for an expert meeting involving the German Federal Ministry for Economic Affairs and Energy and the trade associations in order to discuss such concerns. The PEGCC would appreciate participating in such a meeting if that is considered useful and is welcomed by all parties.

The PEGCC, based in Washington, DC, is an advocacy, communications and research organization established to develop, analyze and distribute information about the private equity and growth capital (together, "private equity") industry and its contributions to the US and global economy. Our members represent a broad cross-section of the private equity industry in the United States, and include many of the world's largest and best known private equity firms, as well as leading small and medium-sized private equity firms.

Our members are united by their commitment to growing and strengthening the businesses in which they invest. Many of our members invest in Germany and market their funds to sophisticated professional investors in Germany, including German insurance companies and pension funds. For further information on the PEGCC, please see [www.pegcc.org](http://www.pegcc.org).

As explained in detail in our letter dated June 27, 2014, we are deeply concerned that the Draft Regulation, if adopted without significant changes and without further guidance, would materially and adversely affect our members who are located outside of the European Economic Area (“EEA”), as well as German insurance companies and German pension funds, by severely limiting the ability of those insurance companies and pension funds to invest in private equity funds managed by US (and other non-EEA) alternative investment fund managers.

The PEGCC sincerely hopes that the arguments it raised in connection the consultation process will contribute to the further development of the Draft Regulation. We hope you find them helpful, and we would be pleased to answer any questions that you might have.

Respectfully submitted,



Steve Judge  
President and CEO  
Private Equity Growth Capital Council