

Krizin baş aktörlerinden biri: Serbest Yatırım Fonları

HEDGE FUNDS

Genellikle kamuya bilgi açıklamak zorunda olmayan, müşterileri arasında sayıca az ancak oldukça varlıklı bireysel ya da kurumsal yatırımcılar bulunan, yüksek kaldıraçla çalışan, saldırgan bir yönetim tarzına sahip, yatırım fonlarıdır.

Bu fonlar kısa dönemli piyasa hareketlerinden faydalanarak getirilerini (karlarını) için büyük miktarda paralarla piyasaya girerler.

Bu fonların en büyük özellikleri

- Finansal türev araçları maharetle kullanabilmeleri ve
- Piyasalara çok hızlı giriş çıkış yapabilmeleridir

Serbest Yatırım Fonları: Orijin



(1901-1989)

- ilk SYF *Albert Wislow Jones* tarafından 1949 yılında kurulmuştur. New Yorkta yaşayan bir Avustralyalıdır.
- 1923 yılında Harvard Üniversite'sinden Alfred Winslow Jones mezun olmuştur (Sosyoloji Bölümü). Fortune Magazine'de muhabirlik yapmıştır.
- Yük gemilerinin muhasebeciliğini yapan AWJ bu vesileyle neredeyse tüm dünyayı dolaşmıştır. Ardınan Dışişleri hizmetinde bulunmuştur.
- 1949 yılında ilk Mutlak Getiri Absolute Return ya da kendi deyimiyle "Hedge Fund" kurmuştur.
- Yatırım araştırması sürecinde Alternatif Yaklaşımını (alternative Yatırım investment approach) geliştirmiştir
- İşe \$40,000 kendine ait olmak üzere \$100,000'lık bir protföy oluşturarak



Serbest Yatırım Fonları: Orijin

- AWJ'nin yatırım tekniği uzun (long position) hisse senedi pozisyonlarını açığa sattığı diğer hisse senetleriyle olası finansal risklere karşı koruma altına alarak (hedging) "genel piyasa riskini" elimine etmeye yöneliktir.
- Portföy getirisini arttırmak için kaldıraç imkanından da yararlanana AWJ daha sonra tüm aktiflerini kendi fonunda toplamıştır.
- 1966 yılında Fortune Magazine'de tüm fonların neredeyse iki katı kadar (87%) getiri sağladığına dair makale yayınlanana kadar kimse HF nedir bilmiyordu.
- Makalenin yayınlanmasından sonraki 2 yılda *Warren Buffett'ın* HF'si dahil olmak üzere 140 HF kurulmuştur.

Serbest Yatırım Fonları: Yasal Çerçeve

SEC Amerikan SPK'sı

CFTC Futures Piyasası Gözetim Otoritesi

FED, OCC, OTS Amerikan Merkez Bankası, Hazine (bankacılıktan

sorumlu) ve Küçük Bankalar Denetim Otoritesi

FSF, Ulusal Denetim Otoriteleri, Merkez Bankaları, Avrupa Birliği ve BASIN!

Ancak bu kuruluşlar kamu/küçük yatırımcı korunmasına ve piyasanın adil rekabet esaslarına göre çalışmasına ilişkin düzenleme ve denetim felsefesine göre çalışmaktadır.

Fakat HF'ların müşterileri ne kamu ne de küçük yatırımcıdır (sigorta şirketleri, emeklilik fonları gibi istisnaları vardır).

HF'lerin etkili bir şekilde çalışabilmeleri için önemli olan iki faktör <u>Mahsusiyet</u> ve <u>düzenleme ve denetimden muaf bir faaliyet alanıdır.</u>

Serbest Yatırım Fonlarına ve Ürünlerine İlişkin Bilgiler Niçin Kamuya Açık Değildir?

Her birinin bir *kazanma* stratejisi vardır. Kısmi açıklama bile stratejilerinin önünü kesebilir ve daha hızlı davrananlar önceden kârları toplayabilirler (danger of front-running).

Vergilendirme yatırımcılar için önemli bir tercih kıstası olup HF'lerin kayıt/tescil edildikleri yerler buna göre belirlenir (Almanya bu konuda sert ve önleyici tedbirler geliştirmiştir).

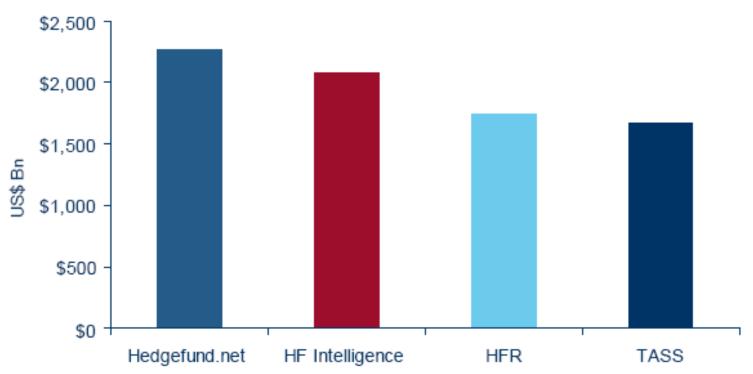




HF Endüstrisi Büyüklüğü: Halâ Net Bir Rakam Yok!

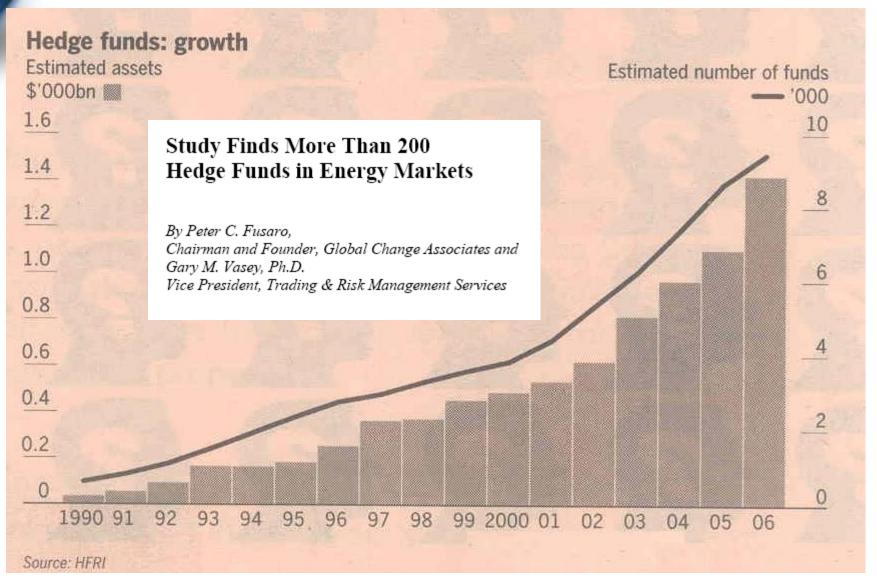
Although estimates vary, there is now c. \$2 trillion in total hedge fund assets under management

AuM through 2007 H1



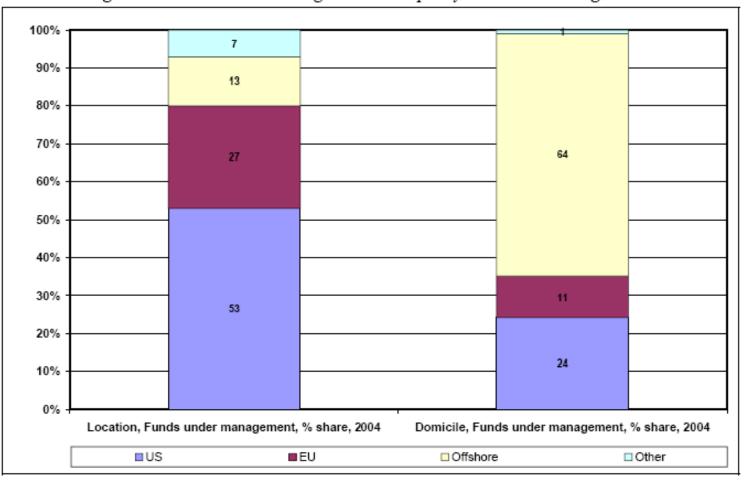
Source: Hedge Fund Research, Hedge Fund Intelligence, Hedgefund.net, Lipper/TASS hedge fund database. All data was obtained from publicly available information, internally developed data and other third party sources believed to be reliable. Credit Suisse has not sought to independently verify information obtained from public and third party sources and makes no representations or warranties as to accuracy, completeness or reliability of such information.

HF Büyüme Oranı ve Tahmini HF Sayısı



Serbest Yatırım Fonlarının Kayıtlı Olduğu ve Faaliyet Gösterdiği Bölgeler

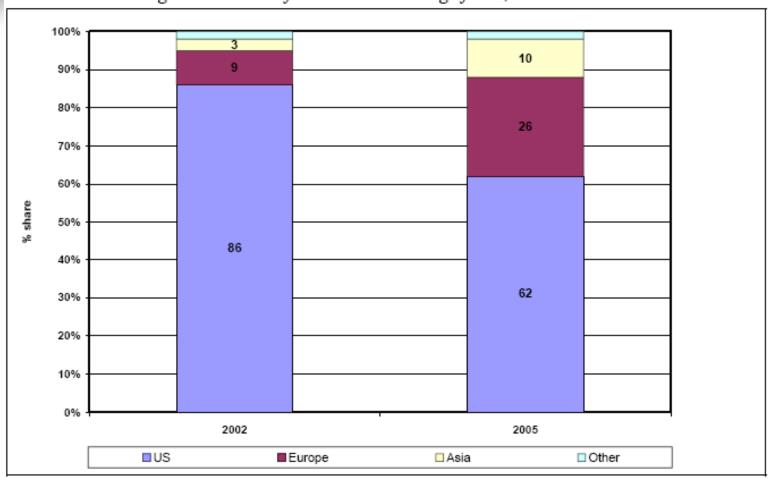
Figure 2. Domiciliation-management discrepancy to circumvent regulation



Source: TASS.

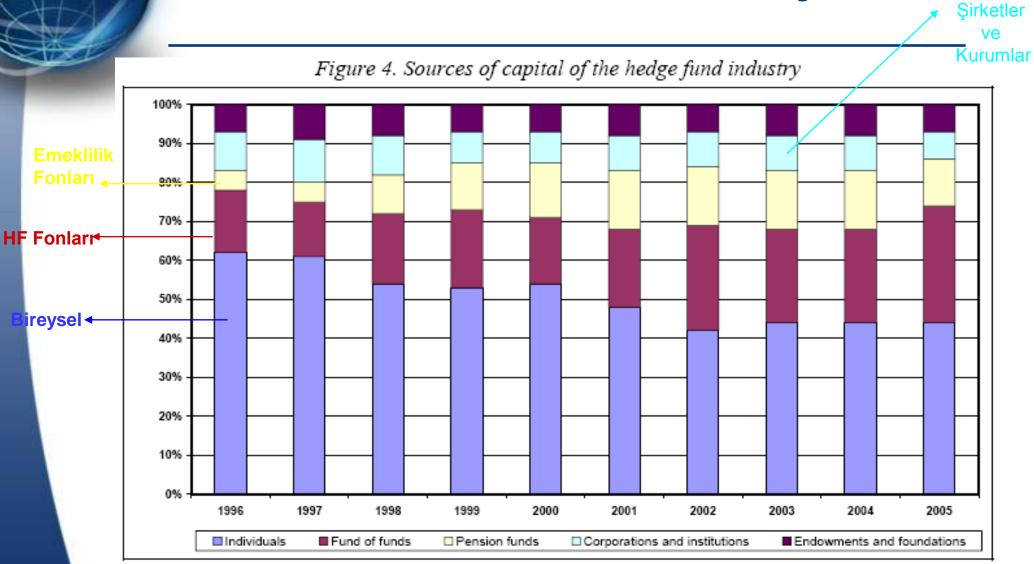
Serbest Yatırım Fonlarının Bölgesel Fon Kaynakları

Figure 3. Source of investments in hedge funds, 2002 and 2005



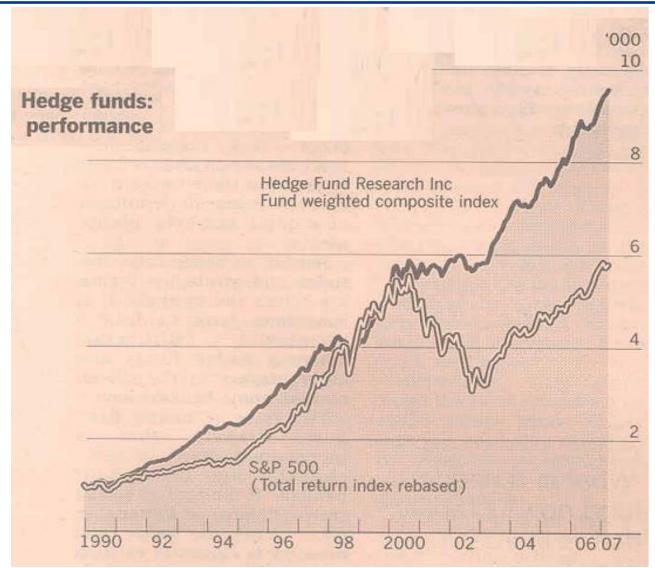
Source: IFSL estimates based on EuroHedge. June 2005 data.

Serbest Yatırım Fonlarının Fon Kaynakları



Source: IFSL estimates based on EuroHedge and Hennessee Group data.

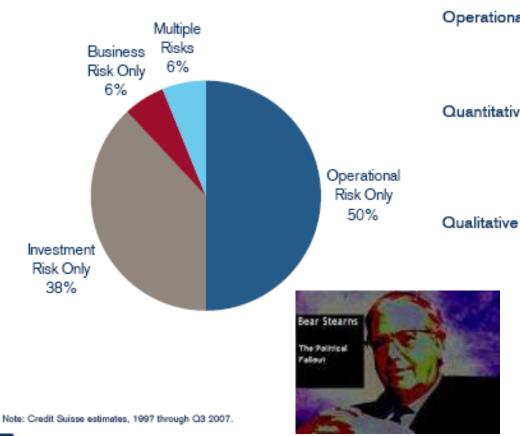
HF Performansı



Serbest Yatırım Fonları Niçin Batıyor?

Fund of Hedge Funds: Margin pressure?

Distribution of Fund Failures



Types of Due Diligence

Operational

Infrastructure overview with onsite mid/back office review; Focus on internal processes and procedures; Review of the fund's IT capability; Regulatory review of fund/media search; Service provider reference checks; Review of the financials of the hedge fund; Commercial review of contract terms; Review of the fund's financial viability

Quantitative

- Peer group analysis
- Identification of primary systematic return drivers through regression analysis
- Quantification of sizes and consistency of exposure over
- Analysis of residual risk and return (alpha) over time

On-site meetings with hedge fund managers - interview portfolio managers, analysts and risk managers on:

- Management company structure
- Investment methodology and decision making process
- Alpha generation
- Sample trades
- Portfolio construction
- Portfolio manager / team
- Risk process and transparency
- Performance analysis
- Capacity and size management

SYF'lerin Yatırım Stratejileri

- Küresel bazda faaliyet gösterirler
- Yeni piyasalar ararlar
- Beklenmeyen (ekstrem) olay ve gelişmelere yatırım yaparlar
- Aşırı risk alırlar
- Türü aynı olsa bile davranıları çok büyük farklılıklar gösterir
- Yeni *yapı*lar ve *finansal araçlar* geliştirebilme yetenekleri vardır
- Piyasa hareketinin her türünden kar elde edebilirler
- Makro/mikro her tür değişikliğe karşı yerel, bölgesel ya da küresel bazda spekülatif pozisyonlar alırlar

Türleri

- Makro
- Küresel
- Piyasa Nötral
- Olay çekişli (darbe, ayaklanma, savaş dahil)
- Sadece uzun ya da sadece kısa pozisyon
- Sektör ağırlıklı
- HF Fonlari

- Convertible Arbitrage
- Distressed Securities
- Emerging Markets Asia
- Emerging Markets Eastern Europe
- Emerging Markets Global
- Equity Long/Short
- Equity Long Biased
- Equity Long Only
- Equity Market Neutral
- Event Driven
- Fixed Income
- Fixed Income Arbitrage
- Fixed Income High Yield
- Fund of Funds with funds under management greater than \$250M
- Fund of Funds with funds under management less than \$250M
- Macro
- Merger Arbitrage
- Multi-Strategy
- Sector Energy
- Sector Health Care/Biotech
- Sector Technology

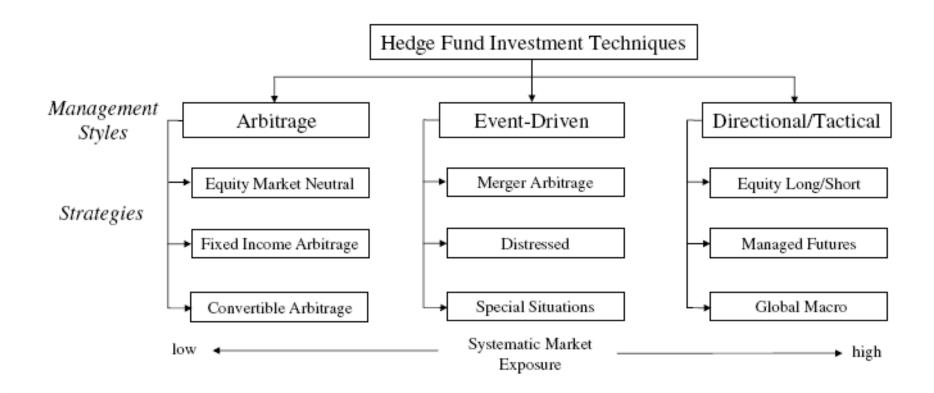








HF Yatırım Teknikleri



Kaynak: Füss, R., Kaiser, D.G and Adams, Z., (2007), "Value at risk, GARCH modelling and the forecasting of hedge fund return volatility", Journal of Derivatives & Hedge Funds Volume 13 Number 1, p.2-25.

Yıllara Göre SYF Türleri

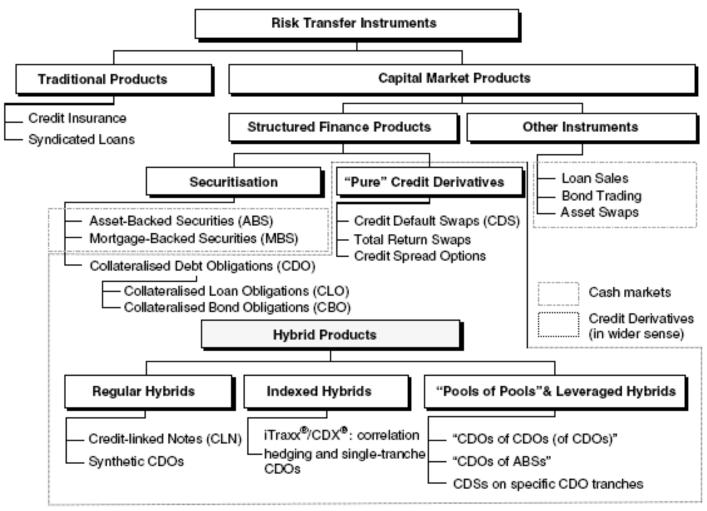
Fund of Hedge Funds: Margin pressure?

Sector performances of the Credit Suisse/Tremont Hedge Fund Index* are highly variable

Ranking	1994	1995	996	1997	998	599	2000	2001	2002	2003	2004	2005	2006	2007YTD
1	Dedicated Short 5%	Global Macro 31%	Emerging Markets 34%	Global Macro 37%	Managed Futures 21%	Long/Short Equity 47%	Convertible Arbitrage 26%	Global Macro 19%	Managed Futures 18%	Emerging Markets 29%	Event Driven 18%	Emerging Markets 17%	Emerging Markets 20%	Emerging Markets 21%
2	Emerging Markets 19%	Long/Short Equity 23%	Global Macro 28%	Emerging Markets 27%	Long/Short Equity 5%	Emerging Markets 45%	Dedicated Short 18%	Convertible Arbitrage 15%	Dedicated Short 18%	Event Ortven 20%	Emerging Markets E%	Dedicated Short 17%	Event Driven S%	Global Macro 1916
3	Managed Futures E%	Evert Driven 1914	Event Driven 23%	Long/Short Equity 21%	Equity Market Neutral 19%	Event Driven 22%	Equity Market Neutral 15%	Event Driven 186	Global Macro 19%	Global Macro 6%	Long/Short Equity 12%	Long/Short Equity 10%	Multi-Strategy 17%	Long/Short Equity 18%
4	Event Driven 1%	Convertible Arbitrage 17%	Convertible Arbitrage 10%	Event Oriven 20%	Multi-Strategy 8%	Convertible Arbitrage 5%	Global Macro 12%	Equity Market Neutral 9%	Equity Merket Neutral 7%	Long/Short Equity 9%	Global Macro 8%	Global Macro 9%	Long/Others Equity 14%	Event Oriven 1914
5	Fixed income Arbitrage 0%	Fixed Income Arbitrage 12%	Long/Othert Equity 17%	Multi-Strategy 8%	Global Macro -4%	Equity Market Neutral 15%	Multi-Strategy 186	Fixed Income Arbitrage 8%	Emerging Markets 7%	Multi-Strategy 1994	Multi-Strategy 8%	Event Driven 9%	Convertible Arbitrage 14%	Multi-Strategy 12%
6	Equity Market Neutral -2%	Multi-Strategy 12%	Equity Market Neutral 17%	Equity Microst Neutral 1996	Convertible Arbitrage -4%	Fixed income Arbitrage 12%	Event Driven 7%	Emerging Markets 6%	Multi-Strategy 6%	Managed Futures 95%	Fixed income Arbitrage 7%	Multi-Strategy 8%	Global Macro 14%	Equity Market Neutral 8%
7	Multi-Strategy -3%	Equity Market Neutral 186	Floed Income Arbitrage IE%	Convertible Arbitrage 94%	Event Drives -8%	Multi-Strategy 9%	Fixed Income Arbitrage 6%	Multi-Stretegy 6%	Fixed income Arbitrage 6%	Convertible Arbitrage 15%	Equity Market Neutral 7%	Equity Market Neutral 6%	Equity Market Neutral 1956	Convertible Arbitrage 7%
8	Global Macro -6%	Managed Futures -7%	Multi-Strategy 95%	Fixed income Arbitrage 9%	Dedicated Short -8%	Global Macro 6%	Managed Futures 4%	Managed Futures 2%	Convertible Arbitrage 4%	Fixed Income Arbitrage 8%	Mamped Futures 6%	Fixed income Arbitrage 1%	Fixed Income Arbitrage 9%	Managed Futures 7%
9	Convertible Arbitrage -8%	Dedicated Short -7%	Managed Futures 12%	Managed Futures 3%	Fixed Income Arbitrage -5%	Managed Futures -5%	Long/Short Equity 2%	Dedicated Short -4%	Event Driven 0%	Equity Merket Neutral 7%	Convertible Arbitrage 2%	Managed Futures 0%	Managed Futures 8%	Fixed income Arbitrage 4%
Đ	Long/Short Equity -8%	Errorging Markets -17%	Dedicated Short -5%	Dedicated Short 0%	Emerging Markets -38%	Dedicated Short -14%	Emerging Markets -8%	Long/Short Equity -4%	Long/Short Equity -2%	Dedicated Short -33%	Dedicated Short -3%	Convertible Arbitrage -3%	Dedicated Short -7%	Dedicated Short -4%

^{*} Please refer to the End Notes for important disclosures regarding the various Credit Suisse/Tremont Indices described herein. Past performance is not indicative of future performance. Source: Credit Suisse Tremont Index LLC. Year to date figure is through October 31, 2007.

HF'ler Riski Nasıl Transfer Ediyorlar?



Kaynak: Jobst, A.A., (2007), "A primer on structured finance", Journal of Derivatives & Hedge Funds Volume 13 Number 1, p.199-213.

Serbest Yatırım Fonları-Hedge Funds, 18 Mart 2009

18/61

Dr. C. Coşkun KÜÇÜKÖZMEN

Greenwich: Yeni Wall Street'in adı artık Hedgistan

GREENWICH

Hedgistan is the new Wall Street

Anuj Gangahar explains why the enclaves have prospered

and the I-95 freeway.

based recently as much on their average 2 per cent management fee as on their 20 per cent or higher performance fees: wealth.

They can afford to live and work in the most desirable reater Hedgistan, areas. But the fact that as it is now being Greenwich in particular has called, is a land established itself as one of inhabited by the the leading global hedge fund prosperous few. It is made up centres cannot be attributed of lower and upper solely to its picture postcard Hedgistan, connected by the good looks, good restaurants, Lower Hedgistan com- designer stores. One prime include the advantageous



prises the swathe of midtown brokerage executive admits Connecticut personal income for hedge funds and their

tion's Warren Buffet. He has

Artık akademisyenler de sahada....

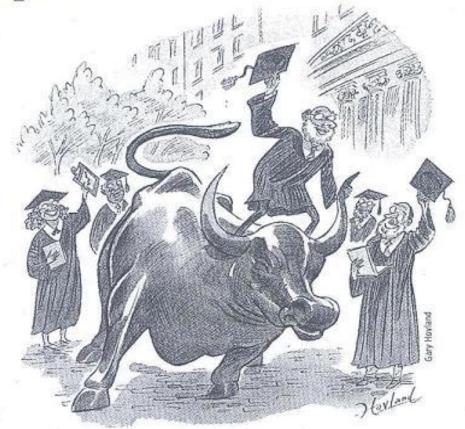
More funds lure professors from ivory tower

By PETER A. MCKAY

Investors' soaring appetite for alternative investments and exchange-traded funds is giving college professors a chance to break out of their ivory tower and test their academic theories—in your portfolio.

Princeton University's Burton Malkiel-guru of the "efficient-market" theory, which holds that all stocks have an equal chance for gain-has developed strategies for investors interested in China and is also designing an index to track China's development. The work of Yale University's Robert Shiller, author of the 1990s best seller "Irrational Exuberance," was the basis last year for innovative futures contracts on housing prices at the Chicago Mercantile Exchange, and new oil-trading tools known as "macros," listed on the American Stock Exchange.

"A lot of academics have left universities for hedge funds the last few years," says Jeremy Siegel, a fi-

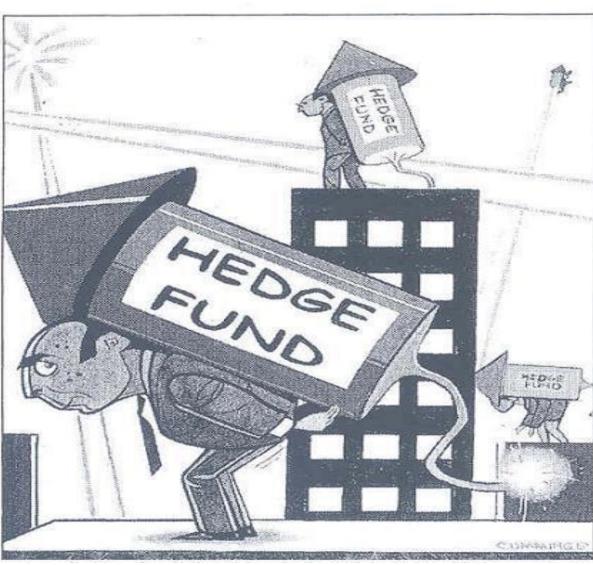


details are hard to come by, but

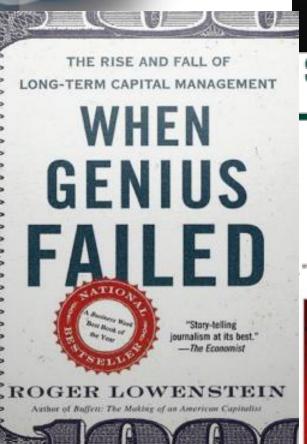
performance in less than 12 months of trading "The strategy

Köpekbalığı Fonları da denilen HF Yöneticileri Gerçekten Füze Mühendisi mi? Oyleyse vay halimize mi? Füzeye binmeyin o zaman!

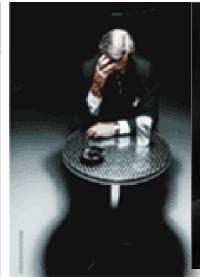


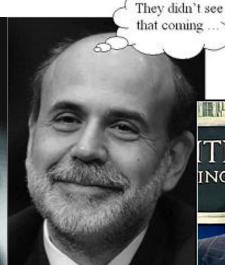


Vak'a Analizi: Oyunu yeni adı LTCM



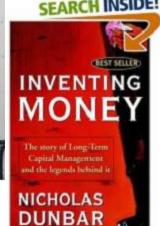
men his manufactif editable to a blind tout.







SEARCH INSIDE!™



Box 2. Summary Statistics for Hedge Fund Index Returns (January 1994 to September 2006)

STRATEGY	MEAN	STANDARD DEV.	MINIMUM	MAXIMUM	MONTHS
Hedge Fund Index	0.87	2.23	-7.55	8.53	153
Convertible Arbitrage	0.73	1.35	-4.68	3-57	153
Dedicated Short Bias	-0.03	4.92	-8.69	22.71	153
Emerging Markets	0.81	4.65	-23.03	16.42	153
Equity Market Neutral	0.80	0.84	-1.15	3.26	153
Event Driven	0.92	1.61	-11.77	3.68	153
Fixed Income Arbitrage	0.52	1.07	-6.96	2.05	153
Global Macro	1.11	3.13	-11.55	10.60	153
Long/Short Equity	0.97	2.92	-11.44	13.01	153
Managed Futures	0.54	3.44	-9-35	9-95	153
Multi-Strategy	0.77	1.24	-4.76	3.61	150

Source: Author's calculations, based on data from Credit Suisse/Tremont.

Notes: The table reports summary statistics for returns on Credit Suisse/Tremont hedge fund strategies. The Multi-Strategy data begin in April 1994.

LTCM İstatistikleri

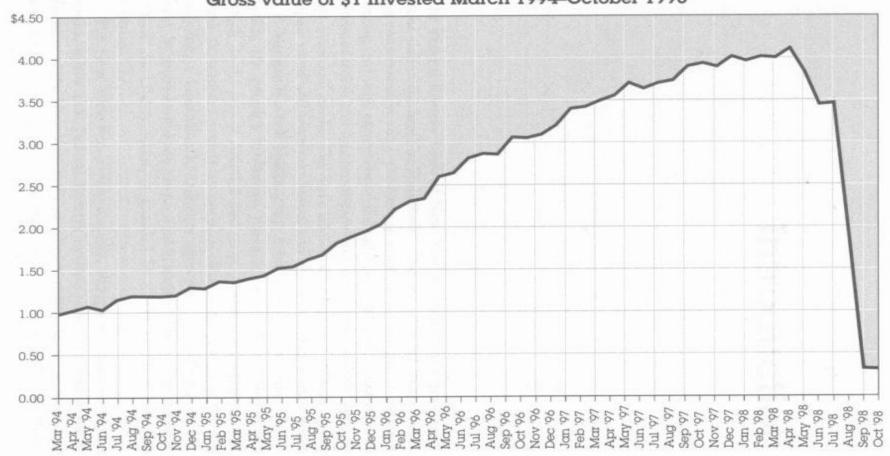
- LTCM Long Term Capital Management
- Kuruluş Yılı 1994
- Tür market neutral
- Şirket Yapısı sınırlı ortaklık (limited partnership)
- Faaliyet Yeri Greenwich, Connecticut, US
- Kurucusur John Meriwether
- Önemli Sahip ve Uzmanlar Myron Scholes and Robert Merton, Mullins
- Getiri Profili 1995 ve 1996'da yıllık 40%'tan daha fazla reel getiri
- Hedef/Misyon İstatistiksel ve matematiksel modelleri kullanarak özellikle sabit getirili varlık piyasalarında "fiyatlama anomalilerini" tespit ederek bu keşiflerinden *finansal türevler* ve kaldıraçlı yatırım menkul kıymetleri yoluyla getiri elde etmek

LTCM İstatistikleri (devam)

- Ödenmiş Sermaye \$1.3 milyar (\$100 milyonluk lısmı yöneticilerden)
 2/1994
- Minimum yatırım (mevduat!) miktarı \$10 milyon
- 3 yıl boyunca ana para çekme yasağı
- 2% ayönetim gideri, yeni karlar üzerinden 25% kesinti (1% + 20%)
- 16 ortağı var Meriwether, Mullins, Scholes and Merton
- ÖDenmiş sermaye 1997 yılında \$7.5 milyara çıktı
- FED Zorunlu tasfiye (16 en büyük alacaklısının koordinasyonunda) 22
 Eylül 1998
- 23 Eylül 1998 16 alacaklı LTCM'nin hesapta görünen kayıtlı sermayesinin %90'ını karşıladılar (\$3.625)

LTCM'nin Getiri Performansı



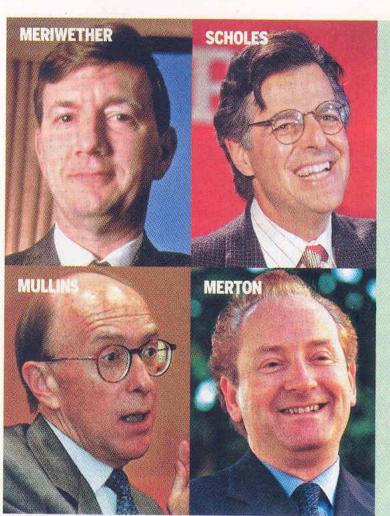


LTCM niçin battı?

Dersler

- Model riski
- 2. Yetersiz risk yönetimi (inanması güç!)
- 3. LTCM'le iş yapanların yetersiz risk yönetimi (daha inandırıcı)
- 4. İstatistiksel varsayımların geçerliliğini yitirmesi (korelasyon yapısının bozulması)
- 5. Yetersiz ya da yapılmayan "stress-testleri"
- 6. ŞEffaflık ve az da olsa bilgi vermekten kaçınma
- Yıldız kaliteye yatırım yapmanın maliyetiş (zararları)
- 8. Moral hazard İstismar Riski (FED yardımı ve kroni kapitalizmi)
- 9. Sistemik risk

Simdi Neredeler? High IQ Morons-The Economist Calls them!



REMEMBER THESE GUYS?

fter a Treasury-bond trading scandal rocked Salomon Brothers in 1991, bond czar John W. Meriwether left the firm and set about launching a hedge fund, Long-Term Capital Management. Meriwether raised what then was viewed as a startling sum from investors: \$1.25 billion. He bought \$10 million worth of computers. And he assembled a dream team of partners including two winners of the 1997 Nobel Memorial Prize in Economic Science, Myron S. Scholes and Robert C. Merton, and former Federal Reserve Vice-Chairman David W. Mullins Jr. The fund initially delivered double-digit returns, turning its principals into Wall Street superstars. But in 1998 the markets moved against some of the fund's highly leveraged bets on Russian bonds and other financial assets, and LTCM collapsed. The failure might have taken down the financial system were it not for a \$3.6 billion bailout organized by the Federal Reserve Bank of New York. Now, Meriwether runs another fund, called JWM Partners. Scholes is chairman of the private equity firm Oak Hill Platinum Partners. Merton is founder and chief science officer of Integrated Finance Ltd., a corporate strategy adviser that uses his Nobel-winning options theory. And Mullins is chief economist at the hedge fund Vega Asset Management USA.

asked to talk about his readiness for a big blow to the financial system. Paulson issued a litany of warnings. The main risk measure Goldman discloses, VAR, "always assumes that the future is

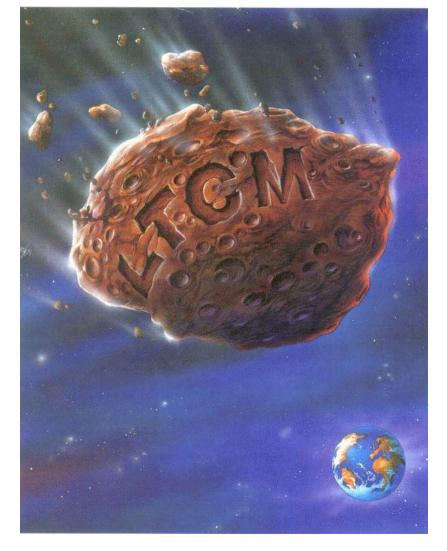
telling what this cycle's price tag could be if the banks mismanage relationships in new ways. The New York Stock Exchange is investigating a major investment bank to see if it's giving a

N K VEE/THE NEW YORK TIMES

Efficient Market Hypothesis

I make the markets efficient replied John

Meriwether when asked about "market efficiency"



be smart but not too much!

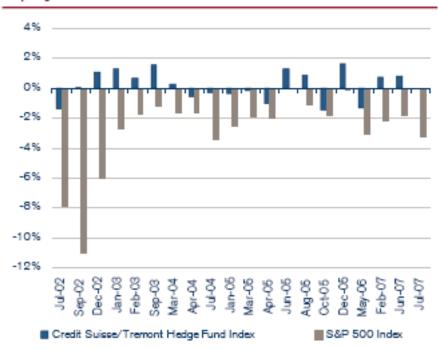


Meriwether: forced to stay to help clean up

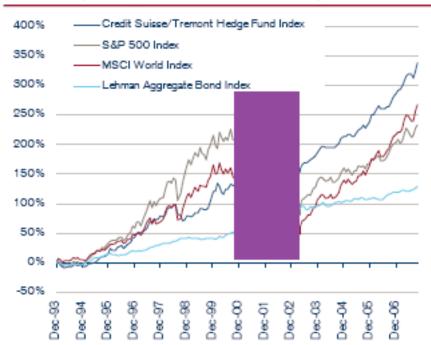
Küresel Kriz Öncesi HF Performansları

Hedge funds have been resilient in recent market disruptions

Hedge fund performance in 20 most recent down equity months



Hedge fund performance relative to global markets (through October 31, 2007)

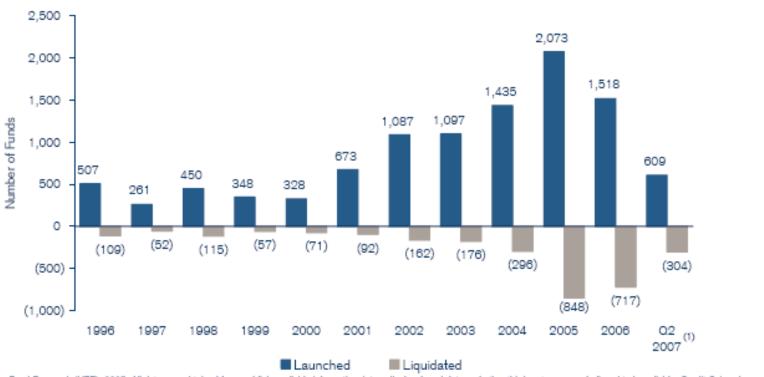


Credit Suisse/Tremont Hedge Fund Index* had positive returns in 11 of the 20 most recent down equity months.

HF Sayısındaki Artış Ne Kadar Gerçekçi?

Fund of Hedge Funds: Margin pressure?

Estimated number of funds launched/liquidated 1996 – Q2 2007



Source: Hedge Fund Research (HFR), 2007. All data was obtained from publicly available information, internally developed data and other third party sources believed to be reliable. Credit Suisse has not sought to independently verify information obtained from public and third party sources and makes no representations or warranties as to accuracy, completeness or reliability of such information.

(1) Due to lag time in notification of fund launches and liquidations by fund managers, HFR only estimates through prior quarter.

Kriz Öncesi Son Rakamlar ve En Büyük HF'ler

- Hedge funds' returns for the first quarter of 2007 hit 2.1%, according to researcher Morningstar (easily beat the Standard & Poor's 500-stock index, which rose 0.64%)
- That kind of performance is drawing ever-larger amounts of money from pension funds and other institutional investors.
- U.S. hedge fund assets exceeded the \$1 trillion level for the first time in 2006.
- The 8,000 funds in the sector had a collective \$1.2 trillion in assets under management, up from \$985 billion in 2005, according to Absolute Return magazine.
- The heavyweight funds, ranked according to size and how much their assets under management increased between 2005 and 2006 is given in next slide ranked according to size and recent growth. By Steve Rosenbush.

En büyük 10 Amerikan Hedge Fonu

Name	Location	Assets under management	CEO	Change in assets under mgmt (%)	
JPMorgan Asset Management	New York	\$34 billion	Paul Terence Bateman	+74.3	
Goldman Sachs Asset Management	New York	\$32.5 billion	Allen Reed	+48.0	
Bridgewater Associates	Westport, Conn.	\$30 billion ¹	Raymond Thomas Dalio, president and chief investment officer	+47.0	
D. E. Shaw Group	New York	\$26 billion	David Elliot Shaw	+40.0	
Farallon Capital Management	San Francisco	\$26 billion ²	Thomas Steyer, senior managing member	+59.0	
Renaissance Technologies	East Setauket, N.Y.	\$24 billion	James Harris Simons	+176.0	
Och-Ziff Capital Management	New York	\$21 billion³	Daniel Saul Och, president	+40.0	
Cerberus Capital Management	New York	\$19 billion	Stephen Feinberg	+70.0	
Barclays Global Investors	San Francisco	\$19 billion	Blake Grossman	+29.0	
ESL Investments	Greenwich, Conn.	\$18 billion	Edward Lampert	+20.0	
TOTAL		\$ 249,5 billion			

Veri: Hedgefund
Intelligence, Capital
IQ
Dipnotlar

1 including a recent position in Lowes
2 including a recent position in shopping mall owner Mills
3 including a recent position in the Manchester United soccer club

BEST PRACTICES REPORT, 2008

- 1. Disclosure and Investor Protection
- 2. Valuation
- 3. Risk Management
- 4. Trading and Business Operations
- 5. Compliance, Conflicts and Business Practices

Report is available at

http://www.ustreas.gov/press/releases/reports/amcreportapril152008.pdf

BEST PRACTICES FOR THE

HEDGE FUND INDUSTRY

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REPORT

OF THE

ASSET MANAGERS' COMMITTEE

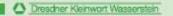
TO THE PRESIDENT'S WORKING GROUP ON FINANCIAL MARKETS

April 15, 2008

## Seven Sins of Fund Management

A behavioural critique

DrKW Macro research Equity Strategy | Global



November 200

### Seven Sins of Fund Management

A behavioural critique



| Sin City                                                                 |
|--------------------------------------------------------------------------|
| Sin 1 Forecasting                                                        |
| The folly of forecasting: Ignore all economists, strategists & analysts  |
| Do analysts understand value: who is the greater fool?                   |
| Sin 2 The illusion of knowledge                                          |
| The Illusion of knowledge, or is more information better information?    |
| Sin 3 Meeting companies                                                  |
| Why waste your time listening to company management?                     |
| Sin 4 Thinking you can out-smart everyone else                           |
| Who's a pretty boy then? Or beauty contests, rationality and great fools |
| Sin 5 Short time horizons and overtrading                                |
| ADHD, time horizons and underperformance                                 |
| Sin 6 Belleving everything you read                                      |
| The story is the thing, or the allure of growth                          |
| Scepticism is rare, or, Descartes vs. Spinoza                            |
| Sin 7 Group decisions                                                    |
| Are two heads better than one?                                           |

### **Regulatory Responses to HFs' Activities**

- Basel Committee on Banking Supervision
- International Organisation of Securities
   Commissions
- Financial Stability Forum
- APRA
- FSA

## Regulatory Response: Basel Committee on Banking Supervision (BCBS)

- Sound Practices for Banks' Interactions with Highly Leveraged Institutions, BCBS, <u>January 1999</u> (14p)
- Banks' Interactions with Highly Leveraged Institutions, BCBS, January 1999 (29p)
- Banks' Interactions with Highly Leveraged Institutions: Implementation of the Basel Committee's Sound Practices Paper, BCBS, <u>January 2000</u> (11p)
- Review of Issues Relating to Highly Leveraged Institutions (HLIs), BCBS
   & IOSCO, March 2001 (12p)



# Regulatory Response: International Organisation of Securities Commissions (IOSCO)

- Causes, Effects and Regulatory Implications of Financial and Economic Turbulence in Emerging Markets, IOSCO, November 1999 (103p)
- Hedge Funds and Other Highly Leveraged Institutions, IOSCO, November 1999 (45p)

## Regulatory Response Financial Stability Forum (FSF)

- Report of the Working Group on Highly Leveraged Institutions, Financial Stability Forum, 5 April 2000 (155p)
- Recent Developments in the Hedge Fund Industry, Financial Stability Forum, March 13, 2001 (13p)
- Progress in Implementing the Recommendations of the Working Group on Highly Leveraged Institutions (HLIs), Financial Stability Forum, May 2001 (6p)
- The FSF Recommendations and Concerns Raised by Highly Leveraged Institutions (HLIs): An Assessment, Financial Stability Forum, 11 March 2002 (12p)
- Update on Highly Leveraged Institutions (HLIs): Financial Stability Forum, May 2007
- HF Working Group's Hedge fund Standards: Final Report, <u>Jan, 2008</u>. <u>www.hfwg.co.uk</u>

#### **Other Selected Materials**

- Best Practices for the Hedge Fund Industry, Report of the Asset Managers' Committee to the President's Working Group on Financial Markets, April 15, 2008.
- International Contagion Effects from the Russian Crisis and the LTCM Near-Collapse, 2002, Mardi Dungey, Renée Fry, Brenda Gonzalez-Hermosillo and Vance Martin, IMF, WP/02/74.
- The costs and benefits of moral suasion: Evidence from the rescue of long-term capital management, by Craig Furfine, BIS Working Papers, No.103, August 2001.
- A review of Financial Market Events in Autumn 1998, <u>Committee on the Global Financial System</u>, <u>BIS</u>, October 1999.
- Turbulence in Mature Financial Markets, World Economic Outlook, Chapter III, IMF, 1998
- Hedge Funds and Financial Market Dynamics, Occasional Paper, No.166, IMF, Washington DC, 1998.

## Regulatory Response\* (1)

- Near-collapse of LTCM raised the question of whether banks have been deficient in their dealings with hedge funds and HLIs.
- Efforts of the BCBS resulted in the issuance of 'supervisory guidance', both internationally and in the United States, with the aim of improving banks' policies and practices regarding HLIs.
- (\*) Source: Mr McDonough's statement on the work done at international level by the BCBS on banks' dealing with highly leveraged institutions (24 March 1999)

### **Regulatory Response (2)**

- It is very well-known that it is primarily the responsibility of each banking organisation to manage its risks.
- But given the special role that banks play in the economy and the systemic risks that can occur when they do not function properly, banks' risk management activities are a legitimate public policy concern.
- Sound practice standards provide banks and their supervisors the tools to measure industry progress toward the goal of effective risk management.

### **Regulatory Response (3)**

- The Committee's report revealed a number of deficiencies in banks' practices.
  - In particular, the Committee observed an <u>imbalance</u> among the key elements of the credit risk management process, with too strong a reliance upon collateral to protect against credit losses.
  - This undue emphasis, in turn, caused many banks to neglect other critical elements of effective credit risk management, including indept credit analyses of <u>counterparties</u>, effective exposure measurement and management techniques, and the use of stress testing.

### **Regulatory Response (4)**

#### The credit approval process

Banks need to <u>sufficiently understand</u> the ability of HLIs to manage their risks.
 Since risk profiles can change from day to the next, or even from moment to moment, it is necessary for an HLI's counterparties to ensure that the HLI can effectively manage its business operations and risks on an <u>ongoing</u> basis.

#### Exposure Management

- Banks should develop better measures of the credit exposure resulting from different type of trading activities.
- Banks should develop more effective measures such as potential future exposure, that measures the credit exposure between a counterparty and a bank, and how this exposure could change in the future as market prices fluctuate.

### **Regulatory Response (5)**

#### Stress Testing

- Banks must develop measures that better account for credit risk under extreme market conditions. This can be achieved what is called 'stress tests', where a bank conducts 'what if' analyses of how credit exposures to a single counterparty could grow under these market conditions.
- Stress tests must include a large rise or a fall in interest rates or a major change in exchange rate.

### **Regulatory Response (6)**

- Sound Practice Recommendations in the Basel Committee Report
  - Banks should establish clear policies governing their involvement with HLIs,
  - Banks should adopt credit standards addressing the specific risks associated with HLIs,
  - Banks should establish meaningful measures of potential future exposure,
  - Banks should establish meaningful credit limits, incorporating the results of stress testing; and
  - Banks should monitor exposure on a frequent basis.

We are not intending to prescribe formal limits on, or to ban, investments in hedge funds. But [...], we do expect trustees to investigate thoroughly their suitability for superannuation purposes and to have robust arrangements in place to control the inherent risks.

**Graeme Thompson** 

Chief Executive Officer

While many hedge funds are professionally managed and regulated, they can lead to significant losses in a relatively short time.

APRA Insight 2<sup>nd</sup> Quarter 2003

Hedge funds are difficult to define and categorise but are generally defined by a single manager and have broad delegations to use gearing and derivatives. [...] They are also often characterised by relatively short trading history and/or an absolute return rather than a benchmark return.

#### An assessment will often identify the hedge fund....:

- high levels of <a href="leverage">leverage</a> used by some funds, often from two to ten times;
- unregulated entities incorporated in traditional tax and legal safe havens;
- single person risk;
- an <u>unproven performance history</u>;
- extensive use of derivatives;
- a lack of disclosure about the fund's assets and strategies;
- <u>absence</u> of conventional <u>periodic valuation processes</u>;
- no investment mandates and a wide range of investment possibilities; and
- no relevant benchmark to compare performance.

## APRA expects trustees to address the following questions (selected ones reported here):

- 1. Is the hedge fund a regulated entity? What are the disclosure requirements of the fund, what legal jurisdiction is the fund subject to, and is that legislative environment comparable to the Australian system?
- 2. How has the trustee developed confidence in the adequacy and robustness of the fund's resources and risk management systems?
- 3. How has the trustee assessed, and formed confidence in, the integrity of key service providers of the fund such as the prime broker, dealers, auditors, legal advisors and external administrators?

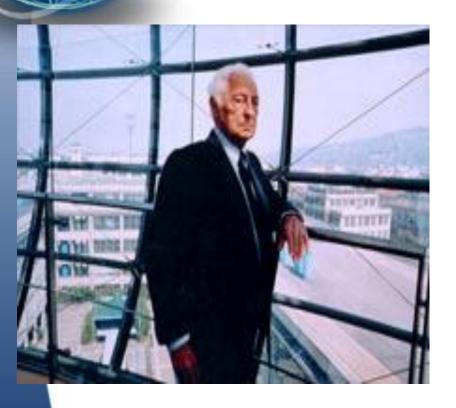
## APRA expects trustees to address the following questions (selected ones reported here):

- 4. What is the level and frequency of reporting received by the trustee from the fund? For example, if the fund is an equity long/short strategy, are short and long positions disclosed to the investor? Are the number and value of positions disclosed? Is the level of gearing reported? Will the extent of reporting from the fund enable the trustee to manage and monitor the level of risk inherent in the fund's portfolio?
- 5. Is there a lock-up period for the investment in the hedge fund? Can the investment be redeemed within an acceptable time? What is the regularity of the fund striking a unit price?

## APRA expects trustees to address the following questions (selected ones reported here):

- 6. What benchmarks do trustees utilise to measure the risk weighted performance of a hedge fund? Are performance fees set at realistic levels?
- 7. Is the trustee confident that the hedge fund will not impair the ability of the trustee to comply with reporting obligations to Australian regulatory bodies, including APRA?

#### **Quote of the Presentation**



"It's impossible

to take an unnecessary risk.

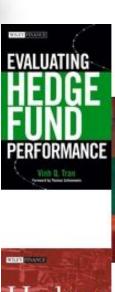
Because you only find out

whether a risk was unnecessary

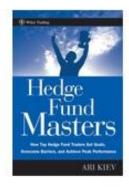
after you've taken it."

Giovanni Agnelli

### **Hedge Fund World**



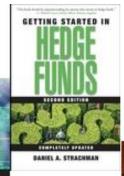




FRANÇOIS-SERGE



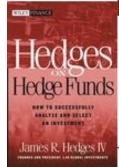
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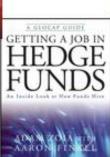


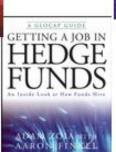
**Eapitalism** 

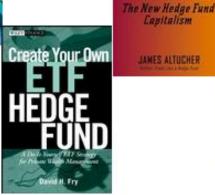
JAMES ALTUCHER

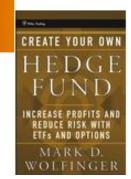




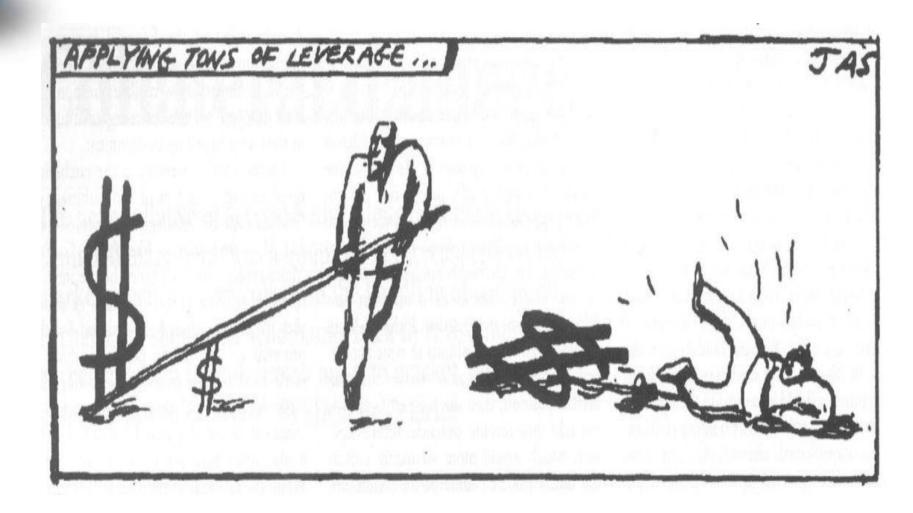








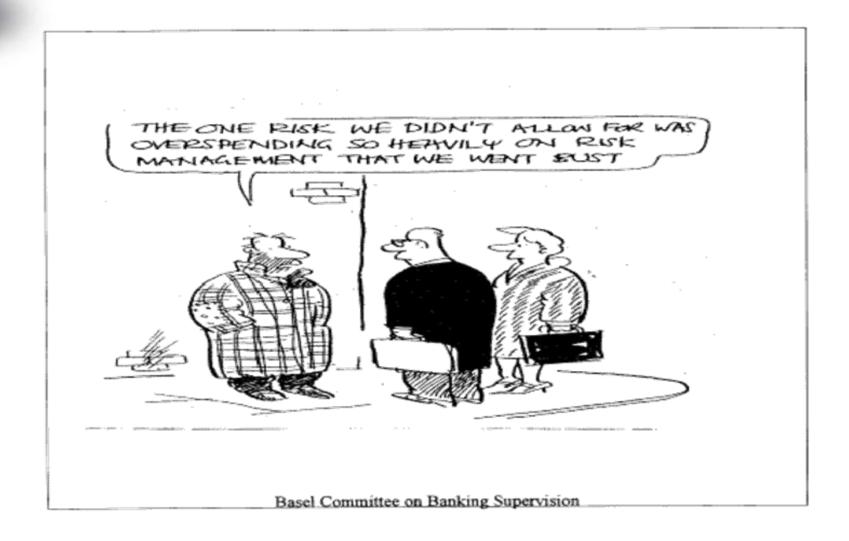
### Leveraging might be dangerous to your health.....



### employ skilled people©



## You should <u>not</u> think money spent on risk management as unnecessary & superfluous!

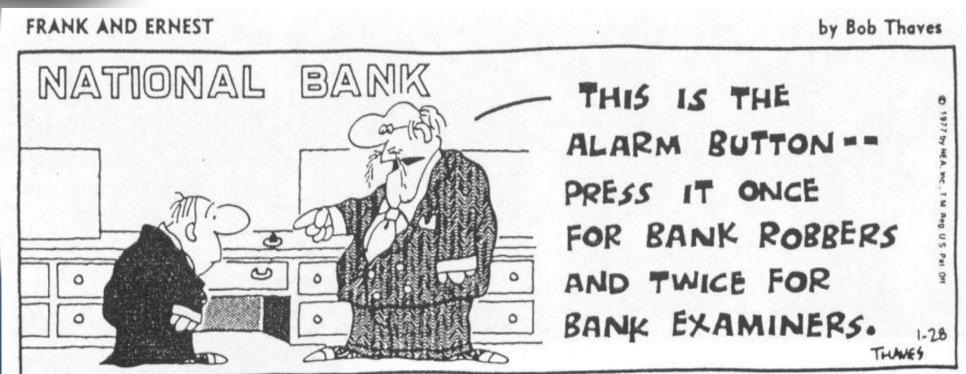


## Make your institution feel that they <u>really</u> need a <u>risk management</u> department.....





## Develop an efficient, multi-purpose early warning system....



#### Forecasting ability is important.....

