

Edgar Filing: HIBERNIA FUNDS - Form 40-17F2

HIBERNIA FUNDS  
Form 40-17F2  
January 05, 2004

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM N-17f-2

Certificate of Accounting of Securities and Similar  
Investments in the Custody of  
Management Investment Companies

Pursuant to Rule 17f-2 [17 CFR 270.17f-2]

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1. Investment Company Act File Number:                      Date examination  
811-5536    completed: May 31, 2003  
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2. State Identification Number:  
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AL                      AK                      AZ                      AR                      CA                      CO  
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CT                      DE                      DC                      FL                      GA                      HI  
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ID                      IL                      IN                      IA                      KS                      KY  
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LA                      ME                      MD                      MA                      MI                      MN  
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MS                      MO                      MT                      NE                      NV                      NH  
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NJ                      NM                      NY                      NC                      ND                      OH  
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OK                      OR                      PA                      RI                      SC                      SD  
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TN                      TX                      UT                      VT                      VA                      WA  
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WV                      WI                      WY                      PUERTO RICO  
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Other (specify):  
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3. Exact number of investment company as specified in registration statement:

HIBERNIA FUNDS  
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4. Address of principal executive office: (number, street, city, state,  
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zip code)

5800 Corporate Drive  
Pittsburgh, PA 15237-7010

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INSTRUCTIONS

This Form must be completed by the investment companies that have custody of securities or similar investments.

Investment Company

1. All items must be completed by the investment company.
2. Give this Form to the independent public accountant who, in compliance with Rule 17f-2 under the Act and applicable state law, examines securities and similar investments in the custody of the investment company.

Accountant

3. Submit this Form to the Securities and Exchange Commission and appropriate state securities administrators when filing the certificate of accounting required by Rule 17f-2 under the Act and applicable state law. File the original and one copy with the Securities and Exchange Commission's principal office in Washington, D.C., one copy with the regional office for the region in which the investment company's principal business operations are conducted, and one copy with the appropriate state administrator(s), if applicable.

THIS FORM MUST BE GIVEN TO YOUR INDEPENDENT PUBLIC ACCOUNTANT

SEC's Collection of Information

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Filing of Form N-17f-2 is mandatory for an investment company that has custody of securities or similar investments. Rule 17f-2 under section 17(f) of the Investment Company Act of 1940 requires the investment company to retain an independent public accountant to verify the company's securities and similar investments by actual examination three times during each fiscal year. The accountant must prepare a certificate stating that the examination has occurred and describing the examination, and must transmit the certificate to the Commission with Form N-17f-2 as a cover sheet. The Commission uses the Form to ensure that the certificate is properly attributed to the investment company. The Commission estimates that the burden of completing Form N-17f-2 is approximately 1.0 hours per filing. Any member of the public may direct to the Commission any comments concerning the accuracy of the burden estimate of this Form, and any suggestions for reducing this burden. This collection of information has been reviewed by the Office of Management and Budget in accordance with the clearance requirements of 44 U.S.C. ss. 3507. Responses to this collection of information will not be kept confidential.

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Management Statement Regarding Compliance With Certain  
Provisions of the Investment Company Act of 1940

We, as members of management of Hibernia Funds (the "Trust"), are responsible for complying with the requirements of subsections (b) and (c) of Rule 17f-2, "Custody of Investments by Registered Management Investment Companies," of the Investment Company Act of 1940. We also are responsible for establishing and maintaining effective internal controls over compliance with those requirements. We have performed an evaluation of the Trust's compliance with the requirements of subsections (b) and (c) of Rule 17f-2 as of May 31, 2003 and from March 31, 2003 through May 31, 2003.

Based on this evaluation, we assert that the Trust was in compliance with the requirements of subsections (b) and (c) of Rule 17f-2 of the Investment Company Act of 1940 as of May 31, 2003 with respect to securities reflected in the investment accounts of the Trust.

/s/ Peter J. Germain  
Peter J. Germain  
President  
Hibernia Funds

/s/ Richard J. Thomas  
Richard J. Thomas  
Treasurer  
Hibernia Funds

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## Independent Auditor's Report

To the Board of Trustees of  
Hibernia Funds

We have examined management's assertion, included in the accompanying Management Statement Regarding Compliance With Certain Provisions of the Investment Company Act of 1940, that Hibernia Funds (the "Trust") complied with the requirements of subsections (b) and (c) of Rule 17f-2 under the Investment Company Act of 1940 (the "Act") as of May 31, 2003. Management is responsible for the Trust's compliance with those requirements. Our responsibility is to express an opinion on management's assertion about the Trust's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the Trust's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. Included among our procedures were the following tests performed as of May 31, 2003, without prior notice of management:

- o Confirmation of all securities held by Marshall & Ilsley Corp. (Sub-custodian) on behalf of Hibernia National Bank (Custodian);
- o Reconciliation of all such securities to the books and records of the Trust and Hibernia National Bank; and

We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Trust's compliance with specified requirements.

In our opinion, management's assertion that Hibernia Funds complied with the requirements of subsections (b) and (c) of Rule 17f-2 of the Investment Company Act of 1940 as of May 31, 2003 with respect to securities reflected in the investment accounts of the Trust, is fairly stated, in all material respects.

This report is intended solely for the information and use of management and the Board of Trustees of the Trust and the Securities and Exchange Commission and is not intended to be and should not be used by anyone other than these specified parties.

Ernst & Young LLP

Boston, Massachusetts  
August 26, 2003