

Regulatory option comparisons

In Jersey, there are three main options for marketed private capital funds – the Notification Only Fund, Jersey Private Fund and Collective Investment Fund



	NOTIFICATION ONLY FUND (UNREGULATED)	JERSEY PRIVATE FUND	COLLECTIVE INVESTMENT FUND (“CIF”) – EXPERT ONLY
Approval time (indicative)	N/A Notification only.	Two business days. AIFMD-specific approval takes an additional 10 days.	Three business days. +6 weeks for locally regulated/licensed manager. AIFMD- specific approval takes an additional 10 days.
Marketing	N/A	No limitation towards North America, Middle East, APAC. EEA via NPPR under AIFMD. 50 offers maximum	No limitation towards North America, Middle East, APAC. EEA via NPPR under AIFMD. No limit on offers
Number of investors	Unlimited	50	Unlimited
Profile of investors	Eligible Investor who must invest a minimum of \$1,000,000. Investors must agree to a prescribed investment warning and disclosure statement.	Professional investors who must invest a minimum of £250,000. Investors must agree to a prescribed investment warning and disclosure statement.	Expert Investors who must invest a minimum of \$100,000. Investors must agree to a prescribed investment warning and disclosure statement.
Offer documentation	Must contain a clear statement that the fund is unregulated and acknowledged by investors.	Optional but if there is one in place it must include specific items and language from the Jersey Private Fund Guide.	Required, must include specific items and language from the Jersey Expert Fund Guide.
Auditor	Optional, unless established as a Company	Optional, although it’s market practice as an investor requirement.	Required, audited financial statements must be provided to the JFSC.
Administrator	No requirement for a Jersey Administrator to be appointed.	Local regulated administrator is required to be appointed to a JPF, this role is termed Designated Service Provider (DSP). A Funds Services Business is required where more than 15 investors.	Local regulated administrator that is a Fund Services Business is required.

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General Partner / Governing entity	No requirement to be locally governed or regulated.	No requirement to be locally regulated.	Requirement to have locally regulated/licensed manager, two locally resident directors, MLRO, MLCO & CO required, all appointments subject to no objection by the JFSC. Regulated investment manager in an OECD member state is typically required.
Custodian	Not required.	Not required. Although market traded securities would typically have a custodian and provisions for safe custody of assets in all cases.	Only required for open-ended, but custody arrangements required to be disclosed in offer document over safe custody of assets held.
Depository	Not required. Not eligible to be marketed into EU/EEA under AIFMD.	Not required but check where marketing into EEA via NPPR under AIFMD as some countries require depository.	Not required but check where marketing into EEA via NPPR under AIFMD as some countries require depository.
Regulatory fees	N/A	£1,520 application fee £1,210 annual fees	£3,780 application fee £6,280 annual fees
Investor CDD	Compliance with Jersey AML Handbook		
Relevant codes	N/A (statutory exemption)	Jersey Private Fund Guide	Jersey Expert Fund Guide Fund Services Business Code of Practice
AIFMD	Can not be marketed within the EU.	AIFM required if marketing into EEA via NPPR. Alternative Investment Funds Code of Practice	AIFM required if marketing into EEA via NPPR. Alternative Investment Funds Code of Practice