

MALTA ALTERNATIVE INVESTMENT FUND

Malta Investor Funds

MALTA FUNDS

580+ investment funds with combined NAV of €9.7billion

FUND DOMICILE RECOGNITION

Rated No. 1 Europe's favoured fund domicile (Hedge Fund Review's 2013 and 2014 Service Provider Rankings)

TOTAL ASSET VALUE PIFS

EUR 6.6 billion

TIMEZONE

Central European Time Zone (UTC+01:00)

BANKING SYSTEM

10th soundest system in the world (WEF)

TOTAL ASSET VALUE UCITS

€2.4billion

FINANCIAL SERVICES FRAMEWORK

EU and OECD approved

GDP GROWTH

6.3% in 2015





MALTA

Over the last two decades, Malta has established itself as an innovative and reliable financial services centre, hosting a variety of financial services businesses and structures including AIFs, UCITS, fund managers, fund administrators, forex brokers, payment services providers, investment advisors and insurance principals.

A number of factors have contributed to Malta's rapid growth in the sector, including the approachability of the Malta Financial Services Authority (MFSA), Malta's single regulator for financial services, and the high regulatory standards that the jurisdiction adheres to. Malta's appeal is also enhanced by its highly skilled workforce, multilingualism, extensive tax treaty network, and reliable IT infrastructure.

LEGAL BASIS

The principal legislation governing Alternative Investor Funds ("AIFs") in Malta is the Investment Services Act, 1994 ("ISA") as subsequently amended. AIFs are a special class of collective investment schemes which fall within the provisions of the Act.

LEGAL FORM

The local legal regime permits AIFs to be established using a variety of legal forms, each having characteristics suited for particular needs. A Maltese AIF may be set up as:

- A limited partnership or partnership en commandite;
- A unit trust, constituted by a trust deed between a management company and a trustee;
- A mutual fund;
- An investment company with variable share capital ("SICAV");
- An investment company with fixed share capital ("INVCO").

The most popular structure is the SICAV, usually established as an open-ended fund. SICAVs can also be established as umbrella funds.



BENEFITS



EU passporting



Robust regulatory framework



Flexible regulator



Structure variants



Lower setup and ongoing costs



ALTERNATIVE INVESTMENT FUNDS

Alternative Investment Funds (AIFs) fall within the remit of the AIFMD. AIFs are defined as collective investment undertakings which raise capital from a number of investors with a view of investing therein in accordance with a defined investment strategy, and which do not require authorisation under the UCITS Directive.

1. REGULATORY REQUIREMENTS

1. SERVICE PROVIDERS

- Fund Manager – The management of the AIF can be carried out internally by the AIF (self-managed AIFM) or by appointing an AIFM management company.
- Custodian – An AIFM is required to appoint a single local independent custodian for each AIF under management (provided that until July 2017, the custodian need not be a Maltese entity).
- Auditor – An auditor which is approved by the MFSA will need to be appointed.
- Compliance Officer – This role is required to ensure compliance with the AIF obligations and requirements.
- Money Laundering Reporting Officer – A role required to ensure compliance with the AML/CFT obligations and requirements.

2. CAPITAL

The minimum capital requirement for self-managed AIFs is €300,000.

3. REMUNERATION

The MFSA has opted not to transpose the European Securities and Markets Authority's (ESMA) guideline on remuneration policies in relation to the requirement that AIFMs impose equivalent remuneration policies and restrictions on its sub-managers and other delegates.

4. EU PASSPORTING

The AIFMD provides a harmonised framework for the management and marketing of AIFs within the EU.

5. LISTING

An AIF may apply for listing on the Malta Stock Exchange.

6. TAXATION

Exempt from income and capital gains tax (excluding investment in immovable property).



KEY REQUIREMENTS



Approved service providers



Local representative



Reporting requirements



Settle application/supervisory fee



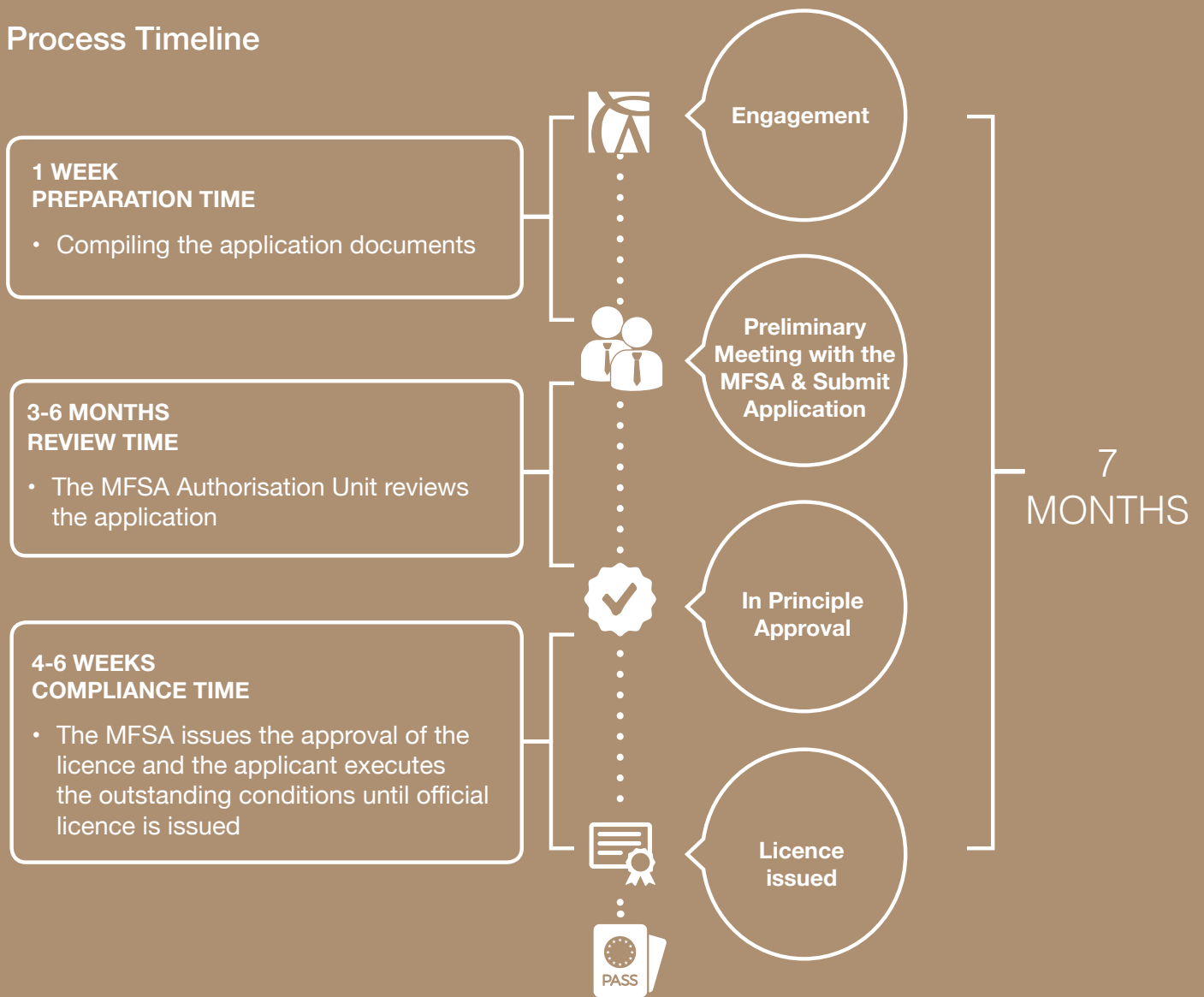
Fit & proper management and shareholding



AIFM management company

MALTA AIF LICENSING

Process Timeline



WHY WORK WITH US?



Problem Solving,
Integrity, Honesty



Chambers & Partners
Global, Legal 500:
Ranked Lawyers



We're lawyers:
Lawyer - Client
Privilege



15+ Years
Experience in
Financial Services



Malta-Cyprus
Lawyers, Tax
Advisors,
Fiduciary Staff: 100+



Our Ethos:
Big firm expertise,
Small firm personal



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