BEDELLCRISTIN.COM LEGAL SERVICES

# Spotlight

## **Guernsey Investment Funds**



Guernsey has a range of fund structuring options that can be tailored for asset classes and investment strategies. The jurisdiction is highly regarded for the quality of its regulatory regime and its professional services infrastructure.

Guernsey's tax-neutral status is attractive for investment funds. There are no capital gains, inheritance, or value-added taxes imposed on funds, making it a tax-efficient jurisdiction.

Guernsey funds can either be open or closed ended, and either authorised or registered. The jurisdiction is also frequently used for funds listed on UK exchanges – after the UK itself, Guernsey is the most frequently used domicile for funds listed on the LSE.

In recent years, Guernsey's Private Investment Fund (PIF) has been a popular choice, particularly for start-up managers, family or club deals, or as a private wealth structuring solution.

#### TYPES OF FUND VEHICLES USED IN GUERNSEY:











#### Non-cellular companies

similar to traditional
 English companies limited
 by shares but more flexible

#### Protected cell companies

("PCC") – a form of company that permits the establishment of separate protected cells, the assets and liabilities of which are segregated by statute from one another and from the PCC's core

### Incorporated cell companies ("ICC") -

similar to PCCs save that each incorporated cell of an ICC is a separately registered legal entity

#### Limited partnerships

- partnerships that are registered with at least one general partner, responsible for management and bearing unlimited liability, and any number of limited partners, whose limited liability is protected by statute

Unit trusts – a form of trust where underlying assets are held for the benefit of investors issued with "units" under the terms of a trust instrument

#### WHY SET UP A FUND IN GUERNSEY

- One of the world's largest offshore finance centres, servicing funds valued at more than £400 billion
- Recognised as a third country AIF under AIFMD, and allowing marketing into the EU through the NPPR
- A broad range of experienced and regulated specialist administrators and service providers
- A member of the OECD with designated territory status under FSMA
- An independent jurisdiction offering political stability and tax neutrality
- Significant specialist expertise in private equity and venture capital funds
- A range of innovative products and structures to suit investors and promoters
- Options for sustainable funds including Guernsey Green Fund and Natural Capital Fund
- A regulator that adopts a practical approach to determining suitability of prospective managers
- Timezone adjacency to London with excellent transport links to the UK and Europe

#### **Key contacts**



ADAM KNIGHT London | Jersey adam.knight@bedellcristin.com +44 (0)208 054 3227



JOHN SCANLAN
Partner | Guernsey
john.scanlan@bedellcristin.com
+44 (0)1481 812803



STEVEN ZANDVLIET

Associate | Guernsey Solicitor, England and Wales (non-practising) steven.zandvliet@bedellcristin.com +44 (0)1481 812827

The information contained in this document is intended to provide a brief update in relation to the topics covered. The information and opinions expressed do not purport to be definitive or comprehensive and are not intended to provide legal advice and should not be acted or relied upon as doing so. Professional advice appropriate to the specific situation should always be obtained. No responsibility or liability is accepted in connection with the content of any websites to which you may gain access from this briefing.