

TRIAY & TRIAY ADVISES ON EXTERNAL SMALL AIFM REGISTRATION

Triay & Triay's Financial Services team recently advised Huber & Co Limited on registering with the Gibraltar Financial Services Commission (**FSC**) as an external small alternative investment fund manager (**AIFM**).

The alternative investment fund managers directive (Directive 2011/61/EU) was transposed into Gibraltar law by virtue of the Financial Services (Alternative Investment Manager) Regulations 2014 and the Financial Services (Alternative Investment Manager) (Amendment) Regulations 2014. The Regulations purport to regulate the promotion of funds throughout the EU by their respective fund managers.

In Gibraltar, AIFMs below the threshold as set out in the AIFM Regulations are not strictly required to be authorised by the FSC (or other EU recognised regulator). Being sub-threshold AIFMs (defined under the AIFM Regulations as **Small AIFMs**), means that the reporting and other requirements under the AIFM Regulations are not applicable. It is only when a Small AIFM surpasses that threshold that it will have to be formally authorised. Small AIFMs are only required to notify the FSC to be registered as a Small AIFM.

Small AIFMs have proven to be particularly useful tool and has been widely used in Experienced Investor Funds (**EIFs**) wishing to manage their investments internally as a "self-managed small AIFMs" as well as those managing externally.