

Funds & Investment Management

Luxembourg | Overview of Legal Services

Our Luxembourg legal team provides full service legal advice on Luxembourg law with regard to funds and investment management, finance, corporate, tax and associated regulatory matters.

Our Funds & Investment Management team advises clients on the full range of vehicles available under Luxembourg law, including AIFs and AIFMs, reserved alternative investment funds (RAIFs), specialised investment funds (SIFs), investment companies in risk capital (SICARs), securitisation vehicles (SVs), UCITS and UCITS management companies as well as non-regulated SOPARFIs and other asset holding vehicles.

Investment Management

We provide specialist legal advice to investment managers in establishing and operating investment management entities and ensuring they meet appropriate ongoing regulatory requirements.

AIFMs: We regularly advise clients seeking to establish an AIFM as well as those seeking additional authorisations (UCITS) or top-up permissions (MiFID) complementary to their AIFM licence. Our excellent relationship with Luxembourg's financial regulator, the Commission de Surveillance du Secteur Financier enables us to ensure a smooth and expeditious process for our clients.

MiFID Firms: We have expertise in establishing investment firms that operate portfolio management and distribution services in respect of a diverse range of financial instruments globally and on cross-border passport, branch and tied agent basis within the EU. We also regularly advise clients seeking the addition of MiFID top-

up permissions to complement their UCITS management company and / or AIFM licence, where authorisation as an investment firm under MiFID is not required.

UCITS Management Companies: We provide expert advice and flexible solutions for clients establishing a UCITS management company to facilitate growth and scalability in their business and work closely with our tax colleagues and our clients' advisers and consultants to provide advice on all aspects of a UCITS management company's operations.

EU Funds

We advise on UCITS (both traditional and alternative strategies) and AIFs (both qualifying investor AIFs (SIFs, SICARs, RAIFs and unregulated AIFs) and retail investor AIFs (Part II funds)).

UCITS: We have extensive experience in respect of the structuring, establishment and ongoing management of UCITS, including without limitation UCITS platforms, UCITS ETFs and UCITS pursuing alternative or traditional strategies. We can assist with each step of a client's project and we offer insightful, constructive and pragmatic legal and commercial advice to our diverse range of clients on all aspects of UCITS.

AIFs: We offer an unrivalled service and advises on a range of alternative investment funds (AIFs),

i.e. non-UCITS funds, across a broad range of investment strategies.

We have considerable expertise in establishing AIFs in respect of a diverse range of financial instruments globally with our practices in the British Virgin Islands, the Cayman Islands, Ireland, Jersey and Luxembourg all specialising in the formation of AIFs applicable to their domiciles.

Open-Ended Funds

By providing advice in five of the leading fund domiciles, we have an unrivalled view of the global open-ended fund market and can leverage this unique perspective for the benefit of our clients.

Our multi-jurisdictional capability not only allows us to provide unbiased advice when guiding clients to the most appropriate domicile in which to structure their open-ended fund or establish an investment manager, but also gives our clients the advantage of working with a single team capable of advising on a variety of cross-border structures and transactions.

Our lawyers have extensive experience across the full range of regulated and unregulated open-ended fund structures and we act for a wide range of clients from large global financial institutions to start-up managers including:

- 6 out of the top 10 world's largest single managers
- 17 out of the 20 largest European hedge fund managers
- 7 out of the 8 largest Asian hedge fund managers

Closed-Ended Funds

Our lawyers represent both managers and institutional investors in relation to all types of closed-ended funds as well as large buy-out managers, including 7 of the 10 largest open-ended fund managers, in addition to banks, pension plans, spinout funds and start-ups across the world. We advise all stages of the fund life cycle and are uniquely placed to facilitate downstream fund investments, providing specialised fiduciary and administration services to closed-ended funds and their managers from key global financial centres.

Registration / Passport Services

We also advise on the distribution of all funds through the Maples Group's Global Registration Services.

Ancillary Services

We are uniquely placed to provide clients with a wide range of additional services relating to a broad range of fund types including:

- Beneficial Ownership
- Brexit
- FATCA and CRS
- Financial Services Regulatory
- Hosted AIFM and UCITS Management Company
- UCITS KIID and PRIIPs KID
- Listing Services

In addition, our legal services are complemented by other Maples Group specialists covering:

- Fiduciary Services
- Fund Services
- Regulatory & Compliance Services
- Entity Formation & Management Services

In Luxembourg, the Maples Group provides full service legal advice through our independent law firm, Maples and Calder (Luxembourg) SARL, which is registered with the Luxembourg Bar.

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