

Feedback on Consultation Paper No. 2 2017

Feedback to a consultation on proposals to change fee rates for:

- › Fund Services Business Fees
- › AIF and AIF Services Business Fees
- › Collective Investment Fund Fees
- › CoBO Fees
- › QSMA Fees

Issued: June 2017

Consultation Feedback

This paper reports on responses received by the JFSC to its Consultation Paper No.2 2017 (Fund Services Business Fees; AIF and AIF Services Business Fees; Collective Investment Fund Fees; CoBO Fees; QSMA Fees - A consultation on proposals to change fee rates).

Glossary of Terms

AIF	Alternative Investment Fund
CoBO	Control of Borrowing Order
JFSC	Jersey Financial Services Commission
QSMA	Qualifying Segregated Managed Accounts

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1 Executive Summary

1.1 Overview

- 1.1.1 We issued Consultation Paper No.2 2017 in April, proposing an increase in fee rates for funds, fund-related business and qualifying segregated managed accounts.
- 1.1.2 Two responses to the consultation were received, either by the JFSC directly or by Jersey Finance. Summaries of the responses and our feedback are set out in the next Chapter.
- 1.1.3 We recognise the concern expressed by the Jersey Funds Association (JFA) about the sustainability of the current method by which fees are charged, and will work with them to see if a more desirable approach can be put in place before the 2018/9 fee cycle.
- 1.1.4 For 2017/8, we will proceed to change the fee rates to the levels consulted on.
- 1.1.5 The final fees notices can be found in Appendices B to F and on our website.

1.2 Next steps

- 1.2.1 Relevant firms will receive notification via the myJFSC portal that an invoice is ready for them. The due date for payment is 31 July. If payment is not made by then, late fees may be incurred as detailed in the fees notices.

2 Consultation Feedback

2.1 Feedback received

- 2.1.1 The JFSC and Jersey Finance received two responses to the consultation between them. One was on behalf of a number of regulated entities and the other from the JFA.
- 2.1.2 The response from the regulated entities was supportive of the proposed fee rate increase for funds and fund-related business, noting it was “...commensurate with the proposed methodology to rebalance the Commission’s income and expenditure... for the period 2016 to 2019”. With respect to the method of charging, the respondents asked about a “user pays” approach, and volunteered to participate in work to look at revising the methodology.
- 2.1.3 The JFA response attached a jurisdictional fee comparison and an analysis of the proposed fees. The response noted that the breadth of JFA membership made it difficult to distil a single response to the consultation, but the following points were raised:
 - 2.1.3.1 It would be helpful to see more detailed data about fee income sources by type so that a product-level response could be provided – for example, it may be preferable for licencees rather than client structures to bear fee increases;
 - 2.1.3.2 More information about the JFSC’s commitment to contain costs, and the balance between fee rises and associated cost containment would be welcomed;
 - 2.1.3.3 The JFA would expect the drive towards private products to lead to less effort and direct costs for the JFSC;
 - 2.1.3.4 Relating to “NDS funds”, more clarity is required on statistics, fees collected and the notification process;
 - 2.1.3.5 A question was asked about whether CoBO fees would be charged on an ongoing basis, or consents time-limited with re-application, as this “...could be an area of growing revenue for the Commission”;
 - 2.1.3.6 The JFSC should be mindful of competitor jurisdictions, not just in terms of fees but also in terms of online self-service offerings and client experience;
 - 2.1.3.7 It will be very difficult for JFA members and users of the jurisdiction to not be “adversely impacted” by the increase, and it is difficult for the JFA to support;
 - 2.1.3.8 That “applying significant increased fee levels to a decreasing chargeable base is unsustainable”;
 - 2.1.3.9 A firm commitment from the Commission on the future direction of fee increases would be welcomed;
 - 2.1.3.10 There are two apparent contradictions with the previous fee consultation, relating to the percentage fee rate increase;
 - 2.1.3.11 Further detail on these issues is needed before a view can be given on an alternative charging mechanism;
 - 2.1.3.12 Holding a JFSC/JFA/Jersey Finance working group is welcome, together with any data that can be provided beforehand.

- 2.1.4 No respondent commented specifically on the proposed QSMA fee rate increases.
- 2.1.5 JFSC response: We would like to thank respondents for taking the time to provide feedback. We recognise the unwelcome nature of fee rate increases, and we are committed to working with the JFA and Jersey Finance (as well as the other group of respondents) to determine whether there is a more acceptable alternative method of recovering fund and fund-related business fees for 2018/9 onwards. However, having taken all the feedback into account we will proceed with the fee rate changes consulted on for 2017/8. There is no time to change the methodology before those fees are raised.
- 2.1.6 In answer to the specific comments raised:
- 2.1.6.1 We understand that the fee rate increase is viewed negatively. We would reiterate that we have not changed the amount of money that we are trying to collect (as set out in last year's fee consultation), nor are we trying to recover the shortfall experienced compared to the amount of fees we wanted to collect in 2016/17. The headline fee *rate* increase is a reflection in the reduction in the number of pools of assets (the main charging measure). The value of assets under management/administration in the jurisdiction has increased, but that is not the measure by which fees are charged (at the moment). We agree that it would be preferable to find a method, or a combination of methods, that means fees can be charged on a more sustainable basis. We previously consulted industry on moving to an income-based measure for charging, but this was not supported (2.1.3.7 and 2.1.3.8);
- 2.1.6.2 We will be active participants in a JFSC/JFA/Jersey Finance working group to see if the method of charging fees can be amended for the 2018/9 fee period. We agree that it is important that the group has data on fee income to inform its work and we will supply relevant data (other than individual firm fee amounts) as required (2.1.3.1, 2.1.3.11 and 2.1.3.12);
- 2.1.6.3 Regarding "NDS funds" we are happy to deal with any specific queries as they arise (2.1.3.4);
- 2.1.6.4 The JFSC is committed to value for money in its expenditure, including avoiding unnecessary costs. However we do not believe that we carry out a material amount of discretionary activity when the expectations on a modern financial regulator are considered. We are also part-way through a change programme involving a significant commitment of human and financial resource. Each year we publish a Business Plan with a budget for the year ahead (and in the last fees consultation we attempted to forecast ahead for a number of years) and an Annual Report as part of our accountability mechanisms (2.1.3.2);
- 2.1.6.5 We believe industry has welcomed the regulatory 'streamlining' provided by the new Jersey Private Fund (JPF) product. However we do not necessarily agree that less regulatory effort will be involved in all cases, given for example the work that will be needed on the JPF annual compliance return, and oversight of the designated service provider. Of course if the product is a success the jurisdiction's total assets under management will also increase. We would also comment that we are not placing less focus on public funds – improving that part

- of the regulatory regime is the focus of the next stage of the funds review work (2.1.3.3);
- 2.1.6.6 We are now charging a periodic fee for CoBO consents, as consulted on and set out in the CoBO fees notice. For a JPF we have initially set this fee at £500 per year. The amount raised will depend on the success of the product (2.1.3.5);
- 2.1.6.7 We agree that it is important that Jersey remains competitive, and also that regulatory fees are only one aspect of jurisdictional decisions (generally we believe that up to a certain point, factors such as time to market are more important). In terms of practical improvements we are always willing to consider enhancements, noting they may require investment to achieve, and we hope that the introduction of the JPF has demonstrated an improved JFSC/user interface (2.1.3.6);
- 2.1.6.8 We set out in the consultation last year that our aim is to increase our regulatory fees by 15% over their 2015 level by 2019 (to reach some £13m in total). All industry sectors are now either already experiencing fee increases in accordance with that policy, or under consultation on its application to them. Although we can never give an absolute guarantee about future developments, our expectation is that full implementation of that policy will put the Commission on a sustainable level of funding for its current activities such that large future increases in fee income in excess of inflation would not be necessary. Of course if the regulatory perimeter is widened, or there are exceptional enforcement costs, for example, additional fees may need to be raised. We recognise the contribution that the funds industry makes to ‘Jersey plc’ and understand that regulatory fees ultimately are borne by end clients (2.1.3.9);
- 2.1.6.9 We do not believe the suggested contradictions are in fact present: the difference in the percentages arises because one set are a reference to a change in cash amounts (actual monetary income from fees) and one a reference to a change in fee rates to raise that cash amount. An increase of say, 10% in fee rates will only result in a 10% increase in fee income if the number of pools of assets and their distribution between firms remains the same. So to meet the target increase in money collected (as set out in last year’s consultation), the fee rate has had to increase by a higher percentage than the desired percentage increase in cash amount, because the number of pools of assets (the measure to which the fee rate is applied to raise the specific cash amount) has fallen. This is not the same as saying there is less funds business in the jurisdiction, just that there are fewer pools of assets, which is the charging measure in this case. This point was covered in paragraph 3.7.4 of last year’s consultation, where we referred to the “volume” of funds business varying year-on-year (although we accept the paragraph referred to changes in the amount of application fees as an example rather than specifically to changes in numbers of pools of assets). If the numbers of pools of assets and their distribution between firms had remained unchanged from the time of the consultation, then the 7% increase in fee rates for 2016/7 would have raised 7% more income; in fact it increased fee income by only around

1%. To confirm, we have not changed the objective set out last year of aiming to raise 15% more *fee income* than 2015 by 2019 (2.1.3.10).

Appendix A – List of respondents

- › Barclays Bank plc, Jersey Branch / Barclays Wealth Management Jersey Limited / Barclays Investment Funds (Channel Islands) Limited
- › Jersey Funds Association

Appendix B - Alternative Investment Fund and Alternative Investment Fund Services Business Fees Notice

Notice of Fees

Published in accordance with:	Article 15 of the Financial Services Commission (Jersey) Law
Payable by or in relation to:	AIF and AIF Services Business
Pursuant to:	Regulation 8(2)(e) of the Alternative Investment Funds (Jersey) Regulations 2012; and Articles 8(3) and 9(6) of the Financial Services (Jersey) Law 1998, as amended
Commencement date:	The fees set out in this notice and the attached schedule are effective for the period from 1 July 2017 – 30 June 2018

1 Interpretation

1.1 In this notice, unless the context otherwise requires

AIF	means an Alternative Investment Fund within the meaning of the Regulations
Certified Fund	means an unclassified fund in respect of which a certificate has been granted by the Commission under Article 8B of the Collective Investment Funds (Jersey) Law 1988, as amended
FS(J)L	means the Financial Services (Jersey) Law 1998, as amended
Regulations	means the Alternative Investment Funds (Jersey) Regulations 2012, as amended
Recognized Fund	means a recognized fund in respect of which a certificate has been granted by the Commission under the Collective Investment Funds (Recognized Funds) (Rules) (Jersey) Order 2003
Recognized Fund functionary	means a person who holds a permit as a functionary of a Recognized Fund under the Collective Investment Funds (Jersey) Law 1988, as amended

2 Application fee

2.1 For the purposes of Regulation 8(2)(e) of the Regulations (which Regulation allows the publication of fees that are to accompany applications for registration), a fee of £1,275 is published in respect of applications for a certificate to be granted under the Regulations. The application fee is payable in respect of:

- 2.1.1 Any AIF registered in Jersey (company, limited partnership or limited liability partnership); or
- 2.1.2 Any AIF which is a Jersey trust that is a unit trust.

For the avoidance of doubt, an AIF which is a Certified Fund or a Recognized Fund is not required to pay an application fee under this Notice.

3 Application Fee – AIF services business

- 3.1 For the purposes of Article 8(3)(c) of the FS(J)L (which Article allows the publication of fees that are to accompany applications for registration), a fee of £1,275 is published in respect of applications for registration under Article 2(11) of the FS(J)L to carry on Class ZL (Manager of an AIF) AIF services business.

For the avoidance of doubt, a person is not required to pay an application fee under this Notice where the person is:

- › Registered to carry on any one or more classes of fund services business under Article 2(10) of the FS(J)L; or
- › A Recognized Fund functionary;
- › Where the classes or functions of that person include the same classes or functions as the AIF services business.

Appendix C - Collective Investment Funds Fees Notice

Notice of Fees

Published in accordance with:	Article 15 of the Financial Services Commission (Jersey) Law 1998, as amended
Payable by or in relation to:	Collective Investment Funds
Pursuant to:	Articles 6(1), 7(12), 8A(2)(e) and 8B(13) of the Collective Investment Funds (Jersey) Law 1988, as amended; and Article 15(6) of the Financial Services Commission (Jersey) Law 1998, as amended
Commencement date:	The fees set out in this notice and the attached schedule are effective for the period from 1 July 2017 – 30 June 2018

1 Interpretation

1.1 In this notice, unless the context otherwise requires

cell, cell company, company, incorporated cell company, protected cell company	each has the same meaning as in the Companies (Jersey) Law 1991
certificate holder	means a company, trustee, general partner or limited liability partnership to whom a certificate has been granted under Article 8B of the Law in respect of a certified fund
certified fund	means a collective investment fund in relation to which a certificate that is in force has been granted under Article 8B of the Law
Commission	means the Jersey Financial Services Commission
fund service provider	means a person who is or would be required to be registered under the Financial Services (Jersey) Law 1998 to carry on fund services business in relation to a collective investment fund that is or would be required to be a certified fund
Law	means the Collective Investment Funds (Jersey) Law 1988, as amended
permit holder	means a person to whom a permit has been granted under Article 7 of the Law in respect of a recognized fund
pool of assets	means a collective investment fund, except that where such a collective investment fund is divided into separate and distinct

	parts, the rights of which are restricted to an identifiable class of participants, it means each one of those parts
recognized fund	means a collective investment fund in relation to which there is a recognized fund certificate granted under the Collective Investment Funds (Recognized Funds) (General Provisions) (Jersey) Order 1988 or the Collective Investment Funds (Recognized Funds) (Rules) (Jersey) Order 2003
umbrella fund	means a collective investment fund where: <ol style="list-style-type: none"> a. the contributions of the unit holders and the profits and income out of which payments are to be made to them are pooled; and b. the documents constituting the fund provide that such pooling is to be accomplished separately in relation to separate parts of the property of the fund

Recognized Funds

2 Application for a functionary permit (Article 6(1)(f) of the Law)

- 2.1 Subject to paragraph 3.6, the fee that is to accompany an application for a permit to be a functionary of a collective investment fund shall be £2,165.

3 Fees payable by a permit holder (Article 7(12) of the Law)

On the grant of a first permit

- 3.1 Subject to paragraphs 3.2 and 4.1, a person who was not a permit holder immediately prior to the grant of a permit, shall pay a fee determined in accordance with Schedule 1, in respect of the issue by the Commission of a permit under Article 7(1) of the Law. The fee is due one month after the date of the permit.
- 3.2 If the date of the permit in respect of which a fee is payable is other than 1 July, the fee payable under this section shall be 1/12th of the amount specified by paragraph 3.1 for each complete month between the grant of that permit and 1 July next following.

Annual fee

- 3.3 Subject to paragraph 4.1 of this Notice, a permit holder shall pay a fee in respect of the aggregate of the number of pools of assets in relation to which the person holds one or more permits on 1 July each year. The amount of the fee shall be determined in accordance with Schedule 1. The fee is due on 31 July the same year.

New pool of assets

- 3.4 Subject to paragraph 3.6 of this Notice, a permit holder that is either a company issuing units or the trustee of a unit trust shall pay, at the time of application, a fee of £965 in respect of each new pool of assets to be added to a collective investment fund.

Transfers of certain functions to cells

- 3.5 An application by a permit holder that is a company (but not a cell company, incorporated cell company, protected cell company or a cell), for a permit to be varied in relation to the

company becoming a cell company, incorporated cell company, protected cell company or a cell, shall be accompanied by a fee of £2,545.

- 3.6 If a permit holder is liable to pay the fee set by paragraph 3.5, no further fee shall be payable under either paragraph 3.1 or, in the event that one or more pools of assets are added concurrently, under paragraph 3.4.

4 Cell companies

- 4.1 The total of the fees payable under paragraphs 3.1 to 3.3 by, or in respect of, the incorporated cells of an incorporated cell company and, as the case requires, that company, that apply to become or are permit holders under Article 7 of the Law shall be the same as the total amount that would be payable under those paragraphs by a protected cell company with the same number of cells that applies to become or is a permit holder under Article 7 of the Law.

Certified Funds

5 Application for certificate (Article 8A(2)(e) of the Law)

- 5.1 Subject to paragraphs 5.2 and 5.3, a person who applies for a certificate in relation to a collective investment fund shall pay a fee that is the sum of:
- 5.1.1 £2,165; and
 - 5.1.2 £2,165 in respect of each fund service provider in relation to the collective investment fund.
- 5.2 Where two or more persons apply, at the same time, for certificates in relation to a collective investment fund in respect of which no other person currently holds a certificate, each of those applicants shall pay a fee that is the sum of:
- 5.2.1 the amount payable by one applicant in relation to the collective investment fund, in accordance with paragraph 5.1; and
 - 5.2.2 £2,165 for each of the second and any additional applicant,
- divided by the number of applicants.
- 5.3 A person who applies for a certificate in relation to a collective investment fund:
- 5.3.1 in respect of which at least one other person already holds a certificate; or
 - 5.3.2 in a case where the certificate applied for would replace a certificate granted to another person in relation to the collective investment fund,
- shall pay a fee of £2,165.

6 Fee in respect of grant of certificate (Article 8B(13)(b) of the Law)

- 6.1 A fee shall be paid by a certificate holder in respect of the grant of a certificate.
- 6.2 The fee must be paid no later than one month after the day on which the certificate is issued.
- 6.3 Subject to paragraphs 6.4 and 6.5, the fee shall be the amount specified in Schedule 2 applicable in the case of the collective investment fund to which the certificate relates,

according to the total number of pools of assets in the collective investment fund on the day on which the certificate is issued.

6.4 If a certificate is granted on a day other than 1 July, the fee payable under paragraph 6.1 shall be $1/12^{\text{th}}$ of the amount specified in paragraph 6.3 for each complete month between the grant of the certificate and 1 July next following.

6.5 Where:

6.5.1 a certificate is or certificates are granted in respect of one or more cells of an incorporated cell company and, as the case requires, in respect of that company; and

6.5.2 the Commission is satisfied that the structure of the company and the cells of the company is equivalent to that of an umbrella fund,

6.5.3 the total of the fees determined in accordance with paragraphs 6.3 and 6.4 in respect of the cells and, as the case requires, the company, shall be the same as the total amount that would be determined in accordance with those paragraphs in the case of the grant of a certificate in relation to a protected cell company with the same number of cells.

7 Annual fee (Article 8B(13)(a) of the Law)

7.1 A fee shall be paid by a person who, on 1 July, is a certificate holder.

7.2 The fee must be paid no later than 31 July in that year.

7.3 The fee is whichever is the lesser of:

7.3.1 the sum of the annual amounts for every collective investment fund in relation to which the person is a certificate holder on 1 July in that year; and

7.3.2 £89,250.

7.4 Subject to paragraph 7.5, the annual amount for a collective investment fund is the amount specified in the table in Schedule 2 applicable in the certificate holder's case according to the total number of pools of assets in the collective investment fund on that day.

7.5 Paragraph 6.5 applies for the purposes of determining the fees payable under this section in relation to a collective investment fund that is any combination of an incorporated cell company and one or more cells of that company as it applies for the purpose of section 6.

8 Fee for alteration of certificate (Article 8B(13)(b) of the Law)

8.1 Subject to paragraph 8.3, a certificate holder who applies for a certificate in relation to a collective investment fund to be altered so as to add one or more pools of assets to the pools of assets specified in the certificate shall pay a fee of £965 for each pool of assets so added.

8.2 A fee of £2,545 shall be paid by a certificate holder in relation to a collective investment fund that is a company (but not a cell company, incorporated cell company, protected cell company or a cell) who applies for the certificate in relation to the collective investment fund to be altered so as to allow the company to become a cell company, incorporated cell company, protected cell company or cell.

8.3 A certificate holder who applies, at the same time, for a certificate to be altered as described in both paragraphs 8.1 and 8.2 shall only be liable to pay the fee due under paragraph 8.2.

- 8.4 A fee of £320 shall be paid by a certificate holder who applies for a certificate in relation to a collective investment fund to be altered so as to reflect all or any of the following:
- 8.4.1 a change of the name of the collective investment fund or of a pool of assets of the collective investment fund;
 - 8.4.2 a change of the name of the certificate holder on a fund certificate;
 - 8.4.3 the removal of a pool of assets from the collective investment fund; and
 - 8.4.4 the addition, alteration or removal of conditions pursuant to the application of the certificate holder.
- 8.5 A fee payable under this section must be paid at the time the application is made.
- 8.6 A certificate holder who pays an application fee under section 8 is not also liable to pay an application fee under section 5 or, upon the issue of the altered certificate, a fee under Section 6.

9 Fee for increase in fund service providers (Article 8B(13)(b) of the Law)

- 9.1 Subject to paragraph 9.2, where the number of fund service providers in relation to a collective investment fund is increased from the number of such fund service providers that were taken into account in calculating the fee under paragraph 5.1, a fee of £2,165 shall be paid by the certificate holder in respect of each fund service provider so added.
- 9.2 Where there is more than one certificate holder in relation to a collective investment fund, the certificate holders shall be jointly and severally liable to pay the fee that would be payable by a single certificate holder under paragraph 9.1.
- 9.3 The fee payable under this section must be paid at the time the number of fund service providers in relation to the collective investment fund is increased.

Recognized Funds and Certified Funds

10 Article 15(6) of the Financial Services Commission (Jersey) Law 1998, as amended

Late payment of fees

- 10.1 If a permit holder or certificate holder fails to pay the whole or any part of a fee on or before the date it becomes due the person shall be liable to pay, unless otherwise agreed by the Commission, an additional late payment fee of 5% of the amount unpaid for each complete month that it remains unpaid.

Late filing fees

- 10.2 If a permit holder or certificate holder fails to file or deliver any document to the Commission under the provisions of the Law or under the provisions of any Order issued in accordance with the Law on or before the date that the document becomes due, the permit holder or certificate holder shall be liable to pay a fee of £100 for each complete month or part thereof that the document remains unfiled or undelivered unless the permit holder or certificate holder has given the Commission prior written notice of the reasons for the late filing or delivery of the document and the Commission has agreed in writing that the filing may be late. Any such later agreed date shall become the due date for the purposes of the calculation and the payment of late filing fees.

Schedule 1 – Recognized Funds

Calculation of fees payable on the grant of a first permit (paragraph 3.1) and on 1 July (paragraph 3.3)

Number of pools of assets	Fee (£)
0 – 1	6,880
2 – 4	7,710
5 – 9	8,530
10 – 19	10,260
20 or more	11,970

Schedule 2 – Certified Funds

Calculation of fees payable on the grant of a certificate (paragraph 6.3) and on 1 July (paragraph 7.4)

Number of pools of assets	Fee (£)
0 – 1	a) where the certificate holder is a company issuing units or a trustee of a unit trust - £3,570 b) in any other case - £1,405
2 – 4	4,595
5 – 9	5,925
10 – 19	7,900
20 – 49	9,875
50 – 99	13,815
100 – 149	19,740
150 – 199	26,300
200 or more	35,535

Appendix D - Control of Borrowing Order Fees Notice

Notice of Fees

Published in accordance with:	Article 15 of the Financial Services Commission (Jersey) Law 1998, as amended; and Article 12A of the Control of Borrowing (Jersey) Order 1958
Payable by or in relation to:	Control of Borrowing (Jersey) Order
Pursuant to:	Control of Borrowing (Jersey) Order 1958; and Article 15(6) of the Financial Services Commission (Jersey) Law 1998, as amended
Commencement date:	The fees set out in this notice are effective for the period from 1 July 2017 – 30 June 2018

1 Interpretation

1.1 In this notice, unless the context otherwise requires

CoBO	means the Control of Borrowing (Jersey) Order 1958
DSP	means a ‘designated service provider’ required to be appointed by a JPF
Jersey UT (non-fund)	means a Jersey unit trust which is not an investment fund
JFSC	means the Jersey Financial Services Commission
JPF	means a Jersey Private Fund which has been issued with a relevant consent and which is operated in accordance with the JPF Guide
JPF Guide	means the Jersey Private Fund Guide as may be amended from time to time
JPF Return	means the annual compliance return for a JPF required to be provided to the JFSC in each relevant year by the relevant DSP (the form of which is included as part of the JPF Guide)
NDS (non-fund)	means a non-domiciled structure which is not an investment fund

2 Application fee

2.1 For the purposes of Article 12A of CoBO:

- 2.1.1 a fee of £1,070 shall be payable in respect of any JPF applying to the JFSC’s FSB/TCB authorisation team for the issue of an initial JPF CoBO consent;

- 2.1.2 a fee of £395 shall be payable in respect of any application to the JFSC's FSB/TCB authorisation team for the issue of a CoBO consent, which is not subject to the fee specified in 2.1.1 above;
- 2.1.3 a fee of £330 shall be payable in respect of any Jersey UT (non-fund) applying to the Jersey Companies Registry for the issue of an initial CoBO consent pursuant to Articles 9(1)(a) and/or 9(1)(b) of CoBO; and
- 2.1.4 a fee of £330 shall be payable in respect of any NDS (non-fund) applying to the Jersey Companies Registry for the issue of an initial CoBO consent pursuant to Articles 1, 3, 9(1)(a), 9(1)(b), 10(1)(a), 10(1)(b), 11(1)(a) and/or 11(1)(b) of CoBO.

3 JPF annual fee

- 3.1 A fee shall be paid in respect of a JPF on 1 July in each relevant year for so long as the JPF's CoBO consent remains in force.
- 3.2 The fee must be paid no later than 31 July in each relevant year, and shall be paid directly by the governing body of the JPF or by the DSP on behalf of the JPF.
- 3.3 The fee payable on an annual basis shall be £500 and shall be pro-rated.

4 JPF late payment of fees

- 4.1 If a JPF (or the JPF's DSP on behalf of the JPF) fails to pay the whole or any part of a fee on or before the date it becomes due the JPF shall be liable to pay, unless otherwise agreed by the JFSC, an additional late payment fee of 5% of the amount unpaid for each complete month that it remains unpaid.

5 JPF late filing fees

- 5.1 If the DSP fails to file or deliver the JPF Return to the JFSC under the provisions of CoBO on or before the date that the JPF Return becomes due, the DSP shall be liable to pay a fee of £100 for each complete month or part thereof that the JPF Return remains unfiled or undelivered unless the DSP has given the JFSC prior written notice of the reason for the late filing or delivery of the JPF Return and the JFSC has agreed in writing with the relevant DSP that the filing may be late.

Appendix E - Fund Services Business Fees Notice

Notice of Fees

Published in accordance with:	Article 15 of the Financial Services Commission (Jersey) Law 1998, as amended
Payable by or in relation to:	Fund Services Business
Pursuant to:	Articles 8(3) and 9(6) of the Financial Services (Jersey) Law 1998, as amended; and Article 15(6) of the Financial Services Commission (Jersey) Law 1998, as amended
Commencement date:	The fees set out in this notice and the attached schedule are effective for the period from 1 July 2017 – 30 June 2018

1 Interpretation

1.1 In this notice, unless the context otherwise requires

Law	means the Financial Services (Jersey) Law 1998, as amended
pool of assets	means a collective investment fund, except that where such a collective investment fund is divided into separate and distinct parts, the rights of which are restricted to an identifiable class of participants, it means each one of those parts
registered person	means a person registered under the Law to carry on fund services business
unregulated fund	has the same meaning as in the Collective Investment Funds (Unregulated Funds) (Jersey) Order 2008, as amended

2 Application fee

2.1 The fee that is to accompany an application for registration of a person to carry on fund services business shall be £2,675.

3 Fees payable by a registered person (Article 9(6) of the Law)

3.1 Subject to paragraph 3.2, a fee determined in accordance with the Schedule attached shall be paid by a registered person in respect of the issue by the Commission of the registration certificate in accordance with Article 9(2) of the Law. The fee is due one month after the date of the registration certificate.

3.2 If the date of the registration certificate is other than 1 July, the fee payable under this Article shall be 1/12th of the amount specified by paragraph 3.1 for each complete month between the date of the registration certificate and 1 July next following.

Annual fee

- 3.3 A person who, on 1 July is a registered person shall pay a fee determined in accordance with the Schedule attached to this Notice (subject to paragraph 3.4) in respect of the number of pools of assets, other than any pool of assets that is an unregulated fund, in relation to which the person is registered to carry on fund services business. The fee is due on 31 July the same year.
- 3.4 The fee payable by a registered person who on 1 July acts only for one or more unregulated funds shall be the fee applicable to zero pools of assets.

4 Fees pursuant to Article 15(6) of the Financial Services Commission (Jersey) Law 1998, as amended

Late payment of fees

- 4.1 If a registered person fails to pay the whole or any part of a fee on or before the date it becomes due the person shall be liable to pay, unless otherwise agreed by the Commission, an additional late payment fee of 5% of the amount unpaid for each complete month that it remains unpaid.

Late filing fees

- 4.2 If a registered person fails to file or deliver any document to the Commission under the provisions of the Law or under the provisions of any Order issued in accordance with the Law on or before the date that the document becomes due, the registered person shall be liable to pay a fee of £100 for each complete month or part thereof that the document remains unfiled or undelivered unless the registered person has given the Commission prior written notice of the reasons for the late filing or delivery of the document and the Commission has agreed in writing that the filing may be late. Any such later agreed date shall become the due date for the purposes of the calculation and the payment of late filing fees.

Schedule

Calculation of fees payable on the grant of a registration certificate (paragraph 3.1) and on 1 July (paragraph 3.3)

Number of pools of assets	Fee (£)
0 – 1	4,460
2 – 4	5,925
5 – 9	7,260
10 – 19	9,235
20 – 49	11,850
50 – 99	15,790
100 – 149	23,050
150 – 199	31,585
200 or more	42,150

Appendix F - Qualifying Segregated Managed Accounts Fees Notice

Notice of Fees

Published in accordance with:	Article 15 of the Financial Services Commission (Jersey) Law 1998, as amended
Payable by or in relation to:	Utilisation of the QSMA Order
Pursuant to:	Article 3(1) of the Financial Services (Investment Business (Qualifying Segregated Managed Accounts – Exemption)) (Jersey) Order 2014; and Article 9(6) of the Financial Services (Jersey) Law 1998, as amended
Commencement date:	The fees set out in this notice and the attached schedule are effective for the period from 1 July 2017 – 30 June 2018

1 Interpretation

1.1 In this notice, unless the context otherwise requires:

charging period	includes both an initial charging period and a subsequent charging period
initial charging period	means the period from (and including) the date on which an operator first placed reliance on Article 3(1) of the QSMA Order to (but excluding) 1 July next following
operator	means a person appointed to undertake relevant activity (as defined in the QSMA Order) in connection to a segregated managed account
QSMA Order	means the Financial Services (Investment Business (Qualifying Segregated Managed Accounts – Exemption)) (Jersey) Order 2014
relevant QSMA	means a QSMA in respect of which an operator is placing reliance upon the exemption conferred by Article 3(1) of the QSMA Order
subsequent charging period	means a charging period (other than an initial charging period) commencing on 1 July and lasting for a period of 12 months

2 Reliance on the QSMA Order in the initial charging period

- 2.1 When an operator first places reliance upon the exemption conferred by Article 3(1) of the QSMA Order it shall pay the fee due in respect of the initial charging period specified in paragraph 2.2 or, as the case may be, paragraph 2.3.
- 2.2 Subject to paragraph 2.3, the fee due from an operator in respect of the initial charging period shall be £3,655.
- 2.3 If the date on which reliance is first placed by an operator on Article 3(1) of the QSMA Order is other than 1 July, the fee payable by that operator in respect of the initial charging period shall be £304 (being 1/12th of the amount of £3,655) for each complete month between the date of such first reliance and 1 July next following.
- 2.4 The due date for a fee in respect of the initial charging period due from an operator pursuant to paragraphs 2.2 or 2.3 shall be the date on which reliance was first placed by the operator on Article 3(1) of the QSMA Order.

3 Reliance on the QSMA Order in subsequent charging periods

- 3.1 An operator who, on:
 - a. 1 July immediately following the expiration of the initial charging period; or
 - b. 1 July in any subsequent year;is placing reliance upon Article 3(1) of the QSMA Order shall pay a fee in respect of the subsequent charging period which commences on that 1 July, determined in accordance with the attached Schedule.
- 3.2 The due date for a fee in respect of a subsequent charging period due from an operator pursuant to paragraph 3.1 shall be 31 July in that subsequent charging period.

4 Relief from QSMA fees for certain operators

- 4.1 For each complete month within a charging period that an operator is registered pursuant to the Law to conduct discretionary investment management within the meaning given in Article 2(2)(b) of the Law (and has paid the Commission the fee or fees due in respect of such registration), the fee due from or paid by the operator pursuant to this Notice in respect of that charging period shall be reduced by:
 - a. £304, if the charging period is an initial charging period;
 - b. 1/12th, if the charging period is a subsequent charging period.
- 4.2 At the end of the relevant charging period, the Commission will remit (or, at its discretion, credit) to an operator any sums received from the operator which, as a result of the operation of paragraph 4.1, constituted an overpayment of the fee in fact due pursuant to this Notice. No interest thereon shall accrue in favour of the operator.

5 Clarification where an operator ceases to place reliance on Article 3(1) of the QSMA Order

- 5.1 For the avoidance of doubt, no fee rebate or refund shall be due to an operator in the event that, having paid a fee in respect of a charging period, the operator subsequently ceases to place reliance on Article 3(1) of the QSMA Order within the charging period.

Schedule

Calculation of fees payable for subsequent charging periods (paragraph 3.1)

Number of relevant QSMA's on 1 July	Fee (£)
1	3,655
2 – 4	4,835
5 – 9	5,910
10 – 19	7,525
20 – 49	9,675
50 – 99	12,900
100 – 149	18,810
150 – 199	25,800
200 or more	34,400