

LOYENS & LOEFF'S GUIDELINES TO SWITZERLAND'S NEW LICENSING RULES FOR PORTFOLIO MANAGERS

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Portfolio managers that were active and compliant with the old regime before January 2020 will have three years to comply with the new licensing requirements and file an application for a licence with FINMA. Portfolio managers that start their activities in 2020 will mainly be subject to the new licensing requirements from the beginning, with certain exceptions.

As **Loyens & Loeff** associate **Diana Lafita** explains [in a detailed article](#), a new Financial Institutions Act (FinIA) and the implementing Financial Institutions Ordinance (FinIO) are effective in Switzerland as of January 1 2020. Under the previous regime, asset managers of individual portfolios (portfolio managers) were not subject to any licensing requirement nor prudential supervision, except from compliance with AML requirements and sector-specific standards. Now there are new requirements they have to fit into the existing regulatory framework.

It is important to notice that the new regime has led Switzerland to homogenise regulatory requirements and apply them to all financial market players following the golden rule 'same business, same risks, same rules', Lafita underlines. For this purpose, a new cross-sectorial financial markets architecture has been developed with the aim of creating a level playing field for all market participants.