10th Annual

# International Trusts Congress 2011

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(Steven Kempster, TAYLOR WESSING)

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## Developing Profitable Wealth Through Effective Trust Management

*Includes Key Contributions from:*


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Richard Hay STIKEMAN ELLIOTT


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Robert Hunter HERBERT SMITH


Ashley Crossley BAKER & MCKENZIE


John Rhodes STONEHAGE LAW LIMITED


Shân Warnock-Smith QC, 5 STONE BUILDINGS

## Why You Should Attend?

**30+** Leading Speakers

**5** Interactive Discussion Sessions

*Featuring the following panel sessions:*

- Trust Congress Crystal Ball for 2012
- Trust Litigation
- Trustees Under Pressure: Fiduciary Responsibilities and Client Expectations
- The Great Debate – Onshore vs. Offshore
- Family Offices and PTCs – What are the Alternatives

**4** New Jurisdictional Analysis Workshops

*Practical analysis of trust structures in: India, Russia, China and Latin America*

**Plus** Key Plenary Sessions including:

- Latest Trust Case Overview
- Offshore Tax Planning Update
- Tax Investigations for Private Clients
- Fund Structures for Private Clients
- Understanding Delaware – The US International Financial Centre
- FATCA – The USA goes Super Extra-Territorial

AWARD SCHEME CPD 13 HOURS

## NEW SPEAKER FACULTY FOR 2011

- Shân Warnock-Smith QC, 5 STONE BUILDINGS
- Christopher McCall QC, MAITLAND CHAMBERS
- Francis Barlow QC, TEN OLD SQUARE
- Mark Bridges, FARRER & CO
- Giles Clarke, *Author,* OFFSHORE TAX PLANNING
- David Goldberg QC, GRAY'S INN TAX CHAMBERS
- Charles Lloyd, MACFARLANES
- Emily Campbell, WILBERFORCE CHAMBERS
- Alan Steinfeld QC, XXIV OLD BUILDINGS
- Professor Jonathan Harris, SERLE COURT
- Stella Mitchell Voisin, SUMMIT TRUST INTERNATIONAL SA
- Guy Paterson, STANHOPE CAPITAL
- Edward Buckland, BARCLAYS WEALTH
- Keith W. Graham, CORE BUSINESS CONSULTANCY
- Patrick O'Hagan, UBS
- Mark Baldwin, MACFARLANES
- John Rhodes, STONEHAGE LAW LIMITED
- Paul Buckle, AO HALL
- Ashley Crossley, BAKER & MCKENZIE
- Salpy Kouyoumjian, BAKER & MCKENZIE
- Richard Hay, STIKEMAN ELLIOTT
- Richard Teather, BOURNEMOUTH UNIVERSITY BUSINESS SCHOOL
- Suzanne Reisman, LAW OFFICES OF SUZANNE REISMAN
- Mike Reed, RBC
- Roderick Balfour, VIRTUS TRUST
- Aileen Barry, DLA PIPER
- Dr Anthony Cremona, GANADO & ASSOCIATES
- Phil Le Cornu, OGIER
- Malcolm Becker, BENTLEY TRUST

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WHEN: 6th & 7th December 2011
WHERE: London

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# International Trusts Congress 2011

6th & 7th December 2011, London

## DAY ONE: Tuesday 6th December 2011

09:00 Conference Registration & Coffee

09:30 Chair's Opening Remarks

Morning Theme

### Overview of the Trust World & Structures

**Chair:**
**Nicholas Harries**
**MACFARLANES**

PANEL SESSION

09:40 **Trust Congress Crystal Ball for 2012**
*This session will disseminate the future of the offshore world and look at how the trust is evolving in the challenging economy.*

Moderated by:
**Nicholas Harries, MACFARLANES**

Panel Members:
**Christopher McCall QC, MAITLAND CHAMBERS**
**Francis Barlow QC, TEN OLD SQUARE**
**Shân Warnock-Smith QC, 5 STONE BUILDINGS**
**Emily Campbell, WILBERFORCE CHAMBERS**

10:25 **Practical Trust Law With Practical Case Overviews**
*Trust law doesn't stand still. Old issues remain, new ones arise, and it's our job to bring you up to speed.*
**Mark Bridges, FARRER & CO**

11:00 Coffee

11:20 **Offshore Tax Planning Update**
- The statutory residence test, with practical examples
- The major reforms of the taxation on Non-Domiciled individuals

**Giles Clarke,** Author, **OFFSHORE TAX PLANNING**

12:00 **Tax Investigations for Private Clients**
- The penalty rules
- Coping with HMRC's settlement & litigation strategy
- Lessons from recent anti avoidance cases
- Discovery assessments & how to defeat them

**David Goldberg QC, GRAY'S INN TAX CHAMBERS**

PANEL SESSION

12:30 **Trust Litigation Update 2011**
***(Special Focus on Incapacity & Mistake)***
*Throughout 2011, there have been number of big trust and estate cases have recently concluded with many lessons to be learnt. A panel of experts from around the globe will offer views on some of the most noteworthy cases, both reported and unreported, and how they will influence future cases of similar nature.*

Moderated by:
**Charles Lloyd, MACFARLANES**

Panel Members:
**Robert Hunter, HERBERT SMITH**
**Alan Steinfeld QC, XXIV OLD BUILDINGS**
**Professor Jonathan Harris, SERLE COURT**

13:10 Lunch

Afternoon Theme

### View from the Clients – Family Office & Trustee Perspective

**Chair:**
**Stella Mitchell Voisin**
**SUMMIT TRUST INTERNATIONAL SA**

PANEL SESSION

14:10 **Trustees Under Pressure: Fiduciary Responsibilities and Client Expectations**
*Our seasoned experts discuss the recent history of how trustees attempt to balance their fiduciary responsibilities with client expectations in a world that is increasingly fiscally transparent. With aging settlors and cross border beneficiaries, trustees can be held to task for their decisions and policies.*

Moderated by:
**Edward Buckland, BARCLAYS WEALTH**

Panel Members
**Philip Le Cornu, OGIER**
**Keith W. Graham, CORE BUSINESS CONSULTANCY**
**Patrick O'Hagan, UBS**
**Stella Mitchell Voisin,**
**SUMMIT TRUST INTERNATIONAL SA**

14:50 **Fund Structures for Private Clients**
**Mark Baldwin, MACFARLANES**

15:20 **Family Offices and PTCs – What are the Alternatives**
*Featuring a debate on the advantages of the Single Family Office, the Multi Family Office and everything in between! Plus, how do family offices work alongside private trust companies and foundations what are the pitfalls?*

Moderated by:
**Chris Potter, SETE**

Panel Members:
**John Rhodes, STONEHAGE LAW LIMITED**
**Paul Buckle, AO HALL**

16:00 Coffee

16:20 **Jurisdictional Analysis Sessions**

**Room 1 - India**
- The effects of the phenomenal economic growth on wealth creation
- Growth of the middle class
- Modernism amidst rich tradition and cultures
- The challenges to managing wealth –within and outside India
- Profound changes to the Indian taxes code

**(Speaker to be announced)**

**Room 2 - Russia**
- Update on recent developments
- Key structuring considerations for the Russian entrepreneur
- Business vs. private assets
- The rise of the PTC
- Alternative structures

**Ashley Crossley, BAKER & MCKENZIE**
**Salpy Kouyoumjian, BAKER & MCKENZIE**

17:00 End of Day One

# International Trusts Congress 2011

6th & 7th December 2011, London

## DAY TWO: Wednesday 7th December 2011

09:00 Conference Registration & Coffee

09:30 Chair's Welcome

Morning Theme

### Onshore vs. Offshore – International Financial Centres Update

**Chair:**
**Richard Hay**
**STIKEMAN ELLIOTT**

09:40 **Why IFC's are Important? The Industry Counter Argument**

- Economic liquidity, efficiency and jobs
- Tax competition - helpful or harmful?
- Transparency, regulation and information exchange
- Developing countries and IFCs

**Richard Teather, BOURNEMOUTH UNIVERSITY BUSINESS SCHOOL**
**Richard Hay, STIKEMAN ELLIOTT**

10:20 **Understanding Delaware – The US International Financial Centre**

*This session will look at giving a US update with a twist, for this session will disclose the inner workings of Delaware as a trust and tax haven within the continental US.*

**Suzanne Reisman,**
**LAW OFFICES OF SUZANNE REISMAN**
**Mike Reed, RBC**

10:50 **FATCA – The USA goes Super Extra-Territorial**

- Why trustees will not be able to ignore it.
- The likely compliance knock-on
- Proving a negative to the IRS or counterparties
- Can you get round it?
- The need to plan ahead of 2013

**Roderick Balfour, VIRTUS TRUST**
**Aileen Barry, DLA PIPER**

11:30 Coffee

11:50 **Relocating Structures to Malta**

- Practical studies of actual relocations
- Using Malta as a trusts and foundations jurisdiction
- Re-domiciling an existing corporate structure to Malta
- Relocating a manned service business to Malta

**Dr Anthony Cremona, GANADO & ASSOCIATES**
**Malcolm Becker,**
**BENTLEY TRUST (MALTA) LIMITED**

12:20 **The Great Debate – Onshore vs. Offshore**

PANEL SESSION

- Why offshore vs. onshore for trust/HNWI domicile
- Key issues that will alter the trust landscape, both short and long term
- Where, why and how are private clients setting up shop in the TIEA world
- Marketing under the new regime - passport flexibility, does it come at a price

Moderated By:
**Roderick Balfour, VIRTUS TRUST**

Panel Members
**Dr Anthony Cremona, GANADO & ASSOCIATES**
**Suzanne Reisman,**
**LAW OFFICES OF SUZANNE REISMAN**

13:10 Lunch

Afternoon Theme

### Compliance and Fiduciary Risk Management

**Chair:**
**Guy Paterson**
**STANHOPE CAPITAL**

14:10 **Jurisdictional Analysis Sessions**

**Room 1 – Estate planning for the Latin American HNWI**

- Mega-trends in global estate planning and taxes
- Ensuring that wealth is passed effectively with minimal tax paid
- Picking the best people to manage your estate and ensure G2 and G3 members will continue the family legacy

**Andrew Penney, ROTHSCHILD**

**Room 2 - China**

*With an economy so diverse yet so independent from the rest of Asia, there is no doubt that the rest of the region is somewhat fascinated by the day-to-day workings of a Chinese Private Client firm. What are the effects of such a heavy common law jurisdiction and where are they likely to go? How have attitudes changed in recent years?*

**(Speaker to be announced)**

15:00 **The Lessons of Fiduciary Duties in Continuing Financial Crises**

- Preparing the beneficiaries for drawdowns
- Mitigating investment risk through diversification
- The importance of communicating
- Avoiding running for cover
- Structural damage & counterparty risk

**Guy Paterson, STANHOPE CAPITAL**

15:40 **The End of Re Hastings-Bass**

*The Court of Appeal has revisited the so-called 'rule in Re Hastings-Bass' for the first time since deciding Re Hastings Bass itself in March 1974. This article considers the impact and likely consequences of the decision from the perspective of trustees. Plus a view of what will happen in the Supreme Court.*

**Chancery Judge (to be announced)**

16:20 Closing Remarks

16:30 Close of Conference & Coffee

# International Trusts Congress 2011

6th & 7th December 2011
London

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To be confirmed - London

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