

# TRUSTS IN A TIME OF TURMOIL

MANAGING RISKS FOR TRUSTEES  
IN A PERIOD OF GLOBAL  
ECONOMIC TURBULENCE

16 JUNE 2009 GENEVA, SWITZERLAND



Conference Chairman

**Mr Steven Kempster** (United Kingdom)  
Head of Trusts and Estates Disputes Group  
**Taylor Wessing**

**16 June 2009**  
**Warwick Hotel**  
**14 Rue de Lausanne**  
**1201 Geneva**  
**Switzerland**

## Speakers

**Mr Steven Kempster** (United Kingdom)  
Head of Trusts and Estates Disputes Group;  
**Taylor Wessing**



**Mr James Corbett QC** (United Kingdom)  
**Serle Court**



**Mr St John Robilliard** (Channel Islands)  
Partner;  
**Ozannes**



**Ms Birgit Sambeth Glasner** (Switzerland)  
Partner;  
**Altenburger**



**Mr Blaise Stucki** (Switzerland)  
Partner;  
**Schellenberg Wittmer**



**Mr Patrick Radius** (Switzerland)  
Senior wealth Planner;  
**Rothschild Trust**



**Ms Caroline Garnham** (United Kingdom)  
Partner, Private Capital;  
**LG Lawyers**



## Programme

### 09:00 Welcome speech and introduction

**Mr Steven Kempster** (United Kingdom)  
Head of Trusts and Estates Disputes Group  
**Taylor Wessing**

### 09:10 Trustee exposure to investment losses ; exoneration and indemnity issues

. Topics to be confirmed

**Mr James Corbett QC** (United Kingdom)  
**Serle Court**

### 09:55 Dealing with attacks from taxation authorities and volatility in tax legislation ....the UK experience

Powers and Strategies:

- . The legislative attack on trusts/what remains?
- . Targeting high net worth individuals and the non domiciled
- . Enhanced statutory disclosure and production orders
- . Offshore disclosure "facilities"
- . Enhanced asset recovery

Offshore objectives:

- . Tax information exchange agreements
- . EU retention tax
- . international incentives

**Mr St John Robilliard** (Channel Islands)  
Partner, **Ozannes**

### 10:40 Coffee break

### 11:00 Mediation: a Tool for preventing and dealing with Conflicts in Trust matters particularly in time of turmoil

- . Particularities of Trust disputes
- . Players, Jurisdictions and Laws
- . Trusts and ADR processes
- . Mediation as Trust and Real Estate dispute resolution Tool
- . Proceedings and Clauses

**Ms Birgit Sambeth Glasner** (Switzerland)  
Partner, **Altenburger**

**11:45 Investment policy and delegation arrangements: Managing investment risk**

- Trustee duties and best practice
- The use of investment policy statements
- The use and supervision of agents, nominees and custodians

**Mr Steven Kempster** (United Kingdom)  
 Head of Trusts and Estates Disputes Group  
**Taylor Wessing**

**12:30 Lunch**

**14:00 Dealing with Trust Attacks in Switzerland**

- Litigation Risks against the Trustees and the Trust Assets
- Pre-emptive measures

**Mr Blaise Stucki** (Switzerland)  
 Partner, **Schellenberg Wittmer**

**14:45 Swiss Trustees and their business models Facing new challenges**

- The last 20 years: from providers of anonymity to providers of confidentiality
- Current attacks against confidentiality: tax authorities, spouses, heirs
- The business models: can they all adapt to the new times?

**Mr Patrick Radius** (Switzerland)  
 Senior wealth Planner, **Rothschild Trust**

**15:30 Coffee Break**

**15:45 PTC's and Foundations**

- Traditional structures and problems
- The Bahamian solution
- A Dynastic Wealth Ownership Structure
- Family Purpose
- Family Procedure
- Family Governance
- Keeping the dynastic Structure on Track
- Family Bhive

**Ms Caroline Garnham** (United Kingdom)  
 Partner - Private Capital, **LG Lawyers**

**16:30 Conference summary and discussion**

**16:45 Close of the conference**

**Thanks to our partners:**



**Financial Events *International***

**Trusts in a time of Turmoil: Managing Risks for trustees in a period of global economic turbulence**



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