27th Annual International Conference

Transcontinental Trusts 2012

You Hear It First At TransTrusts!

The Heavyweight Speakers Include:

His Honour Justice David Hayton
THE CARIBBEAN COURT OF JUSTICE

Richard Hay
Partner
STIKEMAN ELLIOTT

Anthony Travers OBE
Founder
TRAVERS CONSULTING

Donal Godfrey
Head of Harmful Tax Practices Unit
OECD

Emma Chamberlain
Barrister
PUMP COURT TAX CHAMBERS

Elspeth Talbot-Rice QC
Barrister
XXIV OLD BUILDINGS

Gilead Cooper QC
Barrister
STONE BUILDINGS

Alex Cobham
Head of Research
SAVE THE CHILDREN

Nicholas Shaxon
Author
TREASURE ISLANDS

Geoff Cook
CEO
Jersey Finance

5 Reasons to Attend TransTrusts 2012

150 Offshore Attendees from 25 jurisdictions ensure class-leading networking

30 International Speakers bring you the definitive update on trusts: Including a keynote address from the OECD and event favourite Justice David Hayton

27 Years of experience of the offshore world, providing you insight that you can trust

8 Breakfast Briefings allow you to tailor your event to your specific needs

2 hotly anticipated debates for you on the offshore world & trust companies

Special Conference Features:

8 BRAND NEW, CUTTING-EDGE BREAKFAST BRIEFINGS:

• Your chance to tap directly into top level expertise while meeting delegates with matching interests

UNMISSABLE LAKE GENEVA BOAT CRUISE

SUPERB NOTES

• TransTrusts is famous for its clear, comprehensive notes, providing a valuable reference source

(See the booking form if you want to purchase the notes separately)

Register Today:
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20th & 21st June 2012, Grand Hotel Kempinski, Geneva

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## Breakfast Briefings with the Experts

Enjoy informal briefings and conversation over coffee and croissants with the experts of your choice.

### Breakfast Briefings Day 1

**Briefing 1**

**How to Change Your Residence & Domicile**
- What constitutes “Residence”?  
- Statutory residence test in the UK – will this be repeated in other IFCs?  
- Double tax treaties – offshore and asset protection planning

**Briefing 2**

**You’ve been Sanctioned! Freezing Orders and Asset Protection for Trusts**
- Review of recent cases  
- Freezing orders and divorce  
- Practical solutions

**Briefing 3**

**Liechtenstein & the New World Order**
- Bilateral agreements (LDF etc.)  
- 2 years with the revised foundation law  
- The transition period of the new tax law  
- Questions  
  > Werner Meyer, KAISER PARTNER  
  > Christian Jenny, KAISER PARTNER

**Briefing 4**

**How Family Foundations are Developing their Philanthropy**

### Breakfast Briefings Day 2

**Briefing 1**

**The Bahamas Advantage: Introducing the Innovative Bahamas Executive Entity, Directed Trusts & Other Key Amendments to our Trust Legislation**

> Aliya Allen, BAHAMAS FINANCIAL SERVICES BOARD

**Briefing 2**

**From Russia with Wealth – Which Structures and Why?**
- Double tax treaty structuring  
- Permanent establishment and central management and control  
- Alternative structures: limited partnerships and special trusts  
- Structuring for personal assets

**Briefing 3**

**How to setup a Private Trust Company?**
- Why are PTCs popular in Asia?  
- Private trust company regulations explained  
- Typical private trust company structures  
- PTC combined with a VISTA purpose trust  
- Litigation of PTC structures – what do I need to know

**Briefing 4**

**FATF and Anti Money Laundering. A Success or an Ever-Increasing Burden on Wealth Management?**
- Have AML regimes had the desired effect?  
- Are they applied symmetrically across all jurisdictions?  
- Has box-ticking KYC taken over from judgment?  
- Is the cost of KYC procedures including FATCA becoming prohibitive?  
- Where is the black money these days?

Moderated by:  
> Roderick Balfour, VIRTUS TRUST

Panel Members: Regulatory and Industry Bodies to be announced

### Key Issues Facing Trusts & Trustees

09:30   Chair’s Opening Remarks  
Richard Hay, STIKEMAN ELLIOTT

10:40   Increasing Transparency and Information Exchange: What does this mean for Private Banking?  
Donal Godfrey, OECD

11:10   The Hayton Trust Law Overview  
- Setting aside gifts for mistake as to tax consequences: England v Jersey  
- Personal liability for “knowing receipt” as equivalent of “dishonest dealing of beneficial recipient”  
- Trust assets as available resources on divorce  
- Dangers of power of revocation or to appoint to self  

The Honourable Mr Justice David Hayton,  
THE CARIBBEAN COURT OF JUSTICE

11:50   Coffee

12:30   Lunch Sponsored by:

### Day One:

20th June 2012
Focus On Trust Companies

13:45 Global Challenges in Managing Investments Tax Efficiently – Some Thoughts for Trustees
- Challenges for trustees in ensuring tax compliance
- Tax pitfalls in the investment process
- Conflicts between tax and investment advice: which should take precedence?
- Practical advice for trustees
  Paul Knox, JP MORGAN

14:30 House Believes that Bank Owned Trust Companies are Mere Asset Collectors
- Are banks interested in fiduciary services or do they use trusts to gather in assets?
- Does it matter?
  Moderated by:
  Rupert Ticehurst,
  BERWIN LEIGHTON PAISNER
  Panel Members:
  Daniel Martineau, SUMMIT TRUST INTERNATIONAL SA
  Joe Donohoe, RBC

15:15 Protectors: Monsters in Disguise
- What to do about incapable or unhelpful protectors
- What to do about greedy or self-interested protectors
- What to do when protectors and beneficiaries fall out
  Mark Hubbard, NEW SQUARE CHAMBERS
  Rupert Ticehurst, BERWIN LEIGHTON PAISNER
  Robin Vos, MACFARLANES

15:50 Coffee

Focus On Switzerland

16:10 Trusts in Switzerland
This session will discuss the issues of trusts in Switzerland and how trusts can be used as will substitutes.
Topics include:
- Recognition of asset protection legislation
- Forced heirship/divorce (i.e. firewall statutes)
- Standards of care (e.g. Bahamas v Swiss consumer protection standard)
  Patrick O’Hagan, UBS

16:40 What is the Future for the Swiss Private Banking Model?
- Attacks from the US: are US clients still welcome in Switzerland?
- Impact of the UK and German agreements
- Opportunities for the future
- Tax as a predicate crime for AML purposes
  Moderated by:
  Richard Hay, STIKEMAN ELLIOTT
  Panel Members:
  Prof. Xavier Oberson, OBERSON ADVOCATS
  Prof. Luc Thévenoz, UNIVERSITY OF GENEVA
  Carlo Lombardini, PONCET TURRETTINI AMAUDRUZ NEYROUD & PARTNERS

17:30 End of Day One

19:30 LAKE GENEVA EVENING NETWORKING CRUISE
Enjoy a relaxing cruise and drinks reception around Lake Geneva, including a two course dinner and a chance to make new contacts and catch up with old friends.

Day Two: 21st June 2012

08:00 - 08:30 Registration

08:30 - 09:20 Breakfast Briefings (choose 1 of 4)
  Briefing 1 - The Bahamas Advantage: Introducing the Innovative Bahamas Executive Entity
  Briefing 2 - From Russia with Wealth – Which Structures & Why?
  Briefing 3 - How to Setup a Private Trust Company
  Briefing 4 - FATF and Anti Money Laundering. A Success or an Ever-Increasing Burden on Wealth Management?

09:30 Chair’s Welcome
  Richard Hay, STIKEMAN ELLIOTT

Jurisdictional Overview

09:40 The Offshore World: What’s Really Going on?
- The politics of mischaracterization
- Why is Cayman a lighting rod for political attention?
- Transparency: what has been the upside for early adapters?
- Prospective European programmes: What is their likely effect?
  Anthony Travers OBE, TRAVERS CONSULTING

10:10 UK: Understanding the New Rules & Reforms
- The common law approach to succession
- The UK intestacy rules - a case for reform
- Freedom of disposition and the rights of the family
- Law Commission Reports on Intestacy and Family Provision claims
- Trustees’ powers relating to income and capital
- Forfeiture and the law of the succession
- Crossborder succession issues and EU regulation
- Matrimonial property regimes and EU proposals
  Jim Edmondson, FARRER & CO

10:40 Coffee

11:00 Does France want to Kill Trusts?
- The new French tax law on trusts
- The new trustee’s reporting requirements
  Jean Marc Tirard, TIRARD NAUDIN

11:30 Brazil / LatAm: Growing markets for Trustees
- Planning tools for UHNW families in Brazil
  - Advantages of offshore fund structures
  - Trust/Foundations vs. control issues
- Brazil - dealing with forced heirship and divorce aspects
- Gift and transfer taxes when dealing with international planning
  William Heuseler, TAU PRIVATE BANK
Day Two: 21st June 2012

12:00 Wealth Structures for South Africans
- How can South Africans establish and fund international structures, taking exchange control and settlor charges into account?
- How can South Africans benefit from offshore structures efficiently, and what must they report?
- What accounts must international trustees maintain for their South African beneficiaries?
- Practical examples of efficient planning.
- Where do international pensions fit in?

Anthony Markham, MAITLAND

12:30 Lunch

Small IFCs in the Spotlight

13:45 PANEL: IFCs & the EU: Inside or Outside Europe
- Is it better to be inside or outside the tent?
- Can an IFC survive (and thrive) inside Europe?
- Will European efforts at tax harmonisation share the British offshore centres?
- Attacks from Europe: where does it end?

Moderated by:
Richard Hay, STIKEMAN ELLIOTT
Panel Members:
Geoff Cook, JERSEY FINANCE
Dr. Max Ganado, GANADO & ASSOCIATES
Malcolm Becker, BENTLEY TRUST (Malta)

14:45 Coffee

15:05 The Offshore World Plays an Essential Role in Global Prosperity
- IFCs: oiling the wheels of the global economy or robbing the developing world?
- The convention on mutual assistance with tax collection: end of the road, a level playing field or just not far enough?
- The Financial Secrecy Index: unfair and impolitic, or a tool to reach a level playing field?
- Corruption – no longer seen as a development disease but the poison of ‘treasure islands’?

Moderator:
Richard Hay, STIKEMAN ELLIOTT
For:
Anthony Travers OBE, TRAVERS CONSULTING
Geoff Cook, JERSEY FINANCE

Against:
Alex Cobham, SAVE THE CHILDREN
Nicholas Shaxon, Author, TREASURE ISLANDS

16:20 Farewell from Chairman

16:30 End of Conference

Testimonials from TransTrusts 2011

“All speakers of highest quality and level of presentations spot-on and good topics. An excellent conference and one of the best I have attended recently.”
(Stone, Collas Crill)

“Very good. Excellent staff support and knowledgeable speakers”
(Watterson, Isle of Man Government)

“Very interesting and top people”
(Cremona, Ganado & Ass.)

“Very good speakers with global perspective”
(Wijetuye, Credit Suisse)

Truly International Audience

With over 25 key jurisdictions being represented by speakers and attendees over recent years – the conference itself provides a unique opportunity for you to network with colleagues and experts of the highest level and on a truly international scale. These included in 2011:
Gibraltar, Singapore, Latvia, Switzerland, Isle of Man, Jersey, Norway, Hong Kong, Malta, Liechtenstein, Canada, Guernsey, Germany, Monaco, New Zealand, India, British Virgin Islands, Cayman Islands and United Kingdom

Get your Questions Answered @ TransTrusts

Email in questions in advance and we will seek to integrate them into the conference.

These questions will be given to the speakers chairing each of the 4 themes and can be sent to: Jonathan.Olver@informa.com
Gold Sponsor

Jersey Finance promotes and develops Jersey as an international finance centre. In addition to this marketing activity, it also co-ordinates the consultation process of proposed legislation and regulation affecting the Jersey finance industry, to produce and maintain a product offering that reinforces Jersey’s position as an international finance centre of excellence. The organisation’s primary objective is to communicate the many factors that make Jersey a leading international finance centre, including the experience and expertise of its practitioners; its political, economic and fiscal stability; and its high level of regulation and security. www.jerseyfinance.je

Silver Sponsors:

FinanceMalta, a non-profit public-private initiative, was formally set up to promote Malta’s international Business & Financial Centre, both within, as well as outside, Malta’s shores. It brings together, and harnesses, the resources of the industry and government, to ensure that Malta maintains a modern and effective legal, regulatory and fiscal framework in which the financial services sector can continue to grow and prosper. The Board of Governors, together with the founding associations, four expert groups, its corporate members, and staff are committed to promote Malta as a centre of excellence in financial services and international business.

Guernsey is a leading international fiduciary centre with 50 years experience in supplying trust and corporate services. The Island plays host to some 150 licensed fiduciaries, ranging from large organisations to independent, boutique operations. Together they hold more than £350bn worth of assets in trust and company structures. The Island’s providers are renowned for their expertise, innovation and high standards of service. There is substantial expertise in using the innovative modern structures that are available on the Island for the preservation of both institutional and individual/family wealth and assets. www.guernseyfinance.com

The Bahamas has cultivated its vibrant financial sector for more than 80 years. Our maturity is testament to the financial professionals who have built our industry and remain committed to providing experience, wisdom and expertise to clients around the globe. The strength and longevity of our financial sector – built within a smart, welcoming and cosmopolitan community – combined with location, and lifestyle are all integral parts of The Bahamas Advantage, and what makes The Bahamas the wealth and asset Management gateway to the Americas. The Bahamas Financial Services Board (BFSB), an innovative partnership between the financial services industry and The Government of the Bahamas for nearly 15 years, focuses on acting as a catalyst for maintaining and enhancing key elements that are at the core of The Bahamas Advantage: an environment conducive to business and an effective risk based regulatory framework while promoting a greater awareness of The Bahamas’ strengths as an international financial and business centre.

Lunch Sponsor

Kaiser Partner is a privately-owned wealth management group with over 80 years’ experience. The organisation is founded on the principle of ‘responsibility in wealth’ and prides itself on solutions which enable clients to preserve and use their wealth wisely. Kaiser Partner offers wealth and asset management, banking and trust solutions, as well as Family office services. It operates from offices in Zollikon (Zurich, Switzerland) and Vaduz (Liechtenstein), serving a client-base which spans five continents.

About your Sponsors:

Sponsorship Opportunities:

For international financial centres, private banks and legal advisers, this event is a must!

Give your organisation the competitive edge with a presence at the most recognised and established international trusts event. There is really no better environment to target the most influential decision-makers in the offshore world.

Transcontinental Trusts will present service providers to this industry with a unique opportunity to meet existing and potential clients from key jurisdictions. For international financial centres, private banks and legal advisers, this event is a must! If you are interested in discussing sponsorship, an exhibition space, display space or advertising in the delegate pack, please call David Gold on Tel: +44 (0)20 7017 7243 or email david.gold@informa.com

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