Programme

Day one: Monday 1st December 2014

08:30 Registration and Coffee

09:00 AN INTRODUCTION TO TRUSTS AND THEIR USES

The origins of trust law
Uses of trusts
Settlor / Trustee / Beneficiary / Protector – their roles
Types of trusts and related issues including “letters of wishes”
Trusts v. foundations, insurance etc
Forced heirship, sharia law, matrimonial property – the issues
Asset protection – bankruptcy, professional risk, divorce, political risk

10:30 Refreshments

10:45 TAX AND ESTATE PLANNING

How taxes apply to trusts
Residence and domicile
Tax implications for settlors and beneficiaries
Examples using basic US, Canadian, UK and especially Swiss related planning with trusts
Tax liability of Trustees and Protectors

CONSOLIDATING THE MORNING’S LEARNING

Case studies to be worked in groups to consolidate the learning of the morning

Morning Speaker: Stephanie Jarrett, Baker & McKenzie Geneva

12:30 Lunch

13:45 HOW TO BE A GOOD TRUSTEE

Meaning and effect of a typical trust document
Avoiding the sham trust
Exercising discretion
The rights of beneficiaries
Confidentiality
Important court decisions/lessons to be learnt
Dealing with conflicts between the trust deed and the law
The last 30 minutes of the session will be spent on case studies to be worked in groups to consolidate the learning of this session

Speaker: Natacha Onawelho-Loren, Salamanca Group Trust

15:30 Refreshments

15:45 TRUST JURISDICTIONS

Does 'onshore' and 'offshore' still have any meaning?
What to look for in choosing your trust jurisdiction
Use of Switzerland, England and Wales, Singapore, New Zealand, Delaware, Cayman, Bahamas, Jersey, Liechtenstein, Delaware and some other traditional trust jurisdictions
The last 30 minutes of the session will be spent on case studies to be worked in groups to consolidate the learning of this session

Speaker: Natacha Onawelho-Loren, Salamanca Group Trust

17:00 Close for the day
Programme (continued)

Day two: Tuesday, 2nd December 2014

08:30 Registration and Coffee

09:00 TRUSTS AND INVESTMENTS
Right or Duty to invest the trust fund?  
The trustee's duty of care  
Delegation of investment powers  
Monitoring trust investments  
Investing in tangibles and real estate  
The last 30 minutes of the session will be spent on case studies to be worked in groups to consolidate the learning of this session

Speaker: Jim Parker, Butterfield Trust (Switzerland) Limited

10:30 Refreshments

10:45 THE TRUST AND CIVIL LAW
Influence of matrimonial property and inheritance law  
Liability of a Swiss trustee  
Insolvency of a Swiss managed trust  
Creditors' rights  
Rights of beneficiaries, settlors, heirs, etc.  
The last 30 minutes of the session will be spent on case studies to be worked in groups to consolidate the learning of this session

Speaker: David Wilson, Schellenberg Wittmer, Geneva

12:30 Lunch

13:45 BOOKS AND RECORDS
The importance for banks and trustees of proper records and accounting  
How to set up proper trust records  
Minutes and resolutions  
Basic trust accounting  
Providing information for submission to tax authorities  
The last 30 minutes of the session will be spent on case studies to be worked in groups to consolidate the learning of this session

Speaker: Chris Couzens, Barclay Trust, Geneva

15:30 Refreshments

15:45 MANAGING TRUSTS IN SWITZERLAND
Dealing with litigation -- going to court in Switzerland or elsewhere  
First hint of trouble  
Where?  
Managing the process  
Sources of information and further qualifications  
The last 30 minutes of the session will be spent on case studies to be worked in groups to consolidate the learning of this session

Speaker: Mark Barmes, Lenz & Staehelin, Geneva
17:30  Closing Remarks