The Future of Trusts - Jersey
An International Focus on the Latest Strategies for Trusts for Family Estate & Wealth Planning

CONFERENCE HIGHLIGHTS:
✓ Individual Residence featuring guidance on HMRC6 & Grace with James Kessler QC
✓ Trustee Residence - The New Rules with Michale Flesch QC
✓ Jersey vs. UK - Litigation Debate with Shân Warnock-Smith QC and Jonathan Speck
✓ Tax Systems in the Crown Dependencies: What are the Potential Changes for the Channel Islands? with Richard Hay

FEATURES JURISDICTIONAL FOCUS SESSIONS
✓ Uses of trusts in Continental Europe - Switzerland, France & Italy
✓ Strategies for Russian clients
✓ Family Governance in Asia

TWO WORLD-CLASS PANELS:
✓ Private Trust Companies: Ownership, Domicile, Structuring and Governance
✓ Future of the Offshore Industry The Great Debate

CHAIRED BY:
Richard Pease, LENZ & STAEHELIN

YOUR PANEL OF EXPERT SPEAKERS INCLUDES:
Richard Hay, STIKEMAN ELLIOTT
James Kessler QC, XIV OLD SQUARE
Shân Warnock-Smith QC, 5 STONE BUILDINGS
Michael Flesch QC, GRAY’S INN TAX CHAMBERS
Filippo Noseda, WITHERS
Tony Pursall, MAPLES & CALDER
Arabella Saker, MAURICE TURNOR GARDNER
Steven Meiklejohn, OGIER
Jean-Marc Tirard, TIRARD NAUDIN
Jonathan Speck, MOURANT
Olga Boltenko, HOGAN & HARTSON
Nick Jacob, LAWRENCE GRAHAM
Alan Dart, BEDELL CRISTIN
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Dear Offshore Adviser,

Recently, Jersey has received almost overwhelming praise in a new report from the International Monetary Fund entitled: ‘The Financial System Stability Assessment Update’. In light of this, some are even commenting that the jurisdiction is now safer than onshore UK.

However, this does not mean that business will get easier for advisers as there are a number of uncertainties for the private client sector including:

• OECD potential rules on transparency
• The Alternative Investment Fund Manager’s Directive
• The European Savings Directive and impact on trusts
• Increasing number of Tax Information Exchange Agreements (TIEAs)

Hence, IBC Conferences and I have been working closely to bring you this unique outlook on the current state of play in the trusts industry.

Special consideration will be given to international clients from continental Europe and the growing wealth from the East including Hong Kong, Singapore and Russia.

The speakers and I look forward to welcoming you to the conference in March 2010.

Kind regards,

Richard Pease, Counsel
LENZ & STAEHELIN

"All the speakers were engaging, balancing good content with effective presentation"

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(H Doull, IFM Trust)

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Panelists:
Arabella Saker
Maurice Turnor Gardner
Arabella Saker is a partner in Maurice Turnor Gardner LLP. She advises families, trust companies and banks from around the world in connection with wealth management and tax planning, with a particular focus on non-UK domiciled individuals and offshore holding structures. Arabella also advises on dispute resolution relating to trusts and wills, and is the author of Tolley’s Practitioner’s Guide to Beneficiaries’ Actions.

Tony Pursall
Maples & Calder
He is a contributor to the Cayman Islands section of the World Trust Survey for Trusts & Trustees and to the Cayman Islands section of Planning and Administration of Offshore and Onshore Trusts and is the author (with James Kessler QC) of Drafting Cayman Islands Trusts. He is a member of the STEP International Committee and of the City of London branch committee of STEP.

Paul Matthams
Carey Olsen
Paul has over 20 years of experience in the Jersey trust industry, both as a lawyer and as a professional trustee and he is a leading authority on trusts in the Island. Paul joined Carey Olsen in 1999 and is head of the fiduciary law group in Jersey. He advises individuals and companies on trusts and pensions issues and is a co-author with James Kessler QC of “Drafting Trusts and WI Trusts in the Channel Islands” (Sweet and Maxwell 2007).

Uses of Trusts in Continental Europe
• Recognition of trusts in Europe: where are we?
• Increased recognition - increased competition? New challenges ahead for the traditional trust jurisdictions
• Increased recognition - increased taxation? A comparison between the Swiss, French and Italian rules

Jean-Marc Tirard
Tirard Naude
Jean-Marc Tirard is partner of Tirard Naude, one of France’s leading private client practices. He is recognised as an authority in French and international tax and has extensive experience in tax and estate planning for foreign and foreign high net worth individuals. He is the author of the French chapters of International Estate Planning (LexisNexis) and of the International Guide to the Taxation of Trusts (IBFD). He is also the coauthor of “Les Trusts Anglo-Saxons et les Pays de Droit Civil”. Jean-Marc Tirard is the chairman of STEP France.

Filippo Noseda
Withers LLP
Filippo is a partner in the International Wealth Planning Group in the London office of Withers LLP, where he heads the continental European practice. A dual qualified English solicitor and Swiss lawyer, his practice focuses on the interrelationship between common law and civil law issues. He has represented governments in relation to the ratification of the Hague Trust Convention and advises various governments on foundations, trusts, family offices and conflict of laws issues.

Foundations – The Practicalities & Future for the Structure
• Key components
• Examples of uses
• Practical issues
• Migration and merger
• Tax

Steven Meiklejohn
Ogilvie
Steven Meiklejohn is a partner and head of the Private Client and Trusts Team at Ogilvie. He qualified as an advocate in 1985 and became a partner at Ogilvie in 1988. Steve is heavily involved in advising all of the firm’s major trust company clients on trust and commercial issues as well as on regulatory matters. Steve has expertise in advising on the establishment and administration of complex structures for high net worth clients looking to create comprehensive estate plans for their personal and business assets.

Litigation – UK vs. Jersey
• Role reversal: lawyers working together
• The good, the bad and the ugly: merits and demerits of the jurisdictions
• News from the courts
Shân Warnock-Smith QC
5 Stone Buildings
Shân Warnock-Smith QC of 5 Stone Buildings is an adviser and litigator in the whole range of trust and private client matters both onshore and offshore. She has a particular interest in wealth structuring for international families. Shân is at the forefront of developments in the trusts and estates field and has appeared for trustees and beneficiaries in many important and sensitive cases concerning much of trust, restructurings and applications for directions by trustees, particularly those concerning the sale of underlying family companies.

Jonathan Speck
Mourant
A Jersey advocate, Jonathan specialises in commercial litigation involving in particular contentious and non-contentious trust litigation, banking law and practice and all aspects of trust and estate practitioners’ regulation. He has written about and lectured widely on trust litigation and Jersey anti-money laundering legislation. He is a member of the Association of Contentious Trusts and Probate Specialists and of the Society of Trusts and Estate Practitioners. Jonathan was called to the English Bar in 1990 and, after returning to Jersey, was sworn in as a Jersey advocate in 1994. Legal 500 2006 reports, Chambers Global 2006 says, ‘Jonathan Speck is a fantastic team player and with the most exceptional client-facing skills I’ve ever encountered,’ enthused one interviewee.

The Russian Connection – The Opportunities & Strategies
• Current Russian and CIS wealth management issues
• International tax structuring for Russian and CIS wealthy families and successful entrepreneurs
• Do you speak ‘trust’? Russian law and practice
• My wealth management tools are working now, but what about tomorrow? Expected developments in Russian tax law

Olga Boltenko
Hogan & Hartson
Olga Boltenko’s practice focuses on United Kingdom, Russian, and international tax matters. She has substantial experience providing a broad range of tax advice to companies on all stages of transactions, beginning with tax planning and structuring, through preventive tax measures via interactive communication with tax authorities, and finally, in the course of possible disputes with the tax authorities.

Family Governance in Asia
• Family and cultural issues in Asia
• What does Asia include?
• What are the typical family governance issues that arise?
• Fairness within the family
• Relevant structures

Lawrence Graham
Withers
Nick Jacob
Lawrence Graham is a partner in the private clients department of Withers LLP and is co-author of the 2006 Legal 500 listing. He advises individuals and companies on trusts and pensions issues and is a co-author with James Kessler QC of “Drafting Trusts and WI Trusts in the Channel Islands” (Sweet and Maxwell 2007).

The Great Debate: The End of the Offshore World as We Know it
• United we stand divided we fall
• Low tax is better than no tax
• DTAs rather than TIEAs
• Winning the PR battle

Moderator:
Richard Pease
Lenz & Staehelein

Shân Warnock-Smith QC
5 Stone Buildings

Alan Dart
Bedell Cristin
Alan Dart, a partner of the Bedell Group, with more than 20 years experience in the offshore finance industry, acts extensively in establishing and advising upon Jersey trusts for high net worth individuals and institutions. He has represented leading law firms on international estate planning issues. A member of the working party which reviewed the Trusts (Jersey) Law 1984, he is also a member of the Foundations Law working party.

Closing Remarks & Close of Conference
Due to unforeseen circumstances and updated cases going through the court the programme may change and IBC reserves the right to alter the venue and or the speakers.
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