STEP - Society of Trust and Estate Practitioners

Association STEP Suisse-Romande

AN INTRODUCTION TO TRUSTS

Monday 17th and Tuesday 18th November 2008

Our annual 2 day training course will be held in Geneva in November 2008 in a similar format to previous years. The course is designed to provide practical instruction for persons working in the banking, financial, trust and fiduciary sectors in Switzerland. It will be of interest to people with relatively little or no experience of trusts, who wish to gain a more comprehensive knowledge of the subject.

The course will be run by experienced STEP members who will concentrate on the practical aspects of trust formation and administration. Comprehensive documentation will be supplied and there will be plenty of opportunity for participants to interact with the trainers and each other. The language of the course will be English but questions and answers may also be in French.

Dates: **Monday 17th November & Tuesday 18th November 2008**

Venue: **Swissôtel Métropole, 34 Quai Général Guisan, Geneva,**

Fee: CHF 1,500 per person for the complete course, including lunch and refreshments on both days. This will be reduced to CHF 1,250.- where 3 or more applicants register at the same time from the same company or institution.

Certificate: Participants who attend the whole course will receive a certificate of attendance.

Note: In order that full benefit can be obtained, participation will be restricted to the first 35 applicants who register and pay for their attendance. We shall operate a queuing system for unsuccessful applications.

It may be necessary to change a trainer at short notice.

Registrations may now be made, by completion and return of the attached form. Invoices will be issued.

Enquiries to: STEP Association Suisse Romande
mm@landmark-swiss.ch
Tel. 022 707 73 44
Fax. 022 700 55 23

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Please register
by email to mm@landmark-swiss.ch (please click)
or by fax to 022 700 5523

This is to confirm that wish to attend this course (please complete a separate form for each applicant).

....
Name:

....
Company Name and Address:

....

Telephone number: .... Fax:.................................

Email address: ....

Signature: ....

☐ Please send me an invoice

Please charge my: ☐ MasterCard ☐ VisaCard
and send me a confirmation / invoice (Please note that we cannot accept Amexco)

Card Holder's Name: ....Exp. Date: ....

Credit Card Number: ....

Clearing Number (last 3 digits on the reverse of the credit card): ....

Please note that the participant and his/her company will have joint and several liability for payment.

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Programme

Day one: **Monday 17th November 2008**

09:00 **Registration and Coffee**

09:30 **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

Speaker: **Stephanie Jarrett, Baker & McKenzie Geneva**

10:45 **Coffee**

11:00 **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

Speaker: **Stephanie Jarrett, Baker & McKenzie Geneva**

12:15 **Lunch**

13.45 **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
Information on rights of beneficiaries, settlors, heirs, etc.

Speaker: **Bernard Vischer , Schellenberg Wittmer, Geneva**

15:15 **Coffee**

15:30 **HOW TO BE A GOOD TRUSTEE**
Meaning and effect of a typical trust document
How to be a good trustee
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

Speaker: **Timothy Urquhart, Trust Consultant, Zurich**

17:00 **Close for the day**

Programme (continued)

Day two: Tuesday, 18th November 2008

09:00 **Registration and Coffee**

09:30 **TRUST JURISDICTIONS**
Does 'onshore' and 'offshore' still have any meaning?
What to look for in choosing your trust jurisdiction.
Use of Switzerland, Singapore, New Zealand, Delaware, Cayman, Bahamas, Jersey, Liechtenstein and some other traditional trust jurisdictions.

Speaker: **Xavier Isaac, Investec Trust (Switzerland)**

10:45 **Coffee**

11:00 **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

Speaker: **Chris Couzens, Barclay Trust (Suisse), Geneva**

12:30 **Lunch**

14:00 **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

Speaker: **Markus Heeb, Prime Advisory Group, Zürich**

15:15 **Coffee**

15:30 **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

Speaker: **Mark Barmes, Lenz & Staehelin, Geneva**

17:00 **Chairman’s Closing Remarks**