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November-December, 2021

WE PLAN, YOU PROSPER



Meri Punji
WE PLAN, YOU PROSPER



OFFSHORE DESTINATIONS FOR TRUSTS



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From the Editor's Desk

The most common use of offshore trusts is as part of the tax and financial planning of wealthy individuals and their families. The offshore trusts sound so foreign that most automatically assume they must be shady and illegal. However, this is not so. An offshore trust is much more than a fancy and costly will and it provides

- Increased Investment freedom
- Tax Relief
- Asset protection
- Estate planning

In this edition of Punji Times, for the benefits of readers we have compiled the following details about some jurisdictions where "Offshore Trusts" can be created

- Overview of the jurisdiction state
- Benefits that accrue in setting up an Offshore Trust in that state
- Documents required for setting up the trust
- Usage of the trust in those jurisdictions.

A word of caution - The listed benefits and requirements can vary with the type of trust being setup.

Best,
Team Meri Punji



Punji (*noun/Hindi*) - **Capital** meaning, wealth in the form of money or other assets owned by a person or organization or available for a purpose such as starting a company or investing.

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PANAMA



The Republic of Panama is a country located in the southeast of Central America, that unites South America with Central America.

It limits the North with the Caribbean Sea, the South with the Pacific Ocean, to the East with Colombia and to the West with Costa Rica. Its mountainous territory is only interrupted by the Panama Canal.

KEY STATISTICS

Capital	Panama City
Commercial Language	Spanish (Panama) , English
Currency	Panamanian balboa, United States Dollar
Exchange Rate	74.55 Indian Rupee
Population	42,50,000
Land Size	75,517 km ²
Climate	Climate is characterized as tropical maritime (Average 29 -35 degree Celsius)
Type of Government	Presidential representative democratic republic
Executive	President of Panama is both head of state and head of government .
Legislature	Legislative Assembly of Panama .

ECONOMIC DATA

Gross Domestic Product	6,680.08 crores USD (2019)
GDP Per Capita	15,731.02 USD (2019)
GNI Per Capita	30,690 PPP dollars (2019)
Gross National Income	13,030.34 crores PPP dollars (2019)
GDP Growth	3.0% annual change (2019)

Panama offshore trust is private & anonymous. Panama Trust provides privacy & confidentiality for its trustee, owners and beneficiaries and an outside entity can not pierce the Panama confidentiality shield inherent to Panama Offshore Trust.

Panama offshore Trust is only bound by its Panama bylaws. Panama trust is only bound by its own TRUST by laws.

BENEFITS OF PANAMA TRUST

- **Totally Foreign:** Foreigners can set up trusts with foreign beneficiaries and assets in other countries.
- **Confidential:** The law penalizes anyone associated with a trust who discloses confidential information without a court order or authority punished by 6 months imprisonment.
- **Privacy:** Since trusts are not registered with the government, the identity of the settlor, beneficiaries, and assets are never included in the public records.
- **No Taxation:** All assets located outside of Panama producing income or distributed to beneficiaries are completely tax free. However, U.S. taxpayers and anyone paying taxes on global income must disclose all income to their governments.
- **Estate Planning:** Trusts can have perpetual life for generations of heirs to enjoy.
- **Asset Protection:** All assets are protected from the settlor's and beneficiaries' creditors.

NAME OF TRUST

Every trust must include the word "Trust" at the end of its name so everyone knows what type of legal entity that are dealing with.

Trust documents and names can all be written in English.

REGISTRATION OF TRUST

Trusts do not have to register with the Panamanian government. The only exception is when Panama real property is a trust asset.

As soon as the trust deed is written and signed by the settlor, the trust becomes valid.

TRUST DEED

The trust deed is a legal contract between the settlor and the trustee signed by both of them in front of a notary public.

PARTIES IN TRUST FORMATION

Settlor	The person creating a trust is known as the "settlor". Settlers can be citizens of any country and reside anywhere. The settlor may be a natural person or a legal entity.
Trustee	Trustee is appointed to manage Trust's assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Like the settlor, beneficiaries do not have to reside or be citizens of Panama. They can reside anywhere. Beneficiaries may be natural persons or legal entities.
Protector	A protector protects the rights and interests of the beneficiaries. While not required in Panama, the appointment of a protector in the trust deed is an option..

PERPETUITY

The Rule against Perpetuity which prevents perpetual trust life spans was not adopted in Panama. Trusts can last forever in Panama.



ISLE OF MAN

Isle of Man, one of the British Isles, located in the Irish Sea off the northwest coast of England. The island lies roughly equidistant between England, Ireland, Scotland, and Wales. The Isle of Man is about 48 km long by 16 km wide, its main axis being southwest to northeast. It has an area of 572 square km. The island consists of a central mountain mass culminating in Snaefell 2,036 feet and extending north and south in low-lying agricultural land.

KEY STATISTICS

Capital	Douglas
Commercial Language	English, Manx
Currency	(£) (GBP)
Exchange Rate	1.38 USD
Population	84,655
Land Size	572 km²
Climate	Temperate Climate
Type of Government	Internally self-governing dependent territory of the British Crown
Executive	Lieutenant Governor is appointed by the Queen
Legislature	Tynwald Court

ECONOMIC DATA

Gross Domestic Product	749.2 Crores USD (2018)
GDP Per Capita	94519.42 USD (2018)
GNI Per Capita	91500.00 USD (2018)
Gross National Income	711.19 Crores USD (2018)
GDP Growth	2.2% annual change (2018)

The Trusts Act 1995 governs all Isle of Man Trusts. All matters and questions related to an Isle of Man Trust are determined by local laws and not other jurisdictions.

BENEFITS OF SETTING UP AND OFFSHORE TRUST IN ISLE OF MAN

- **No income tax for non-residents:** Non-resident Beneficiaries can benefit from a zero rate of tax for either distributed or undistributed income.
- **No capital gains tax, inheritance tax, gift tax or estate tax.**
- **There is no restriction on the accumulation of income.**
- **Privacy and confidentiality:** Under current legislation Isle of Man trusts are not required to provide information on public record.
- **The ability to appoint a 'Protector'** (such as a trusted professional advisor) to provide an additional layer of oversight for the Settlor and to provide further advice, if required.

NAME OF TRUST

All Isle of Man Trusts must select a unique name that is not similar to already existing trust names. In addition, the name of the Trust must end with the word "Trust."

USES OF TRUST

- **Income:** An Isle of Man resident trust has no liability to Manx tax, providing there are no Manx resident beneficiaries and no taxable Manx source income. Interest from Manx banking institutions is exempt from Manx tax if there are no Manx resident beneficiaries.



Only UK source income will be liable to UK income tax in the hands of the trustees. If a discretionary trust is set up and non-UK source income is accumulated rather than distributed, tax liabilities can be deferred until the income is paid out, and the income can benefit from gross roll-up.

- **Capital Gains:** Gains are calculated using UK Capital Gains Tax (CGT) principles. However, because the settlor is dead, no UK CGT will arise until such time as there is a capital payment to a UK resident beneficiary.

Thus taxation on trust gains can be deferred by delaying capital distributions from the trust, and trust capital can roll-up in a tax-free environment. Trustee gains are matched with capital payments when made, resulting in a CGT charge on a UK resident beneficiary @ 18%/28% currently, with a supplementary charge of up to 44.8% applying if there is a delay between the gains being realized and the capital payment being distributed and matched.

PARTIES IN TRUST FORMATION

Beneficiaries	The trust is established for the beneficiaries . These beneficiaries can be named or described by reference to a class of persons in the trust agreement. Beneficiaries can enforce the trust against the trustees, or their ownership against others.
Trustee	Trustees are expected to manage the assets placed within their trust within the terms of the trust's original agreement. Trustees must manage the trust with the best interests in the beneficiaries in mind. Therefore, trustees are required to be both fair and impartial when dealing with beneficiaries. These requirements are outlined in the Trustee Act of 2001.
Protector	In Isle of Man Trusts, protectors are optional, but often utilized. A protector should help trustees with guidance, and also check in with the beneficiaries and the settlor to let them know the trust is being administered for them with the best intentions in mind. Protectors should be qualified professionals or at least have a general understanding of the trust itself, like the settlor him/herself or a relative.
Settlor	Settlor is the person who settles the Trust.

TIME FOR FORMATION

Trusts can be formed very quickly and is set up once the trust deed is written and signed.

CHOICE OF LAW

Trustee Act 1961 – the principal piece of Manx trust legislation - deals with administrative matters such as investment powers of trustees, appointment and discharge of trustees and the powers of the court - modelled on the UK Trustee Act 1925, but it not identical.

DURATION

The statutory perpetuity period for trusts created after 2000 is 150 years and 80 years for trusts created before 2001, at the end of which the trust assets must vest as to interest.

COMPLIANCE

All international trusts shall be registered on the Register of International Trusts.



CAYMAN ISLANDS

The Cayman Islands, a British Overseas Territory, encompasses 3 islands in the western Caribbean Sea. Grand Cayman, the largest island, is known for its beach resorts and varied scuba diving and snorkelling sites. Cayman Brac is a popular launch point for deep-sea fishing excursions. Little Cayman, the smallest island, is home to diverse wildlife, from endangered iguanas to seabirds such as red-footed boobies.

KEY STATISTICS

Capital	George Town
Commercial Language	English
Currency	Cayman Islands dollar
Exchange Rate	0.011 Cayman Islands dollar
Population	64,948 (2019) World Bank
Land Size	264 km ² (102 sq mi)
Climate	Average weather (Tropical , hot and humid)
Type of Government	Parliamentary dependency under a constitutional monarchy
Executive	Governor
Legislature	Parliament

ECONOMIC DATA

Gross Domestic Product	\$4.571 billion (2018)
GDP Per Capita	\$70,956 (2018)
GNI Per Capita (PPP)	\$51,280 (2018)
GDP Growth	4.1% annual change (2018)

The Cayman Islands (/ˈkeɪmən/) are a self-governing British Overseas Territory in the western Caribbean Sea. The 264-square-kilometre (102-square-mile) territory comprises the three islands of Grand Cayman, Cayman Brac and Little Cayman, which are located to the south of Cuba and northeast of Honduras, between Jamaica and Mexico's Yucatán Peninsula. The capital city is George Town on Grand Cayman, which is the most populous of the three islands.

The Cayman Islands are considered to be part of the geographic Western Caribbean Zone as well as the Greater Antilles. The territory is considered a controversial major world offshore financial haven for international businesses

TRUST IN CAYMAN ISLANDS

The trust law of the Cayman Islands provides excellent asset protection features, and numerous trust companies are experienced and well-established. The Cayman Islands have strict bank secrecy provisions and no local income taxes. The islands are one of the most popular places for establishing Offshore Trusts.

The Cayman Islands is an offshore tax-free jurisdiction that has been an attractive place to do business for many years. Cayman is a British Overseas Territory, with an elected government and legal system rooted in the English common law. Cayman is the fifth largest financial center in the world, with world class lawyers, accountants, bankers, investment advisers, and trust administrators that can assist with the set-up, maintenance and management of your trust.

ADVANTAGES OF CAYMAN TRUST

- Asset Protection:** Due to the transfer of the ownership of the assets to the Trustee, the Trust assets may be protected from claims being made against it by the Settlor's future creditors.
- Tax Benefits:** The establishment of a Trust may create tax benefits for the Settlor and the Beneficiaries. There is no income tax or capital gains tax payable in relation to Trust assets in the Cayman Islands. There is also no inheritance/estate tax in the Cayman Islands which would apply upon the death of the Settlor.
- Estate Planning:** A Trust enables a Settlor to provide for his spouse or dependents during his lifetime and after his death. It also enables the preservation of family wealth and continuity of family business.
- Avoidance of Probate:** On the death of the Settlor, Trust assets will remain vested in the Trustee and dealt with in accordance with the Trust Deed. Therefore, there will be no need to obtain a grant of probate on the death of the Settlor.
- Flexibility:** The trust structure enables a settlor to tailor the Trust to meet his needs. The Trust may provide a fixed interest for each beneficiary or it may confer wide discretionary powers on the Trustee to distribute the assets to the beneficiary. The Trust may also include a power of revocation or amendment which may be vested in the Settlor or Protector.

NAME OF TRUST

The name of the Trust should be unique. Trusts must use the word "Trust" at the end of its name so third parties know it is a trust.



USES OF TRUST

- Preserving a family's wealth;
- Legally avoiding taxes like income, corporate, gift, inheritance, and estate taxes;
- Continuation of ownership and management of assets as the trust survives the settlor;
- Avoiding probate as the settlor's heirs succession structure takes place upon the settlor's death.
- Providing for aged parents, infant children, or persons of unsound mind;
- Estate planning as the assets are preserved for future generations of the beneficiaries heirs; and
- Pension plans for retired beneficiaries and their dependents.

TRUST DEED

The trust deed provides the rules and procedures as to how the trust operates. Trust deeds must be in writing.

Trust deed is a contractual agreement between the settlor and the trustee setting out the details of the assets to be deeded to the trust or trustee, the powers and duties of the trustee, identity of the beneficiaries and how they benefit.

PARTIES IN TRUST FORMATION

Settlor	A trust is a legally binding relationship created by a "settlor" who transfers assets (properties) to a third party . Settlers can be natural persons or legal entities located anywhere in the world .
Trustee	Trustee is appointed to manage Trust's assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Beneficiaries are the ones benefitting from the trust. They may be natural persons citizens of and residing in any country.
Protector	The settlor has the option to appoint a protector in the trust deed. The protector normally protects the interests of the beneficiaries and ensures that the trustee acts in their best interests and fulfills the purpose of the trust.

TIME FOR FORMATION

Trusts can be formed very quickly depending how fast the professional takes to write the trust deed.

CHOICE OF LAW

- The choice of law of Cayman Islands to govern the trust or a particular aspect of that trust is valid, effective and conclusive regardless of any other circumstances.
- The Cayman Islands trust law is derived from an amalgamation of common law and equity, English statute and local statute.

DURATION

- Ordinary non-charitable trusts governed by Cayman law may now exist for periods of up to 150 years.
- Trusts established for charitable or non-charitable purposes, or otherwise under the STAR legislation, may exist in

MALTA



KEY STATISTICS

Capital	Valletta
Commercial Language	English
Currency	Euro
Exchange Rate	88.06 Indian Rupee
Population	5,03,000
Land Size	316 km²
Climate	Mediterranean weather
Type of Government	Democratic Republic
Executive	President
Legislature	House of Representative

ECONOMIC DATA

Gross Domestic Product	1,498.94 crores USD (2019)
GDP PerCapita	29,820.60 USD (2019)
GNI Per Capita	42,770 PPP dollars (2019)
Gross National Income	2,149.78 crores PPP dollars (2019)
GDP Growth	4.9% annual change (2019)

Malta first permitted the creation of trusts in 1988 but the Trusts & Trustees Act (TTA), which came into force in 2005, created a streamlined and simplified trust regime that made Malta much more attractive to international clients by offering more flexibility and greater certainty.

BENEFITS OF TRUST

- **Foreign Owner:** Foreigner owners can create and control trusts.
- **No Taxation:** Trust income and distribution of assets to the beneficiaries can be totally tax free.
- **No Government Registration:** Trusts are not required to register with the government affording complete privacy.
- **Settlor Control:** The law allows trust settlors to retain powers to add, remove, and replace trustees, beneficiaries, enforcers and appoint professional investment advisers.
- **Estate Planning:** With a lifespan of 125 years, this is a perfect estate planning platform for many generations.

REGISTRATION OF TRUST

Trust are not required to register with the Malta government.

NAME OF TRUST

Trusts cannot select name the same as or closely resembling the names of other legal entities in Malta. Trusts must use the word "Trust" at the end of its name so third parties know it is a trust.

PARTIES IN TRUST FORMATION

Settlor	A trust is a legally binding relationship created by a "settlor" who transfers assets (properties) to a third party . Settlor's can be natural persons or legal entities located anywhere in the world .
Trustee	Trustee is appointed to manage Trust's assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Beneficiaries are the ones benefitting from the trust. They may be natural persons citizens of and residing in any country.

TRUST DEED

The trust deed provides the rules and procedures as to how the trust operates. Trust deeds must be in writing. Trust deed is a contractual agreement between the settlor and the trustee setting out the details of the assets to be deeded to the trust or trustee, the powers and duties of the trustee, identity of the beneficiaries and how they benefit.

DURATION

The lifetime of trusts can be up to 125 years.

PORTUGAL



Portugal, officially Portuguese Republic, Portuguese República Portuguesa, country lying along the Atlantic coast of the Iberian Peninsula in south-western Europe. Once continental Europe's greatest power, It's cold, rocky northern coast and mountainous interior are sparsely settled, scenic, and wild, while the country's south, the Algarve, is warm and fertile.

KEY STATISTICS

Capital	Lisbon
Commercial Language	English, Manx
Currency	Euro
Exchange Rate	1.18 USD
Population	10,295,909
Land Size	92,212 km ²
Climate	Mediterranean Climate
Type of Government	Unitary semi-presidential representative democratic republic
Executive	The President
Legislature	Assembly of the Republic

ECONOMIC DATA

Gross Domestic Product	23,878.51 Crores USD (2019)
GDP Per Capita	23,252.06 USD (2019)
GNI Per Capita	22,000 USD (2019)
Gross National Income	23820 Crores USD (2019)
GDP Growth	2.2% annual change (2019)

BENEFITS OF SETTING UP AND OFFSHORE TRUST IN PORTUGAL

- **Designed for Foreigners:** Offshore trusts laws were created for foreigners.
- **Tax Free:** All income generated outside of Portugal are free from every tax.
- **Privacy:** Offshore trusts laws were created for foreigners.
- **Confidential:** Trustees are required to keep all information regarding a trust confidential.

PRE REQUISITES TO SET UP TRUST IN PORTUGAL

- The trust must pass the three tests of certainty of intention, certainty of objects and certainty and identification of the beneficiaries;
- The settlor, the trustees, the beneficiaries and the assets settled by the trust must all be identified in the trust deed;
- The trust period must be specified.
- A power to accumulate income must be specified in the deed;
- The trust deed must stipulate a foreign proper law governing the validity, interpretation and administration of the settlement;
- The trust deed must set out the trustees powers of investment, the rights and obligations of trustees and the relationships between trustees and beneficiaries including any personal liability arising.

DOCUMENTS REQUIRED TO SET UP A TRUST IN PORTUGAL

KYC documentation to help you set up your trust:

- Clear certified copy of the main page of passport;
- Proof of residence
- Proof of occupation/profession
- Curriculum Vitae;
- Bank Reference Letter;
- Proof of source of funds/bank statements/ last Annual Tax Return, etc.

TAXATION AND TAX EXEMPTIONS AVAILABLE FOR OFFSHORE TRUST IN PORTUGAL

If taxable income should arise in Portugal, the tax is levied against the trustee because Portugal does not recognize a trust as a separate legal entity for tax purposes.

However, income derived from companies licensed under the Madeira Free Trade Zone laws are an exception as they are not considered Portugal tax entities.

All income derived outside of Portugal is completely tax free. This includes corporate tax, income tax, capital gains, tax, wealth tax, gift tax, estate tax, inheritance tax, and stamp duty.

WEALTH TAX

There is no wealth tax in Portugal. However, the identification number of bank accounts held abroad must be disclosed in the annual income tax return.

COMPLIANCE

All international trusts shall be registered on the Register of International Trusts.





MAURITIUS

Mauritius, an Indian Ocean island nation, is known for its beaches, lagoons and reefs. The mountainous interior includes Black River Gorges National Park, with rainforests, waterfalls, hiking trails and wildlife. Capital Port Louis has sites such as the Champs de Mars horse track, Eureka plantation house and 18th-century Sir Seewoosagur Ramgoolam Botanical Gardens.

KEY STATISTICS

Capital	Port Louis
Commercial Language	English
Currency	Mauritian Rupee
Exchange Rate	1.75 Indian Rupee
Population	12,70,000
Land Size	2,040 km²
Climate	Mild tropical maritime climate (Average 20-24 degree Celsius)
Type of Government	Parliamentary republic
Executive	President - Head of State
Legislature	National Assembly.

ECONOMIC DATA

Gross Domestic Product	1,404.84 crores USD (2019)
GDP Per Capita	11,099.24 USD (2019)
GDP Per Capita	26,840 PPP dollars (2019)
Gross National Income	3,397.58 crores PPP dollars (2019)
GDP Growth	3.0% annual change (2019)

Trusts in Mauritius are governed by the Trusts Act 2001. A trust can only be created by an instrument in writing, which should set out its object, subject, intention and the duties and powers of the trustees. A trust can be formed by a resident or non-resident of Mauritius.

BENEFITS OF MAURITIUS TRUST

- **Tax Planning** - A properly established trust may produce substantial savings in income tax, capital gains tax and inheritance tax/estate duty.
- **Avoiding Probate** - In common law jurisdictions the need to obtain a grant of representation (probate or letters of administration) before a deceased's estate can be wound up and distributed can cause delay, expense, unwanted publicity and upheaval.
- **Estate Planning** - Many settlors prefer to make complex arrangements for the distribution of their assets. They may wish to provide a source of income for a spouse or make provision for the education of children. A trust is a very convenient and flexible method of making such arrangements.
- **Protecting the Weak** - A trust allows a person to provide for those who may be unable to manage their own affairs such as infant children, the aged or persons suffering from certain illnesses.
- **Preserving Family Assets** - Preserving family assets against mismanagement or spendthrifts is a common motivation for establishing a trust. An individual may wish to ensure that wealth accumulated over a lifetime is not dissipated or divided up but is preserved as one fund. The fund can then accumulate further with provision for payments to members of the family as necessary, preserving some assets for later generations.
- **Flexibility** - Under the provisions of a discretionary trust, the trustees are given powers to determine the beneficiaries of both the capital and income of the trust, and the amounts that they are to receive.

The settlor will generally given the trustees guidance as to how they should administer the trust, both during the settlor's lifetime and after death, through a 'letter of wishes'. This letter can be varied from time to time during the settlor's lifetime to meet changing circumstances.

A discretionary trust can also include extensive investment powers to meet the requirements of international clients and it can hold all manner of assets. A discretionary trust can therefore provide a structure that is capable of rapid change as circumstances demand.



NAME OF MAURITIUS TRUST

Trusts should have a unique name.

A trust's name must end using the word "Trust".

TRUST DEED

The trust deed provides all of the required details regarding the parties, their rights and responsibilities, the assets, distribution of income and assets and other important terms and conditions.

PARTIES IN TRUST FORMATION

Settlor	A trust is a legally binding relationship created by a "settlor" who transfers assets (properties) to a third party. Settlers can be natural persons or legal entities located anywhere in the world
Trustee	Trustee is appointed to manage Trust's assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Beneficiaries are the ones benefitting from the trust. They may be natural persons citizens of and residing in any country.
Protectors	The Act allows for the appointment of a protector to provide advice and supervise the trustees. The protector owes a fiduciary duty towards the beneficiaries

DURATION

Most trusts lifetime is limited by the Rule Against Perpetuity where Mauritius sets at a maximum life of 99 years from the date of formation. However, an exception exists for a purpose trust which can have perpetual existence.

DOMINICA

Dominica is a mountainous Caribbean island nation with natural hot springs and tropical rainforests. Morne Trois Pitons National Park is home to the volcanically heated, steam-covered Boiling Lake. The park also encompasses sulphur vents, the 65m-tall Trafalgar Falls and narrow Titou Gorge. To the west is Dominica's capital, Roseau, with colorful timber houses and botanic gardens.



KEY STATISTICS

Capital	Roseau
Commercial Language	English
Currency	Eastern Caribbean dollar
Exchange Rate	0.037 East Caribbean Dollar
Population	71,808 (2019)
Land Size	750 km2
Climate	tropical rainforest climate
Executive	Head of State
Legislature	Parliament - The Senate and The House of Representative.

ECONOMIC DATA

Gross Domestic Product	58.24 crores USD (2019)
GDP Per Capita	8,110.57 USD (2019)
GNI Per Capita	12,250 PPP dollars (2019)
Gross National Income	87.97 crores PPP dollars (2019)
GDP Growth	3.6% annual change (2019)

BRIEF

In an effort to represent the Commonwealth of Dominica as a leading offshore financial center its government has undertaken a number of important measures to this end. One such measure is the enactment of the Dominica International Exempt Trust Act 1997 (Dominica Offshore trust).

The larger objective by design is to provide tax friendly legislation which attracts settlors to form offshore trust in Dominica. Provisions are in place to ensure the facilitation of such processes (offshore Businesses, Trusts, and Insurances) is streamlined and encouraging to investors in Dominica.

Under the Dominica Exempt Trust Act, a trust exists where property (real, tangible or intangible) is managed by a person, persons or groups (the trustee) for the benefit of another (the beneficiary). This trust is created by a settlor and is in the form of a legal title (trust instrument). The beneficiary can be defined by settlor whether or not yet ascertained or in existence; or can be any valid charitable or non-charitable purpose which is not for the benefit only of trustee.

Generally, Dominica Offshore Trusts are like regular onshore trust in that the nature and effect is the same; a settlor transferring assets onto the trustees to manage for the beneficiary.

EXEMPTIONS

In the case of Dominica, the law under which the International Exempt Trusts rules, allows for specific exemptions which benefit the beneficiary;

- Exemption from All taxes
- Exempt from exchange control
- Exemption from Stamp duties

BENEFITS

The Dominica Exempt Trust Act also provides laws with features that create an ideal environment for the establishment of trusts. These include:

- Protection from foreign judgment (which is non-enforceable) and exclusion of foreign laws
- Protection from forced heirship
- Confidentiality and privacy, closed registry
- Provisions for the creation of trusts for charitable, non-charitable, spendthrift purposes through recognition of purpose trusts
- Estate planning, protection of assets, wealth benefits and
- The rule against perpetuities shall not apply to international trust.
- A settlor can establish a spendthrift international trust in which the settlor is the beneficiary

TRUST APPLICATION

The application requirements are:

- A receipt from Accountant General for application fees paid
- A notice of the name and registered office of the Offshore trust
- A certificate from a solicitor certifying the Offshore trust upon registration is an international one

The application for a Dominica offshore trust must be handled by a government endorsed offshore service provider, whose fees are set accordingly.

HONG KONG



Hong Kong is located on the Pearl River Delta south of the Chinese province of Guangdong and the Chinese city of Shenzhen, surrounded by the South China Sea.

Hong Kong's major areas are the Kowloon Peninsula, which is connected with the mainland, the outlying mountainous Lantau Island, the smaller Lamma island, densely populated Hong Kong Island, plus more than 200 smaller islands. The territory is a major port city with an outstanding deepwater harbor.



KEY STATISTICS

Capital	--
Commercial Language	Chinese (Leah Siron)
Currency	Hong Kong Dollar (HKD)
Exchange Rate	1 HKD = 0.128726USD
Population	7,553,689
Land Size	1106 km ²
Climate	subtropical Climate (Average 25.5 degree Celsius)
Type of Government	Hong Kong is an autonomous Special Administrative Region of the People's Republic of China, except in defence and foreign affairs.
Executive	Head of State
Legislature	Hong Kong Special Administrative Region of the People's Republic of China .

ECONOMIC DATA

Gross Domestic Product	368.633 billion USD (2021)
GDP Per Capita	49,036 USD (2021)
GNI Per Capita	50,800 PPP dollars (2019)
Gross National Income	736,692 HKD (2020)
GDP Growth	-1.25% annual change (2019)

A Hong Kong Trust can be created with a settlor's declaration that a trustee holds property for the benefit of a specific person(s) or for a purpose. Then the settlor transfers the property to the trustee. This is basic English common law followed in the United Kingdom, its colonies and territories for centuries.

Hong Kong followed English common law and supplemented it with several laws like the Trustee Ordinance of 1934, the Perpetuities and Accumulation Ordinance of 1970.

PROVIDED GREATER POWERS FOR TRUSTEES TO

- appoint nominees, agents, and custodians [This allows trustees to appoint experts to assist with the management of assets which may be beyond the trustee's expertise];
- obtain insurance for trust properties against damage or loss caused by any events [In the past, trustees did not have the power to purchase insurance for the assets];
- have less restrictions for making investments [This provides greater discretion and powers for trustees to actively participate in trust investments]; and
- receive compensation when acting in a professional capacity. [Unless a professional trustee services company was hired, there was no mechanism to pay trustees for their time]

BENEFITS OF HONG KONG

- Foreign Owner:** The settlor can be from any country along with the beneficiaries and the trust properties can also be located in other countries.
- Tax Savings:** The trust can avoid inheritance tax, gift tax, wealth tax, transfer tax, and the beneficiaries can receive income and assets free of income taxes. However, U.S. taxpayers and others in countries taxing global income must report all income to their tax agencies.
- Asset Protection:** Trusts assets are beyond the reach of the settlor's and beneficiaries creditors.
- Probate Avoidance:** Trust assets can quickly pass to generations of heirs without disruptions, costs, and loss of confidentiality and privacy due to probate proceedings when assets are bequeathed by a will.
- Control:** Hong Kong trust laws allows settlors to retain substantial control over trust assets investments without jeopardizing the legality of the trust.
- Privacy:** Since trusts are not registered with the government, there are no public records about them.

NAME OF TRUST

Trusts cannot select name the same as or closely resembling the names of other legal entities. Trusts must use the word "Trust" at the end of its name so third parties know it is a trust.

USES OF TRUST

- a) Commonly used vehicles for wealth structuring.
- b) structuring wealth for Hong Kong individuals and families.
- c) It is also more common to establish private trust companies in these offshore jurisdictions. One reason for this is because offshore companies provide greater confidentiality
- d) Hong Kong does not have foundation law and foundations are not as commonly used as trusts for estate planning purposes. One reason for this may be because trusts have always been more widely used and recognized in Hong Kong.

TRUST DEED

The trust deed provides the rules and procedures as to how the trust operates. Trust deeds must be in writing.

Trust deed is a contractual agreement between the settlor and the trustee setting out the details of the assets to be deeded to the trust or trustee, the powers and duties of the trustee, identity of the beneficiaries and how they benefit.

WHAT IS FAMILY TRUST ?

In Hong Kong, there is a heyday of setting up a family trust in order to enjoy the maximum benefits associated with it, especially taxes. Now, families have been building their business as trusts just to preserve and manage their wealth so that their heirs can relish the benefits for centuries.

A trust is an arrangement whereby assets or properties are transferred from one person (the settlor) to another person (the trustee) to hold the property for the benefit of a specified list or class of persons (the 'beneficiaries').

WHY I NEED FAMILY TRUST ?

There are plenty of benefits for Hong Kong family trust formations, Unlike corporate vehicles, the lack of rigid, formal requirements for the creation and operation of trusts, and the tremendous flexibility of trust instruments make them uniquely useful for estate and succession planning beneficiaries.

There is tremendous flexibility of trust instruments, make them uniquely useful for estate and succession planning.

They offer some excellent benefits, especially for the Individuals who are changing, or planning to change, their domicile residence or citizenship. Families residing abroad who wish to dispose of their estate on death freely, and those seeking asset protection without recourse to a lengthy and expensive probate proceedings.

OBJECTIVE OF THE FAMILY TRUST FUND

- Charitable or philanthropic purposes
- Preserving the family business
- Family wealth management, protection, and consolidation
- Providing for underage beneficiaries and the surviving spouse
- Succession planning
- Avoiding probate.

FORMALITIES OF SETTING UP OF TRUST

- No minimum value of trust property
- No Hong Kong residency requirements
- No Hong Kong registration requirements
- No publicity





Belize City is a port city in the Central American country of Belize. It's divided into north and south sides by Haulover Creek, which opens into the Caribbean Sea. The manually operated 1920s Swing Bridge, a busy crossing point, links the two. On the north side, the Museum of Belize traces the country's history, with exhibits including Mayan artifacts.

KEY STATISTICS

Capital	Belmopan
Commercial Language	English
Currency	Belize dollar (BZD)
Exchange Rate	2 BZD = 1USD
Population	4,19,199
Land Size	35.67 km²
Climate	Tropical Climate (Average 25 .2 degree Celsius)
Type of Government	Unitary parliamentary constitutional democratic monarchy
Executive	Head of State
Legislature	Parliament - House of Representatives and a Senate .

ECONOMIC DATA

Gross Domestic Product	3.484 billion USD (2019)
GDP Per Capita	9,576 USD (2019)
GNI Per Capita	4,480 PPP dollars (2019)
GDP Growth	1.761% annual change (2019)

Belize International Trusts provide a relatively low cost and very flexible solution for a trust client.

In addition to their other features, Belize International Trusts offer particularly strong asset protection possibilities as well as wide-ranging freedom in the choice of a trustee.

Although it is possible to establish an international trust in several global destinations, Belize is of special interest because its laws provide better protection for the assets deposited under this figure.

An international trust established in Belize can be an effective way to protect your assets from confiscation. In the unlikely event of an asset freeze or bankruptcy filing, your assets deposited in the fund do not qualify for forfeiture because you do not specifically own them.

BENEFITS OF BELIZE TRUST

- **Foreign Control:** Foreigners create trusts for the benefits of other foreigners.
- **Tax Free:** Trusts and their beneficiaries pay no taxes. However, U.S. residents and everyone paying income taxes on global income must report all income to their governments.
- **Iron-clad protection from fraudulent conveyance:** The settlor's heirs and their heirs can enjoy 200 years of estate planning benefits.
- **Asset Protection:** Therefore, potential creditors have no recourse for accessing the assets. A Belize Trust is one of the few instruments that can help you escape current creditors in your home jurisdiction. Note that we will not help people hide assets from tax authorities. However, it can protect your assets against creditor seizure.
- **Settlor's Control:** The settlor maintains control with the trust deed, letter of wishes, and appointing a protector.
- **Protection from a Mareva injunction:** Let's say a creditor wins a judgment against you in your home country. It's up to the country where your trust is located to grant the creditor access to your trust assets. Some creditors can force a debtor-settlor or beneficiary to relinquish such assets by requesting a court to issue a Mareva injunction against the assets of the trust.
- **Protection from foreign judgments:** The International Trust Act has provisions to ignore and not enforce foreign judgments.
- **Ideal location:** Belize is considered by many to be a powerhouse jurisdiction for offshore trusts. This small island in the Caribbean has a thriving economy fueled by tourism and crude oil exports. It has its own banking system, a sound judicial history, and a stable political climate. As a member of the British Commonwealth, the official language of Belize is English.

NAME OF TRUST

Trusts cannot select name the same as or closely resembling the names of other legal entities in Belize. Trusts must use the word "Trust" at the end of its name so third parties know it is a trust.

USES OF TRUST

- Preserving a family's wealth;
- Legally avoiding taxes like income, corporate, gift, inheritance, and estate taxes;
- Continuation of ownership and management of assets as the trust survives the settlor;
- Avoiding probate as the settlor's heirs succession structure takes place upon the settlor's death.
- Providing for aged parents, infant children, or persons of unsound mind;
- Estate planning as the assets are preserved for future generations of the beneficiaries heirs; and
- Pension plans for retired beneficiaries and their dependents.

Letter of Wishes	Trust Deed
A Letter of Wishes is a separate document that's addressed directly to the trustee. The settlor can outline tasks that he or she wishes the trustee to manage as part of overseeing the trust. Anything that's included in the Letter of Wishes must be in line with the terms of the trust deed.	The trust deed provides the rules and procedures as to how the trust operates. Trust deeds must be in writing.
A "letter of wishes" may be executed by the settlor to provide instructions and guidance for the trustee. The letter may be amended during the settlor's lifetime.	Trust deed is a contractual agreement between the settlor and the trustee setting out the details of the assets to be deeded to the trust or trustee, the powers and duties of the trustee, identity of the beneficiaries and how they benefit.

PARTIES IN TRUST FORMATION

Settlor	A trust is a legally binding relationship created by a "settlor" who transfers assets (properties) to a third party . Settlers can be natural persons or legal entities located anywhere in the world .
Trustee	Trustee is appointed to manage Trust's assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Beneficiaries are the ones benefitting from the trust. They may be natural persons citizens of and residing in any country.
Protector	The settlor has the option to appoint a protector in the trust deed. The protector normally protects the interests of the beneficiaries and ensures that the trustee acts in their best interests and fulfills the purpose of the trust.
Trust Agent	The trust agent also handles the submission of the trust to the Belize Trust Registry. In most cases, the trust agent will be a different person from the trustee. However, it is possible to arrange for the same person to function in both capacities.

TIME FOR FORMATION

Once the Trust deed is written and executed, you are good to go.

CHOICE OF LAW

The choice of law of Antigua and Barbuda to govern the trust or a particular aspect of that trust, is valid, effective and conclusive regardless of any other circumstances.

COMPLIANCE

All international trusts shall be registered on the Register of International Trusts.

WHAT INFORMATION MUST BE PROVIDED TO THE TRUST REGISTRY

Only a fraction of the details related to the trust must be submitted to the Registry. Specifically, the name of the trust itself is part of the submission. The settlement date for the trust is also provided. The names of the trustee and the trust agent are also provided to the Registry.

CIVIL PROPERTY RIGHTS VS THE TRUST

The continental Civil law presumes that all the main component rights associated with a property must ultimately reside in one person – the owner. In Civil law, it is the owner of the property who holds the formal legal title to the property, can defend, dispose with, control and use the property, and can also enjoy all the profits and benefits from the property. He may delegate any of those rights temporarily to other persons, but ultimately all these rights reside with the owner. If a person lacks one or several of these characteristics in respect to a certain asset, s/he will not be considered a true owner of that asset.

QUALIFICATION FOR A BELIZE INTERNATIONAL TRUST

As defined by the Belize Trusts Act, an "International Trust" or "Offshore Trust" is a trust where:

- a. the settlor is not resident in Belize;
- b. none of the beneficiaries are resident in Belize;
- c. the trust property does not include any land situated in Belize;
- d. the law of Belize is selected as the proper law of the trust ; and
- e. in case of a purpose trust, the purpose or object of the trust is to be pursued or performed outside of Belize.

As opposed to domestic trusts under the Belize Trusts Act, which do not require a written form and official registration to be valid, International Trusts must be in writing, properly filed and registered with the Registrar of International Trusts in Belize.

The following information is registered and maintained by the Belize Registrar of International Trusts in respect to every International Trust:

- a. Name of the trust;
- b. Date of settlement of the trust;
- c. Date of registration of the trust;
- d. Name of the trustee;
- e. Name of the protector (if any);
- f. Name and address of the trust agent.

Purpose of the trust may also be stated in the application, but is not mandatory.

Notably, the Registry does not require the Trust Deed itself to be filed, neither does it require to reveal any details whatsoever about the settlors and beneficiaries of the trust, nor any information about the trust assets.

An International Trust is registered in Belize by means of the Trust Agent filing a specific application form and affidavit, following which the International Trust is issued with a numbered certificate of registration.

Cyprus, officially called the Republic of Cyprus, is an island nation in the eastern Mediterranean Sea. It is the third largest and third most populous island in the Mediterranean, and is located south of Turkey; west of Syria; northwest of Lebanon, Israel and the Gaza Strip; north of Egypt; and southeast of Greece.



CYPRUS

KEY STATISTICS

Capital	Nicosia
Commercial Language	Greek and Turkish
Currency	Euro
Exchange Rate	88.11 Indian Rupee
Population	8,76,000
Land Size	9,251 km²
Climate	Mediterranean climate (Average 17 to 31 degree Celsius)
Type of Government	Unitary presidential representative republic
Executive	Head of State
Legislature	Legislative power is vested in both the government and the parliament

ECONOMIC DATA

Gross Domestic Product	2,494.89 crores USD (2019)
GDP Per Capita	27,858.37 USD (2019)
GNI Per Capita	39,830 PPP dollars (2019)
Gross National Income	3,546.17 crores PPP dollars (2019)
GDP Growth	3.1% annual change (2019)

The procedure for establishing a CIT trust is straightforward and can be arranged in a relatively short period of time. The settlor and the beneficiaries must not be tax residents in Cyprus during the year proceeding the year of creating a CIT and at least one of the trustees must be a permanent resident of Cyprus.

BENEFITS OF CYPRUS INTERNATIONAL TRUST

- A Cyprus International Trust helps to protect assets from possible claims as well as to protect the interests of beneficiaries as the assets of a Cyprus International Trust are segregated from the settlor's funds.
- The activity of a Cyprus International Trust in Cyprus is regulated pursuant to the terms of the trust agreement/deed and is not limited by Law.
- The trust property may include all kinds of assets and property anywhere in the world.
- A Cyprus International Trust is subject to strict confidentiality. Any information or documentation may only be disclosed pursuant to a court order.
- There is no requirement for registration or publication of constitutional documents and financial statements of the Cyprus International Trust.
- A Cyprus International Trust is not subject to contest by the creditors of the settlor unless it is proven at court that the trust was set up to defraud such creditors. Such action may be initiated by the creditors within 2 years from the date of creation of the trust.

PARTIES IN TRUST FORMATION

Settlor	A trust is a legally binding relationship created by a "settlor" who transfers assets (properties) to a third party. Settlers can be natural persons or legal entities located anywhere in the world.
Trustee	Trustee is appointed to manage Trust's assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Beneficiaries are the ones benefitting from the trust. They may be natural persons citizens of and residing in any country.

DURATION

There is no maximum duration unless otherwise mentioned in the terms of the trust instrument.

REGISTRATION PROCESS

As the Cyprus International Trust must have at least one (1) Cyprus-resident trustee, it is the responsibility of the trustee to notify the relevant competent authority (Cyprus Securities and Exchange Commission, the Cyprus Bar Association or the Cyprus Association of Certified Accountants) fifteen (15) days after the creation of the Cyprus International Trust in order to lodge in the Cyprus Trust Registry. Any amendments that follow in relation to the trust must also be notified to the competent authority, not later than fifteen (15) days of such amendment.

Antigua is one of the 2 major islands that make up the Caribbean nation of Antigua and Barbuda. Ringed with coral reefs, the island is known for its many sandy beaches. Set along English Harbour, restored Nelson's Dockyard, which Admiral Horatio Nelson made his base in the 1780s, includes a marina and the Dockyard Museum.

ANTIGUA



KEY STATISTICS

Capital	Saint John's
Commercial Language	English
Currency	Eastern Caribbean dollar
Exchange Rate	0.036 East Caribbean Dollar
Population	98,729
Land Size	281 km²
Climate	Tropical Climate (Average 25 degree Celsius)
Type of Government	Unitary parliamentary representative democratic monarchy
Executive	Head of State
Legislature	Parliament - The Senate and The House of Representative.

ECONOMIC DATA

Gross Domestic Product	166.2 crores USD (2019)
GDP Per Capita	17,112.82 USD (2019)
GNI Per Capita	21,780 PPP dollars (2019)
Gross National Income	211.54 crores PPP dollars (2019)
GDP Growth	4.7% annual change (2019)

An Antigua International Trust is also called an “Antigua Offshore Trust” because the law makes it easier for foreigners to create a trust. An ideal legal structure for asset protection and estate planning for families residing outside of Antigua.

The Antigua Trust Act of 2004 governs the formation, activities, and dissolution of their trusts. The law applies to charitable and non-charitable (private) trusts. Private trusts can last up to 200 years or less if specified in the trust deed.

BENEFITS OF ANITGUA INTERNATIONAL TRUST

- **Foreign Control:** Foreigners create trusts for the benefits of other foreigners.
- **Tax Free:** Trusts and their beneficiaries pay no taxes. However, U.S. residents and everyone paying income taxes on global income must report all income to their governments.
- **Asset Protection:** An international trust may hold properties and other assets located anywhere in the world. While most trusts in other countries prohibit the inclusion of assets located in their countries, Antigua may permit the holding of assets located in Antigua by obtaining government approval..
- **Settlor's Control:** The settlor maintains control with the trust deed, letter of wishes, and appointing a protector.
- **Business Flexibility:** Unlike most countries, Antigua allows trusts to engage in all types of business activities.
- **Protection from foreign judgments:** The International Trust Act has provisions to ignore and not enforce foreign judgments. The Hague Convention on Trusts does not apply in Antigua and Barbuda.

NAME OF TRUST

Trusts cannot select name the same as or closely resembling the names of other legal entities in Antigua. Trusts must use the word “Trust” at the end of its name so third parties know it is a trust.

USES OF TRUST

- Preserving a family's wealth;
- Legally avoiding taxes like income, corporate, gift, inheritance, and estate taxes;
- Continuation of ownership and management of assets as the trust survives the settlor;
- Avoiding probate as the settlor's heirs succession structure takes place upon the settlor's death.
- Providing for aged parents, infant children, or persons of unsound mind;
- Estate planning as the assets are preserved for future generations of the beneficiaries heirs; and
- Pension plans for retired beneficiaries and their dependents.

PARTIES IN TRUST FORMATION

Settlor	A trust is a legally binding relationship created by a “settlor” who transfers assets (properties) to a third party. Settlers can be natural persons or legal entities located anywhere in the world.
Trustee	Trustee is appointed to manage Trust's assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Beneficiaries are the ones benefitting from the trust. They may be natural persons citizens of and residing in any country.
Protector	The settlor has the option to appoint a protector in the trust deed. The protector normally protects the interests of the beneficiaries and ensures that the trustee acts in their best interests and fulfills the purpo se of the trust.

TIME FOR FORMATION

Trusts can be formed very quickly depending how fast the professional takes to write the trust deed.

APPLICABLE LAW

The law of Antigua and Barbuda to govern the trust or a particular aspect of that trust, is valid, effective and conclusive regardless of any other circumstances.

DURATION

Trust may last a maximum of two hundred years.

COMPLIANCE

All international trusts shall be registered on the Register of Internationa Trusts.

LUXEMBOURG

Luxembourg is a small European country, surrounded by Belgium, France and Germany. It's mostly rural, with dense Ardennes forest and nature parks in the north, rocky gorges of the Mullerthal region in the east and the Moselle river valley in the southeast. Its capital, Luxembourg City, is famed for its fortified medieval old town perched on sheer cliffs.



KEY STATISTICS

Capital	Luxembourg City
Commercial Language	German, French and Luxembourgish
Currency	Euro
Exchange Rate	88.00 Indian Rupee
Population	6,14,000
Land Size	2,586 km²
Climate	Moderately continental climate (Average 29 -35 degree Celsius)
Type of Government	Presidential representative democratic republic
Executive	President of Panama is both head of state and head of government
Legislature	Legislative Assembly of Panama

ECONOMIC DATA

Gross Domestic Product	7,110.49 crores USD (2019)
GDP Per Capita	114,704.59 USD (2019)
GNI Per Capita	77,570 PPP dollars (2019)
Gross National Income	4,808.27 crores PPP dollars (2019)
GDP Growth	2.3% annual change (2019)

A Luxembourg International Trust offers foreigners a global reputable financial center along with an asset protection vehicle utilizing estate planning benefits. Foreigners may become the settlors, trustees, and beneficiaries. In addition, foreigners may establish international trusts to protect their worldwide assets.

The Trust Law of 2003 (hereinafter the "Law") established International Trusts just for foreigners. The Law allows the establishment of simple to sophisticated trusts for asset protection, efficient successions, tax efficiency, privacy, and family governance.

BENEFITS OF LUXEMBOURG INTERNATIONAL TRUST

- **Full Foreign Participation:** The Law was created for international trusts so foreigners may become the sole settlor, trustees, beneficiaries, administrators and all of the assets can be located in other countries.
- **Tax Exemptions:** Non-resident beneficiaries with all of the trust's assets located outside of Luxembourg are exempt from all taxation. However, U.S. taxpayers and all others paying taxes on global income must report all income to their governments.
- **Privacy:** Trusts do not register with the government assuring all information will not be made available to the public.
- **Fast Formation:** A trust deed may be prepared in one business day.
- **No Capital:** There is no minimum capital requirement. So, international trusts can be formed without any initial assets.

NAME OF TRUST

Every trust must select a name not being used by any other legal entities in Luxembourg. The name must end with the word "Trust" so third parties won't get confused with other types of legal entities.

REGISTRATION OF TRUST

International trusts are not required to register with the government.

TRUST DEED

The private agreement between the settlor and the trustee creating a trust is called the "Trust Deed". This agreement sets forth the types of assets in which the trustee will administer for the settlor on behalf of the beneficiaries. The Trust Deed must be signed by both parties in front of a Luxembourg public notary.

PARTIES IN TRUST FORMATION

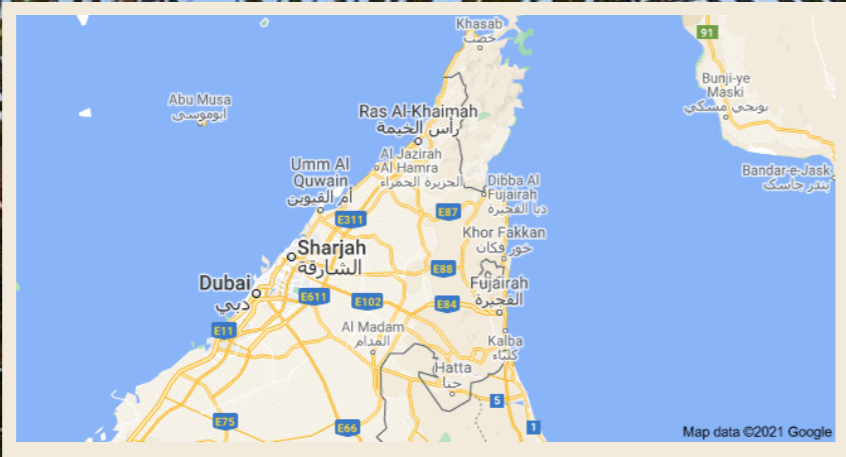
Settlor	The person creating the trust is called the "settlor". Settlers may be citizens of any country and may reside anywhere.
Trustee	The trustee is the person who can be an individual or a company who agrees to manage the assets on the settlor's behalf for the benefit of the beneficiaries. The Law creates an immediate fiduciary relationship between the trustee and the settlor and beneficiaries.
Protector	A protector protects the rights and interests of the beneficiaries. While not required in Panama, the appointment of a protector in the trust deed is an option.

PERPETUITY

As a general fact, a trust can be set up for up to 100 years in Luxembourg.

Ras Al Khaimah (RAK) is the largest city and capital of the Emirate of Ras Al Khaimah, United Arab Emirates. It is the sixth-largest city in UAE after Dubai, Abu Dhabi, Sharjah, Al Ain and Ajman.

The city is divided by a creek into two parts: old town in the west and Al Nakheel in the east. The name Ras Al Khaimah means “the headland of the tent”. It is reported that the city gained its named after a tent was erected there to facilitate navigation.



RAS AL KHAIMAH (RAK)

KEY STATISTICS

Capital	Emirate
Commercial Language	The official language of the UAE is Arabic, although English is widely used in business circles. A significant portion of the expatriate population also speaks Hindi, Urdu, Malayalam, Tamil and other languages of the subcontinent.
Currency	United Arab Emirates Dirham (AED)
Exchange Rate	0.04924 AED
Population	345,000, with 127,000 UAE nationals
Land Size	2,486 km ² (960 sq mi) and has 64 km (40 mi) of beach coastline
Climate	Desert Climate (Average Annual Temperature is 27.9 °C 82.2 °F)
Type of Government	Absolute monarchy - Sheikh Saud bin Saqr Al Qasimi (Ruler)
Executive	President , Vice President & Prime Minister
Legislature	Federal National Council

ECONOMIC DATA

Gross Domestic Product	35.1 billion AED
GDP Per Capita	69,958 (2019)
GNI Per Capita	70,300 (2019)
GDP Growth	2.5 per cent

RAK Offshore has been established by the Ras Al Khaimah Investment Authority (RAKIA), the government body responsible for the socioeconomic growth of the Emirate, to address the region's growing demand for offshore markets, while at the same time to boost the emirate's ongoing economic diversification program.

RAK Offshore also supports a wide selection of outsourcing companies, and offers several marine-related services, including an open registration facility for vessels and yachts from anywhere in the world.

BENEFITS OF RAK TRUST

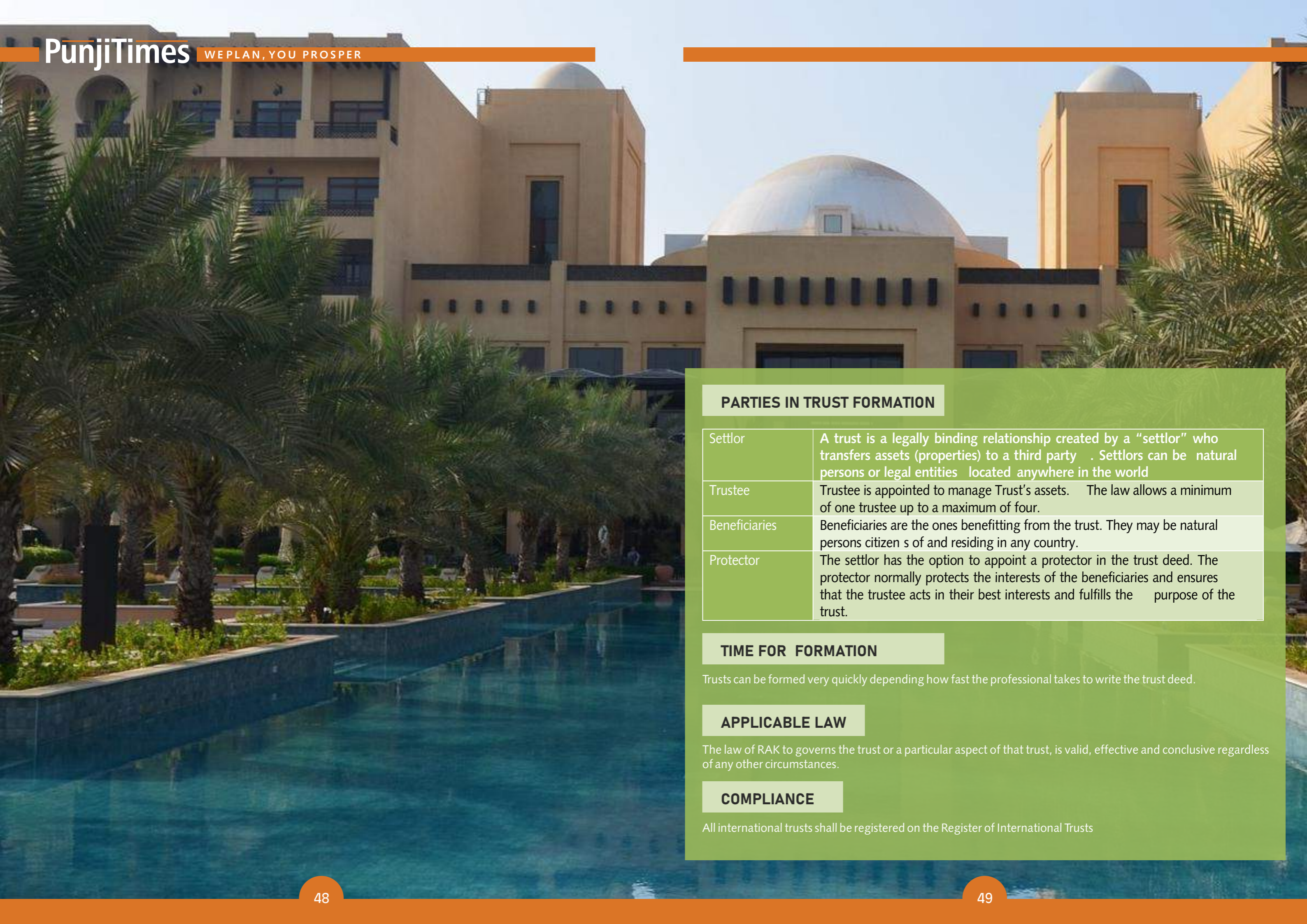
- **Discretionary Investments-** RAK Offshore is an independent overseas territory for international investors, with its own set of guidelines and authority named RAK Investment Authority (RAKIA).
- **Business Confidentiality-** Doing business in RAK offshore provides complete confidentiality and anonymity for the owner of the business. Confidentiality is yet another important benefit of operating in an offshore company in RAK. Investors, entrepreneurs and businessmen from all around the world strive for a company formation in RAK offshore mainly for this reason.
- **Taxation and Double Taxation Avoidance Agreement-** RAK offshore remains a 100% tax-free region. Tax-free atmosphere provide transparency for businessmen to engage in the business activity and gain complete returns. Furthermore, to benefit the foreign investors a tax treaty was signed among the countries named Double Taxation Avoidance Agreement, that allows international businessmen to avoid paying tax in the two countries, they transit with.
- **Asset Protection-** An offshore company in RAK offers complete asset protection with a strong and reliable platform for the investors in comparison to the domestic business structures. RAK's offshore asset protection allows foreign trustees to create a legal wall between the creditors and the assets secured within you offshore company.
- **Lawsuit Protection-** Lawsuit Protection in a RAK offshore company formation saves your possessions in case of legal allegations or judgments.
- **Other Benefits-**
 - ♦ Zero exchange controls
 - ♦ No double tax agreements
 - ♦ No restrictions on profit transfer
 - ♦ No restrictions on capital repatriation
 - ♦ No signed treatise that enable a foreign exchange of information
 - ♦ UAE is not on any 'blacklist' for tax havens
 - ♦ International visibility and exposure

NAME OF TRUST

Trusts cannot select name the same as or closely resembling the names of other legal entities in RAK. Trusts must use the word “Trust” at the end of its name so third parties know it is a trust.

USES OF TRUST

- Preserving a family's wealth;
- Legally avoiding taxes like income, corporate, gift, inheritance, and estate taxes;
- Continuation of ownership and management of assets as the trust survives the settlor;
- Avoiding probate as the settlor's heirs succession structure takes place upon the settlor's death.
- Providing for aged parents, infant children, or persons of unsound mind;
- Estate planning as the asset is preserved for future generations of the beneficiaries' heirs; and
- Pension plans for retired beneficiaries and their dependents.



PARTIES IN TRUST FORMATION

Settlor	A trust is a legally binding relationship created by a “settlor” who transfers assets (properties) to a third party . Settlers can be natural persons or legal entities located anywhere in the world
Trustee	Trustee is appointed to manage Trust’s assets. The law allows a minimum of one trustee up to a maximum of four.
Beneficiaries	Beneficiaries are the ones benefitting from the trust. They may be natural persons citizen s of and residing in any country.
Protector	The settlor has the option to appoint a protector in the trust deed. The protector normally protects the interests of the beneficiaries and ensures that the trustee acts in their best interests and fulfills the purpose of the trust.

TIME FOR FORMATION

Trusts can be formed very quickly depending how fast the professional takes to write the trust deed.

APPLICABLE LAW

The law of RAK to governs the trust or a particular aspect of that trust, is valid, effective and conclusive regardless of any other circumstances.

COMPLIANCE

All international trusts shall be registered on the Register of International Trusts

The British Virgin Islands (BVI) are located 60 miles from Puerto Rico in the North Eastern Caribbean. They consist of around 50 islands of various sizes (15 of which are inhabited), the main island being Tortola where the capital, Road Town is found. As it is a British Overseas Territory, the United Kingdom is responsible for its foreign affairs and defence but has no control over internal affairs. The Queen is its head of state and is represented by an appointed governor. Following the adoption of a new constitution in 2007, the island government is organised around the House of Representatives (formally the Legislative Council) from which the Executive Council (cabinet) is formed, headed by the Premier (formerly Chief Minister).



KEY STATISTICS

Capital	Road Town
Commercial Language	English .
Currency	United States Dollar (USD)
Exchange Rate	74.52727 USD
Population	30,030 (2019)
Land Size	153 km²
Climate	78 °F (26 °C)
Type of Government	Her Majesty's Government
Executive	Cabinet
Legislature	House of Assembly

ECONOMIC DATA

Gross Domestic Product	\$1.027 billion
GDP Per Capita	\$34,246 (2017 est.)
GDP Growth	3.2% (2017 est.)

British Virgin Islands trust law is based predominantly on English trust law, but has developed beyond English law to permit purpose trusts, extend the perpetuity period to 100 years and most notably to create the unique VISTA trust. The governing law is the Trustee Ordinance Act 1961 ("the Act") (most recently updated by the Trustee (Amendment) Acts of 2013 and 2015), and is supplemented by the Virgin Islands Special Trusts Act 2003 (the "VISTA legislation") (most recently updated by the Virgin Islands Special Trusts (Amendment) Act 2013).

Since the introduction of the VISTA legislation, it has been said by leading practitioners that the British Virgin Islands has the most modern and coherent trust legislation globally. Policies and legislation have been developed in close partnership with the private sector, and as a result respond well to the needs of business and demonstrate a sophisticated and cutting edge approach.

Trusts in the British Virgin Islands are exempt from registration under the Registration and Records Act and trustees are exempt from any reporting and filing requirements, ensuring a high degree of confidentiality. Protection for trusts is ensured by the requirement that companies carrying on trust company business must obtain a licence and conform to various requirements under the Banks and Trust Companies Act 1990.

ADVANTAGES OF BVI TRUST

- Restrictions /controls over the enjoyment of property
- Multiple enjoyment
- The holding, protecting and controlling of family property
- Asset protection
- Commercial transactions
- Overseas ownership of property while retaining beneficial enjoyment
- Strict confidentiality of the identity of the settlor, the beneficiaries and information relating to trust affairs.

KEY FEATURES OF BVI TRUST

- Common Law jurisdiction.
- Possibility for the settlor to leave on his death letters of wishes setting out how he/she would wish the trust to be administered.
- Anti-forced heirship rules.
- Possibility to accumulate income for any period during the duration of the trust.
- Trust instrument may contain power to vary terms of trust.
- No disclosure of the trustees' deliberations, the name of the settlors and the beneficiaries unless by a Court order.
- BVI Vista Trust are mainly used to hold shares of a BVI Company.
- Trusts not being void or voidable due to the insolvency of settlor or proceedings against him or latter being declared bankrupt. However, such trust may be void if the creditors prove beyond reasonable doubt that the intention of the settlor at the time of creating the trust was to defraud him. The onus of proof rests on the creditor and no request for setting aside the trust will be entertained after more than 2 years from the transfer or disposal to the trust.

DOCUMENTS REQUIRED IN SETTING UP A BVI TRUST

- Passport –notarized
- Proof of address.
- Bank reference
- Professional reference letter.
- Letter of wishes.

NAME OF TRUST

It is not necessary to register the legal entity with the Financial Services Commission or another Government institution.

A VISTA trust is used purely for the holding of shares in a British Virgin Islands International Business Company, and enables a trustee holding such shares to distance himself entirely from the management of the company in which the shares are held.

GOVERNMENT REGULATORY APPROVALS

None (except in the case of certain unit trusts).

TYPES OF TRUST

- Discretionary trust.
- Life interest trust.
- Charitable purpose trust.
- Non-charitable purpose trust.
- Bare trust (nomineeship).
- Unit trust.
- Pension trust.
- Employee benefit trust.
- Most of the above forms of trust can be set up as a VISTA trust (see below) or as settlor reserved power trust.

TRUST DUTY

Trust duty of US\$200.00 is payable on settlements and declarations
Bare trusts and charitable trusts are exempt.

TAXATION

Income tax is zero-rated in the BVI and there are no capital or inheritance taxes in the BVI. Specific exemptions from taxation are also contained in the Trustee Act.

TRUSTEES

Minimum of one trustee (corporate or individual).

Subject to special requirements for VISTA and non-charitable purpose trusts, trustees can be licensed BVI professional trustees, BVI exempt private trust companies, foreign corporate trustees or individuals (wherever resident).

PRIVATE TRUST COMPANIES PERMITTED

Under The Financial Services (Exemptions) Regulations 2007.

REGULATIONS OF PROFESSIONAL TRUSTEES

By the BVI's Financial Services Commission

APPLICATION OF THE RELEVANT PROVISIONS OF THE HAGUE TRUSTS CONVENTION

Application of the relevant provisions of the Hague Trusts Convention have been extended to the BVI by statutory instrument and many of these are reinforced by BVI statutory provisions dealing with conflict of laws.

ANTI-FORCED HEIRSHIP PROVISIONS AND PROVISIONS PREVENTING JUDGMENTS BASED BEING ENFORCED AGAINST TRUSTS

The Trustee Act contains robust, comprehensive and carefully crafted provisions protecting most BVI trusts (and dispositions to their trustees) from 'forced heirship' claims. These also prevent foreign judgments based on such claims from being recognized or enforced in the BVI.

SWITZERLAND



A landlocked country of towering mountains, deep Alpine lakes, grassy valleys dotted with neat farms and small villages, and thriving cities that blend the old and the new, Switzerland is the nexus of the diverse physical and cultural geography of western Europe, renowned for both its natural beauty and its way of life. Aspects of both have become bywords for the country, whose very name conjures images of the glacier-carved Alps beloved of writers, artists, photographers, and outdoor sports enthusiasts from around the world.

KEY STATISTICS

Capital	Bern
Commercial Language	English, German, French, Italian
Currency	Belize dollar (BZD)
Exchange Rate	Swiss franc (CHF)
Population	8,654,622
Land Size	41.285 km ²
Climate	moderateClimate (Average 2.2 degree Celsius)
Type of Government	Federalsemi-direct democracy
Legislature	Parliament Federal Assembly

ECONOMIC DATA

Gross Domestic Product	747.97 billion USD (20 20)
GDP Per Capita	67,557 USD (20 20)
GNI Per Capita	85,500 USD (2019)
Gross National Income	736.488 USD (2019)
GDP Growth	0.9 % annual change (2019)

The trust is a type of structure that can be used for the administration of wealth of various entities. Commonly, the trust is opened with the purpose of planning and administering the wealth of affluent families or of persons who have a high net worth value.

In order to protect the interests of the family members, the trust is used as a way through which a trustee (the person who administers the trust) can develop various strategies for the preservation of the respective assets or even increasing their value.

- the trustee must act in the best interest of the persons who are the beneficiaries of the trust;
- the trust is set up between a settlor, a trustee and the beneficiary (or beneficiaries);
- the settlor is the person who requests the foundation of a trust;
- the trustee can be a natural person or a legal entity acting in the name of the beneficiary;
- however, the manner in which the trustee handles the assets is done as requested by the settlor.

A trust is generally employed for managing the real estate properties of wealthy families or other types of assets, and it is especially designed with the purpose of creating asset protection strategies. Under this structure, the assets of wealthy persons are transferred into the possession of the trustee, but only with the purpose of administering the respective assets. It is necessary to know that under the Swiss legislation, the trust is not seen as a legal entity.

BENEFITS OF SWITZERLAND

- Political, Financial, Social and Economic Stability:** The stable political and economic environment of Switzerland makes it an appealing jurisdiction from an asset protection perspective, with the added benefit of attractive tax regimes for both companies and individuals.
- Banking Advantages:** Switzerland offers one of the strongest and most commercial banking centers in the world.
- Taxation of Trusts:**
 - Settlers and Beneficiaries are exempt from Swiss taxation as long as they are not considered to be Swiss residents.
 - A Swiss resident Trustee is not liable to Swiss income tax or capital gains tax on the assets held under management in a trust.
- Protection:** Under Common Law the Trustee is the owner of the assets and is required to administer the trust assets separately from his own assets. In the event of death or bankruptcy of the Trustee, the assets are not considered as belonging to the Trustee but are submitted to the trust's protection and held separately for the Beneficiaries.
- Confidentiality in Switzerland:** Switzerland is well known for its commitment to banking services, professional confidentiality and commercial competence.

NAME OF TRUST

Trusts cannot select name the same as or closely resembling the names of other legal entities.

A BASIC TRUST PRINCIPLE- SEPARATION OF OWNERSHIP

Before trust establishment	After trust establishment
Settlor: Legal and equitable owner	Trustee: Legal owner Beneficiaries: Equitable owner

GOVERNING RULES AND PROCEDURES

There is no Swiss substantial law on trusts. However, since the ratification of the Hague Trust Convention, Swiss and foreign settlors can establish a trust under the foreign law of their choice.

In addition, certain provisions of the convention were transposed into national law under the [Federal Privat International Law](#) Act.

The act gives the settlor substantial freedom to choose the law that will apply to the trust and if no such choice has been made, the law most closely connected to the trust will govern it.

RULES AND PROCEDURES GOVERNING FOUNDATIONS

The two legal form is used for charities is Switzerland is Foundations.

Swiss foundation law is primarily governed by [Articles 80 to 89bis of the Swiss Civil Code](#), which cover the establishment, organization and supervision of a foundation, as well as its modification and dissolution.

In short, a 'foundation' is a legal entity comprising a pool of assets irrevocably committed to one or more defined purposes. Once established, the foundation acquires full legal personality and therefore becomes the owner of the assets endowed for the particular purpose.

The founders – which can be a Swiss, foreign or even legal entity, and may include states or international organizations – can create a foundation by public deed or testamentary disposition.

In order to establish a foundation, the founders must contribute the assets, which must be proportionate to the foundation's purpose. Whether enough capital has been brought to the foundation to ensure its existence and the furtherance of its purpose will be verified by the competent supervising authority upon the constitution of the foundation.

According to the Federal Supervisory Board for Foundation, a minimum initial capital of Sfr 50,000 must be contributed. The foundation acquires legal personality once it has been entered in the commercial register.

TRUSTEE SERVICES

There is no Swiss substantial law on trusts and therefore no provision for a Swiss domestic trust. However a trust can be established under foreign law and, since 2007 when Switzerland ratified the Hague Convention, trusts are recognized as a legal structure.

In 2007, the Swiss Tax Conference issued circular No. 30 on the taxation of trusts for cantonal/communal income tax purposes and the Federal Tax Authorities issued a similar circular with respect to federal income tax.

Generally the trust itself is never subject to tax due to a lack of legal personality. Furthermore, trust assets and income cannot be attributed to the trustee or the protector.

Therefore, trust a Swiss resident trustee can manage assets without triggering a tax liability on the trust assets and income. However in certain cases Swiss residents will be liable to tax on the assets as well as the income.



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