INTERNATIONAL BAR ASSOCIATION CONFERENCES



IBA 20th Annual International Wealth Transfer Practice Conference:

The future of private wealth planning – more than just compliance?

2–3 March 2015
Claridge's Hotel, London, England

A conference presented by the IBA Individual Tax and Private Client Committee, supported by the IBA Family Law Committee and the IBA European Regional Forum

Working programme and list of participants

Headline conference sponsors

Guernsey International Finance Centre

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All speaker materials and biographies can be found at www.ibanet.org/conferences/conf603.aspx

Conference Co-Chairs
Leigh-Alexandra Basha *Holland & Knight, McLean, Virginia; Council Member, IBA Legal Practice Division*
Gerd Kostrzewa *Heuking Kühn Lüer Wojtek, Düsseldorf; Co-Chair, IBA Individual Tax and Private Client Committee*
Christopher Potter *Sete, Geneva*
Rashad Wareh *Kozusko Harris Duncan, New York; Senior Vice-Chair, IBA Individual Tax and Private Client Committee*

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Monday 2 March

All plenary working sessions will take place in the Ballroom

0800 – 1730 **Registration**
Ballroom reception

0830 – 0845 **Welcome from the Chairs**

0845 – 0915 **Data collection, law enforcement and personal privacy: should lawyers object, or join the enforcement team?**

FATCA and the OECD Common Reporting Standard will soon produce a financial X-ray of wealth and its owners around the world. Plans for public registers of private assets are underway in UK and Europe. Where will this lead in a world where votes are more widely distributed than money? What are the implications for property ownership and privacy? Lawyers implement rules, but should they also contribute to the public conversation on acceptable limits for public intrusion into private affairs?

Introductory speech
Richard Hay *Stikeman Elliott, London*

MOBILE TELEPHONES
Delegates are requested to ensure that mobile telephones and any other portable devices are switched off during the working sessions.

0915 – 1015	**The private client advisor in a changing world**

This panel will consider what clients want… and what advisors can provide. Is there a gap? Is the gap bigger than before? Will it get bigger? What can be done about it?

Panel Co-Chairs
Johannes Gasser *Batliner Gasser, Vaduz*
Christopher Potter

Panellists
Edward Buckland *Barclays, Jersey*
Jon Grouf *Duane Morris, New York; IBA Treasurer*
Richard Hay
Kathryn McCarthy *Consultant, New York*

1015 – 1045 **Coffee/tea break**
Ballroom reception

1045 – 1215 **FATCA in action – building an empire on which the sun never sets**

A practical, hands-on discussion of FATCA, the shifting compliance landscape, challenges, myths and misunderstandings faced when attempting to comply, and its multi-jurisdictional impact.

Panel Chair
Mark Osborne *Osborne Helman Knebel & Scott, Austin, Texas; Website Officer, IBA Individual Tax and Private Client Committee*

Panellists
Geoffrey Cone *Cone Marshall Ltd, Auckland*
Peter Cotorceanu *Anaford AG, Zurich*
Jennifer Smithson *Macfarlanes, London*
Rashad Wareh

1215 – 1330 **Buffet lunch**
Ballroom reception and Mirror room

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1330 – 1500

The future of private wealth planning: roundtable discussion

This roundtable discussion will take place in the Drawing room and the French salon.

With more wealth around the world and more laws than ever, private wealth planning is going through challenging times. What's new in your practice? Share with the audience your recent experiences and challenges. Among the topics to be discussed are: the expectations of private clients; the status of professional secrecy; the impact of the constant changes of laws; conflicts of interests; business development actions.

Roundtable Co-Chairs
Jérôme Assouline *Sekri Valentin Zerrouk, Paris; Treasurer, IBA Individual Tax and Private Client Committee*
Von Sanborn *Withers Bergman, New York*

Facilitators
Pablo Alvarez de Linera Granda *GTA VILLAMAGNA, Madrid*
Emily Deane *Turners, Grand Cayman*
Julie Gilbert *Jackson Hole Trust Company, Jackson, Wyoming*
Peter Cohen *Trident Trust, London*

1500 – 1530

Coffee/tea break
Ballroom reception

1530 – 1700

Tax, succession and family planning for same-sex couples – has marriage solved everything?

With the advent of same-sex marriages in many countries, the panel will consider whether same-sex couples can now receive equal treatment when it comes to succession, tax planning and starting a family as well as the breakdown of relationships. The emphasis will be on practical solutions for your clients as they move across borders, particularly where such marriages may not be recognised, and we will welcome (and expect) contributions from the floor on planning in your jurisdictions, so come prepared!

Panel Co-Chairs
Gillian Rivers *Penningtons Manches, London; Chair, IBA Family Law Committee*
Daniel Simon *Collyer Bristow, London; Vice-Chair, IBA Individual Tax and Private Client Committee*

Panellists
Jaqueline Julyan SC *5 St Andrews Hill, London*
Josh Rubenstein *Katten Muchin Rosenman, New York; Membership Officer, IBA Family Law Committee*
Dr Markus Zwicky *Zwicky Windlin & Partner, Zug*

1930

Conference reception and dinner
The Honourable Society of the Inner Temple
Inner Temple, London EC4Y 7HL

Keynote speaker
Judy A Smith *CEO, Smith & Company*

The evening will begin with an optional self-guided visit of Temple Church, which is currently hosting a special Magna Carta anniversary exhibit in the 'round', and is located next to Inner Temple Hall.

The tour will be followed by a drinks reception and then our gala dinner.

Ticket price: £85 per person, entry by ticket only and tickets are subject to availability.

Dress code: business suit.

Coaches will depart from the Davies Street entrance of Claridge's at 1900.

Return transport will be provided.

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Tuesday 3 March

0715 – 1730 **Registration**
Ballroom reception

0745 – 0845 **Family governance and the role of the advisor: breakfast roundtable discussion**

This roundtable discussion will take place in the Drawing room and the French salon.

What's happening in your jurisdiction around family governance? Are family charters and constitutions in regular use? How are they developed? What is usually included? What role does the advisor play? What are the biggest practical problems that you find in either the implementation or enforcement of these governance structures, and have you found any practical solutions? Come, listen, and contribute your thoughts on this interesting and developing area.

Roundtable Co-Chairs
James Paladino *South Dakota Trust Company, New York; Corporate Counsel Forum Liaison Officer, IBA Individual Tax and Private Client Committee*
Catherine Watson *McInnes Cooper, Halifax, Nova Scotia; Secretary, IBA Individual Tax and Private Client Committee*

Facilitators
Oliver Court *Macfarlanes, London*
Urs Feller *Prager Dreifuss, Zurich; Secretary, IBA Litigation Committee*
Dina Kapur Sanna *Day Pitney, New York*
Max Reiderer von Paar *Rubin Winston Diercks Harris & Cooke, Washington DC*

0845 – 0900 **Coffee/tea break**
Ballroom reception

0900 – 0915 **Welcome from the Chairs**

0915 – 1045 **Life insurance – The Swiss army knife for wealth planning**

One of the implements in the family advisor's toolbox is life insurance offering many advantages in many countries. This panel will explore some of those benefits including: solving the 'throwback tax' problem of foreign non grantor trusts, lowering the inheritance tax rate in some jurisdictions, creating tax free (or tax reduced) growth to be tapped into later, equalising estate values, providing liquidity, etc. In certain jurisdictions (namely civil law countries), life insurance can act as an efficient substitute to trusts, providing inheritance planning and protecting wealth from creditors. It will also look at onshore vs offshore policies and the various products offered: from term assurance vie to private placement. Come to your client meeting armed with this versatile tool – life insurance options.

Panel Co-Chairs
Leigh-Alexandra Basha
José Blasi *Monereo Meyer Marinel-lo Abogados, Barcelona*

Panellists
Raul-Angelo Papotti *Chiomenti Studio Legale, Milan; Membership Officer; IBA Individual Tax and Private Client Committee*
Gary Lee *Sterling Resources, Hingham, Massachusetts*
Joan Mir Melendo *Swiss Life, Madrid*
Jérôme Barré *Franklin Law Firm, Paris*

1045 – 1100 **Coffee/tea break**
Ballroom reception

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1100 – 1230

Borscht or fish and chips: wealth planning for private clients from Eastern and South-Eastern Europe

This session will look into the expectations, motivations and needs of private clients from Eastern and South-Eastern Europe, a region comprising a vast number of countries with some similarities, but also some striking differences. Particular attention will be paid to the structures which are typically used there for purposes of asset protection and estate planning. The panellists will explore the tax consequences resulting from the use of trusts, foundations and offshore entities and will compare the attitudes of the various countries towards confidentiality and the exchange of information between tax authorities.

Panel Co-Chairs
Kira Egorova *CJSC ALRUD Law Firm, Moscow*
Niklas Schmidt *Wolf Theiss, Vienna; Committee Liaison Officer, IBA Individual Tax and Private Client Committee*

Panellists
Balazs Bekes *Ryan Tax Service, Budapest*
Aldona Leszczynska-Mikulska *Wardynski & Partners, Warsaw*
Panagiotis Pothos *KG Law Firm, Athens*
Marek Prochazka *PRK Partners, Prague*
Oksana Voynarovska *Vasil Kisil & Partners, Kiev*

1230 – 1330

Buffet lunch
Ballroom reception and Mirror room

1330 – 1500

Brussels IV: is it for real?

Brussels IV, the Succession Regulation, will soon be upon us with implementation due from 17 August 2015. We've all now heard the theory but how in practice is it going to affect clients and practitioners? Specifically we will be looking at:

- Where are we now? Countdown to August 2015.
- All well in theory but will notaries, judges and national governments really accept it in practice?
- How do the 'EU refusenik' states fit in? And the rest of Europe and the world?
- What are we advising clients to do today with their wills/estate plans?
- Does it really mean that common law trusts over civil law assets and usufructs over common law assets could happen?

Panel Co-Chairs
Line-Alexa Glotin *UGGC Avocats, Paris*
Mark J Summers *Charles Russell Speechlys AG, Zurich*

Panellists
John Gill *Matheson, Dublin*
Manuel Liatowitsch *Schellenberg Wittmer, Zurich*
Dirk-Jan Maasland *Bluelyn BV, Rotterdam*
Andreas Richter *Pöllath + Partner, Berlin*

1500 – 1530

Coffee/tea break
Ballroom reception

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1530 – 1630

Trusts and foundations – just the same only different

This panel will start with the overview of the myriad flavours of trusts and foundations: silent trusts, VISTA trusts, STAR trusts, asset protection trusts, foreign grantor trusts, foreign non grantor trusts, directed trusts. Trusts and foundations are still useful and sometimes indispensable tools to manage private wealth. Although they are comparable in many ways, there are important differences which may make a structure that works in one jurisdiction entirely unmanageable in another. The panellists will discuss some of these aspects, such as acceptance of or the distrust towards trusts or foundations, differences in tax regimes, tax treaty status and compliance requirements.

Panel Co-Chairs
Bijal Ajinkya *Khaitan & Co, Mumbai; Scholarship Officer, IBA Individual Tax and Private Client Committee*
Gerd Kostrzewa

Panellists
Stacy Choong *Withers, Singapore*
Inbal Faibish Wassmer *Rosenberg Abramovich Keren-Polak Epelman Advocates, Zurich*
Gerd D Goyvaerts *Tiberghien Advocaten, Antwerp; Publication and Newsletter Editor, IBA Individiual Tax and Private Client Committee*
Daniel Lindley *Northern Trust, London*

1630 – 1700

Summary and committee business meeting

All delegates are invited to join the committee business meeting to discuss the planning of next year's London conference and other activities of the Individual Tax and Private Client Committee with its officers.

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