



# Offshore Tax Planning

## – A new era for UK derived business

**GILES CLARKE** is author of *Offshore Tax Planning* (LexisNexis Butterworths, forthcoming 15th edition) and general editor of *Spitz and Clarke: Offshore Service* (LexisNexis Butterworths loose-leaf).

**PHIL COLLINGTON** is a Senior Tax Manager in the Private Client Department of the UK firm. Phil moved into Personal Tax after reading Physics and Philosophy at Oxford and joined Rawlinson & Hunter in 2004. Phil specialises in providing tax advice to wealthy individuals and trusts, with a particular focus on issues of residence and domicile and involving offshore structures. Phil is a member of the Chartered Institute of Taxation.

**ROBERT LAING** currently heads R&H Trust Co (Jersey) Ltd's in-house tax department specialising in the management of trust structures with significant UK tax implications. Having trained as a solicitor, Robert embarked on his tax career in 1996. Prior to joining R&H Jersey in 2006, he spent 6 years as a Senior Tax Manager with Rawlinson & Hunter in London where he largely advised non-domiciled individuals in setting up tax-efficient structures.

**GRAHAM O'CONNELL** joined Rawlinson & Hunter in 1996 and is now a director with the firm. Having previously qualified as a barrister, he has extensive experience of offshore tax planning for high net worth individuals and trusts. Graham is a chartered accountant and member of the Chartered Institute of Taxation.

**ANDY SHARP** has more than 14 years' experience as an Inspector of Taxes handling cases of suspected serious fraud, avoidance cases and Revenue prosecutions. He was also the Hansard Group Leader at Liverpool Special Compliance Office. He has spent several years acting for a wide variety of clients including high net-worth individuals, professionals, companies and multi-national corporations. Andy has also worked for a leading international law firm as well as a city firm, but he is currently a director of his independent tax investigations firm, Specialist Taxation Services.

### Past attendees include:

Abacus Group Services UK Limited • AIB Jersey trust Limited • Anglo Saxon Trust Ltd • Artemis Trustees Limited • Baccata Trustees Limited • Bachmann Group • Baker Platt • BDO Stoy Hayward LLP • Bedell Cristin • Capita Fiduciary Group Ltd • Carey Olsen • Carleton Partners LLP • Caversham Fiduciary Services Limited • Churchill & Company • Cititrust (Jersey) Limited • Clifton Services Ltd • Close Trust Company Jersey Limited • Continental Financial Services Ltd • Crill Canavan • Deloitte • Dominion Fiduciary Services Ltd • EFG Offshore Limited • Equity Trust (Jersey) Limited • Ermitage Global Wealth Management Jersey Ltd • Ernst & Young LLP • Foxleigh Knight & Co Limited • Heritage Fiduciaries Ltd • Heritage Group • Hill Samuel Offshore Trust Co. Ltd • HSBC Investments (International) Ltd • HSBC Private Bank • Jersey Finance Limited • Jersey Financial Services Commission • John Jepps LLP • Law Officers Department • Lawrence Graham LLP • Le Gallais & Luce • Lutea Trustees Limited • Mourant & Co • Mourant du Feu & Jeune • Nyman Linden • Ogier Fiduciary Services (Jersey) Limited • Osiris Management Services Ltd • PricewaterhouseCoopers LLP • Rathbone Trust Company Jersey Limited • Rathbone Trust International • RBC Regent Tax Consultants • Smith & Williamson Ltd • Stonehage Trust Holdings (Jersey) Ltd • SunGard APSYS • The Key Trust Co Ltd • Tru-Est Ltd • Voisin & Co • Volaw Trust • Wilkins Kennedy • Zenith Trust Co Limited • Zurich Trust Ltd •

### Why attend this conference?

2008 has seen dramatic changes in the UK tax rules applicable to offshore tax planning. The headlines were captured by the new rules for non domiciliaries. But that legislation has also resulted in changes to the CGT capital payments code and to the rules applicable to individual residency.

The effect of the changes is that offshore trusts remain a vital tool in financial planning for non domiciliaries resident in the UK. They also continue to secure advantages for those who are both resident and domiciled in the UK. But as always the rules are complicated and must be understood if the hoped-for advantages are to be secured. Many traps exist for the unwary.

The expert speakers will cover all the current issues including:

- **The CGT remittance basis** and s 87
- **Trusts: 2009 rules, permanent establishment** issue and HMRC practice
- **Residency issues** including a review of *Wood v Holden*
- **Compliance** and the co-ordination between tax authorities

### Who should attend

This seminar is a vital update for professionals in the Channel Islands. It should be attended by **lawyers, accountants, private banks and all those who work with UK-based private clients.**

### Clarke: Offshore Tax Planning 15th edition

**Clarke: Offshore Tax Planning** provides practical analysis of the planning opportunities for investment offshore through analysis of anti-avoidance legislation, extended treatment of non-domiciliaries and an examination of existing offshore structures. The practical nature of this book makes it an invaluable guide for accountants, solicitors and financial advisers handling the affairs of private clients and privately-owned businesses while annual publication ensures it is both up-to-date and relevant.

In particular, the 15th edition:

- includes all changes from the 2008 Budget and Finance Act
- extensively revises the material on non-domiciliaries
- takes account of the new 18% CGT rate impacting offshore trusts.

**To order now, please call +44 (0)845 370 1234  
or Email: [orders@lexisnexis.co.uk](mailto:orders@lexisnexis.co.uk)**

Product Code: COT13 • ISBN: 9781405728751 • Price: £130.00 •  
Publication Date: November 2008 • Author: Giles Clarke, MA, PhD, FTII, Barrister



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## PROGRAMME – Thursday 2 October 2008

- 09.30 Registration and refreshments
- 09.50 **Chairman's welcome and opening remarks**  
**ALAN BINNINGTON**, *Director, Mourant*
- 10:00 **The new capital payments code for trusts**
  - Sections 87 and 87A
  - Supplemental tax
  - Transfers between trusts
  - Trustee borrowing
  - Offshore income gains**GILES CLARKE**, *Author, Offshore Tax Planning*
- 10:45 **The new remittance basis for non domiciliaries**
  - Consequences of a claim
  - £30,000 annual charge
  - When does remittance occur
  - Relevant persons
  - Mixed funds**PHIL COLLINGTON**, *Senior Manager, Personal Tax, Rawlinson & Hunter, Chartered Accountants*
- 11:30 Coffee
- 11:45 **Non domiciliaries and trusts**
  - Transfer of assets and the remittance basis
  - CGT remittance basis and s 87
  - Transitional exemptions
  - Rebasing elections
  - New rules for Offshore income gains**GILES CLARKE**, *Author, Offshore Tax Planning*
- 12:30 **Question and answer panel session**
- 13:00 Lunch
- 14:00 **Residency issues**
  - Individuals: day count rules, available accommodation, new midnight rule
  - Trusts: 2006 rules, permanent establishment issue, HMRC practice
  - Companies: *Wood v Holden* in perspective, practical issues**ROBERT LAING**, *Head of In-house Tax Department, R&H Trust Co (Jersey) Limited*  
**GRAHAM O'CONNELL**, *Director, Rawlinson & Hunter, London*

- 14:45 **Compliance and enforcement**
  - Co-ordination between tax authorities
  - Obtaining information from offshore jurisdictions
  - Section 20(8A) notices and banks
  - Exchange of information**ANDY SHARP**, *Director, Specialist Taxation Services*
- 15.30 **Question and answer panel session**
- 16.00 **Chairman's conclusion**
- 16.10 Close of conference

### What our offshore tax planning past delegates have said:

**'The conference exceeded my expectations in terms of content and relevance'**

Vivienne Phillips, Tax Manager, RBC Regent Tax Consultants Ltd

**'Informative and thought provoking'**

John Gamlin, Associate, Lutea Trustees Ltd

**'Excellent and topical subjects entirely relevant to my profession and well delivered'**

Michael Sampson, Managing Director, Zenith Trust Company Ltd

**'Excellent speakers, extremely knowledgeable, with clear concise deliveries'**

Samantha Venticinque, Senior Tax Manager, Ernst and Young

**'Very interesting and informative – comprehensive notes which I am sure will be of use in the office'**

Julie Baudains, Senior Administrator, Ogier

**'Useful technical update and signpost for future trends'**

Donald Reid, Director, Anglo Saxon Trust Ltd

### Chaired by:

**ALAN BINNINGTON** is a Mourant partner. He is a graduate of Cambridge University, was admitted to the English Bar in 1981 and qualified as a Jersey advocate in 1984. He is a member of the editorial boards of the Jersey Law Review and Spitz & Clarke's Offshore Service, one of Jersey's Law Commissioners and an Academician of The International Academy of Estate and Trust Law. With a background in commercial litigation he advises clients on behalf of Mourant Private Wealth assisting high net worth individuals in the structuring of their affairs.

### Can't attend the conference?

Why not purchase a full set of conference documentation for only £299

# Registration

Your priority booking code is:

You will need to quote this code to claim your early booking discount\*

\*The early booking discount is only available when you register before 8 August 2008

## Offshore Tax Planning: Jersey

Thursday 2 October 2008, L'Horizon Hotel, Jersey

### Payment details

**£649** + VAT (£113.58) = £762.58 per delegate for bookings received before 8 August 2008 – **SAVE £50!**\*

**£699** + VAT (£122.33) = £821.33 per delegate

**£649** + VAT (£113.58) = £762.58 per delegate for subscribers of WealthNet, Offshore Red and Private Client Practitioner\*

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### Forthcoming events

Should you require any further information on any of the events below, please tick the appropriate box and return to LexisNexis® Butterworths.

- Family Businesses: How to handle a Post-Arctic Attack**  
8 October 08
- Estate Planning for the Older Client – Lifetime and on Death** 14 October 2008
- Tax Planning for Trusts** 21 October 2008

### You can still benefit from the day – even if you can't make it!

Naturally, nothing matches the experience of coming to the conference, but if you really can't make it, you can still benefit by ordering a set of course papers. Available for £299, this will give you a permanent record of the subjects covered, which you can share with your colleagues.

To order call on 020 7347 3574 or return the booking form.

## Administration

### VENUE

The conference will be held at L'Horizon Hotel Jersey, further details will be confirmed in your joining instructions.

### FEE

Your one-day fee includes attendance, refreshments, lunch and course documentation. Full payment, including VAT must be received prior to the conference. Please post a cheque for the full amount with your completed registration form or complete the credit card payment details. Once payment has been received a VAT invoice/receipt will be issued.

### OUR CONFIRMATION OF YOUR BOOKING

All bookings will be acknowledged in writing within five working days of receipt and joining instructions (final conference details and a venue location map) will be emailed to delegates approximately two weeks before the event. Please telephone the Bookings Enquiries line immediately:

- if you have not received written acknowledgement of your booking within 7 days of sending it by fax, post or email or
- if you have not received your joining instructions five days before the event

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- Please call me to discuss my requirements in more detail.

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A certificate of attendance is available on request, following your attendance at this conference, as a record of your training and development.

### DOCUMENTATION SALE

Your notes will be dispatched within five working days after the event. Please call us if you do not receive your notes by two weeks after the event.

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A refund of fees will be made only for cancellations received in writing at least 14 days before the event (less a 25% cancellation fee to cover administration costs). No refunds will be made for cancellations received within 14 days of the event and failure to attend after confirming a booking will be subject to the same terms. We regret that the transfer of a booking to another event cannot be made but a substitute delegate will be accepted at any time before the event.

*This programme is correct at the time of going to press. However, we reserve the right to alter or cancel the programme due to circumstances beyond our control.*

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