



INSIDER

CELEBRATING
2015
YEARS

News and
Information
for Members
and Friends
of GGI

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Editorial

**Dear GGI Members,
Dear Friends,**

In March, Claudio G. Cocca and Peter Käser visited a number of GGI members in Asia. This once again emphasised that the strength of relationships within GGI, extensive personal contact and trust are all key factors that set GGI apart. The various GGI conferences are just one of many ways in which GGI members cultivate their relationships. This year's Latin America Conference is taking place in Costa Rica. The European Conference will follow shortly afterwards in Lausanne, Switzerland. GGI will therefore be celebrating its 20th anniversary in its home country. In May once again the Italian Business Summit will be held, this year in Florence.

This issue will once again report on recent events, including the Practice Group Chairpersons meeting in Zurich, Switzerland, and the GGI Easy-Meet in Bratislava, Slovakia.

In addition to news and success stories from GGI member firms, there are also a number of specialist contributions. Michael Wendler writes about the

introduction of a statutory minimum wage in Germany, Artur Plutowski imparts information on investment funds that might claim Polish CIT refunds, Merrill April shares 10 tips for employers when sending employees abroad, while Nicholas Birkenhauer warns all Kentucky employers that their non-competition agreements may no longer be valid. Armen Danielyan informs on the Russian banking system. On the Practice Group pages, we also start with two event reviews: Oliver Biernat writes on the ITPG Winter meeting in Marbella and Prof. Robert Anthony informs on the highlights of the Vibrant Gujarat Summit 2015. Brian Hatton gives a "Trust officer's view – trust letters of wishes". Last but not least, GGI member Henry Charles will be welcomed as new European Regional Chair of the Trust & Estate Planning Practice Group.

We wish you an enjoyable read and look forward to seeing you again at future GGI events.

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Disclaimer

The information provided in this INSIDER came from reliable sources and was prepared from data assumed to be correct; however, we neither accept liability for nor are we able to guarantee the content. This newsletter is produced solely for the internal use of GGI member firms.

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Diary

- **16-19 April 2015**
GGI Latin American
Regional Conference
San Jose – Costa Rica
 - **23-26 April 2015**
GGI European Conference
Lausanne – Switzerland
 - **14-16 May 2015**
GGI Developing
Leaders Conference
Las Vegas, NV – USA
 - **14-16 May 2015**
GGI Best Practices Conference
Las Vegas, NV – USA
 - **29-31 May 2015**
GGI Italian Business Summit
Florence – Italy
 - **11-14 June 2015**
GGI Leadership Forum
Eisenberg – Austria
 - **10-12 September 2015**
GGI Nordic-Baltic Meeting
Helsinki – Finland
 - **18-20 September 2015**
GGI German Speaking Chapter
Salzburg – Austria
 - **22-25 October 2015**
GGI World Conference
Boston, MA – USA
 - **03-06 December 2015 (TBC)**
GGI Asia-Pacific
Regional Conference
Hong Kong
- Please refer to our website
for actualised information
and additional events:
www.ggi.com, entry “Events”

TBC = to be confirmed

16 to 19 April 2015 in Costa Rica

GGI Latin American Regional Conference in San Jose

This year's Latin American Regional Conference will be held in San Jose, Costa Rica, from 16 to 19 April 2015, kindly hosted by GGI member firm Guardia Montes & Asociados. The Conference will be conducted in Spanish and will take place at the Hotel Marriot de Costa Rica with online translators into English for participants from other regions.

This is the 14th conference organised in the region and will also be a celebration of GGI's 20th anniversary.

The following interesting tours have been planned for the Tuesday and Wednesday before the Conference:

Tuesday – the Poás Canopy Tour – This is the most popular adventure tour in the mountains. The thrilling zip line experience takes place under strict supervision according to high safety standards. With 24 platforms in the major trees, an extraordinary trail has been designed above the canopy forest. The tour lasts approximately two hours and it's an adrenaline-filled exciting experience. With the help of highly qualified and professional guides, enjoy gliding through the treetops along 14 cables suspended high above the



Hotel Marriot de Costa Rica

jungle trails. This sensational adventure ends with a final glide down an impressive 1,980 foot cable. The service provider's professional team perform frequent quality control checks to ensure all equipment, platforms and cable installations are in good working order. In the knowledge that your safety is in good hands, all that remains is for you to enjoy this truly unforgettable zip lining adventure.

Wednesday – Irazú Volcano Tour – This tour offers the opportunity to see one of the most amazing natural won-

ders of Costa Rica. Soak up the beautiful views and scenery on the journey to the Irazú Volcano. You will also observe plantations in the area, growing crops such as carrots, onions, lettuce, potatoes and more. At the volcano, you will have a spectacular view of the enormous crater that has a lagoon with a mystical tone green surrounded by rock, set against a spectacular panorama landscape of the surrounding hills and valleys. On a clear day, you can have an unforgettable view of both the Atlantic and Pacific Oceans from the summit.



The Poás Canopy Tour



Irazú Volcano



La Paz Waterfall Gardens

A combination of presentations and interactive work will form the event's agenda. Dr Miguel Mantelli will update the audience on the latest developments and planned projects in the region.

Dr Miguel Mantelli and his team are very proud to have top-class speakers, including the Former Minister of Commerce of Costa Rica and the former Costa Rica Ambassador in China, Marco Vinicio Ruiz.



Costa Rica Country Club

Practice Group meetings will enable delegates to share expertise, experiences and ideas on a range of different topics. Presentations will be focusing on various subjects, such as transfer-pricing updates. Sub-regional meetings and workshops will take place on the Saturday.

In the afternoon, a sightseeing programme will allow delegates to network and meet in a relaxed environment at the La Paz Waterfall Gardens.

The conference will end with a dinner at the exclusive Costa Rica Country Club.

All conference documents (delegate programme, registration form and invitation) can be found on the GGI website (member login > events > Latin American Conference San Jose – Costa Rica).

For further information on this event, please contact Dr Miguel Mantelli by emailing mantelli@ggi.com.

23 to 26 April 2015, Switzerland

GGI European Regional Conference in Lausanne

Only a few weeks to go until this year's European Conference. More than 200 delegates from 36 different countries have already registered, which means the Conference is almost full.

Speakers include General Peter Regli, who was introduced in January's INSIDER, and Dr Benoît Dubuis.

Dr Dubuis brings almost 20 years of international experience in the field of life sciences, both in industry and in academic science management.

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Lausanne – the waterfront of Lake Geneva of the port of Ouchy

After training as a chemical engineer, completing his Ph.D. from ETH Zurich (ETH Medal 1995) and academic posts in Cambridge and Cranfield in the UK, he occupied various management positions in pharmaceutical companies, including Chemap, Ciba-Geigy/Novartis and Lonza.

Benoit joined the Ecole Polytechnique Fédérale de Lausanne (Swiss Federal Institute of Technology; EPFL) in 2000, as a licensing executive and adviser for the school management. He established the School of Life Sciences and served as its first Dean. He also launched the BioAlps organisation.

In 2004 he co-founded Eclasion, the first Swiss Life Sciences seed fund and incubator. In June 2013, he was appointed Executive Director of Campus Biotech Geneva and Development Director of the Wyss Center.

In addition to his appointments, Dr Dubuis is the President of the BioAlps association and of the Swiss Life-Sciences Network Inartis and serves on several Boards and Advisory Boards. He has also published numerous articles and books in the field of biotechnology, [life sciences and innovation](#).

In addition to the stimulating speakers, the Practice Groups will again be a major part of the event. On Thursday afternoon, the ITPG meeting offers an interesting programme with presentations on: the results of a comparison study on R&D tax incentives over the EU countries; the UK's new diverted profits tax: BEPS thought-leading or is the UK trying to go it alone?; the new OECD country-by-country-reporting – benefits and risks and an international case study with GGI members from various countries.

On Friday afternoon, two rounds



Dr Benoît Dubuis



Old town of Lausanne

of Practice Group meetings will take place, allowing delegates to attend two different sessions with experts.

Round one includes the following Practice Groups:

- Auditing, Reporting & Compliance
- Business Development & Marketing
- Corporate, Commercial & IP
- Global Political Economy & International Relations – Understanding the International Economic Order
- Labour Law
- Litigation & Dispute Resolution
- Private Equity & International Wealth Management

Round two includes the following Practice Groups:

- Debt Collection, Restructuring & Insolvency
- Immigration & Expatriate Services
- Indirect Taxes

- M&A
- Real Estate
- Trust & Estate Planning

GGI members should please look on the GGI intranet for the programmes of the individual Practice Group meetings. The fringe programme has been carefully put together and offers excellent opportunities for networking. Don't miss out and take advantage of this opportunity to attend the conference.

GGI members who have not yet done so, can register using the online registration tool at www.ggi.com (member login > Events). There are only a few spots left, which will be allocated on a first-come-first-served basis. The Conference programme is also available on the website.

29-31 May 2015 in Florence, Italy

GGI Italian Business Summit

GGI and Studio Sistini Grossi, GGI member firm, invite all GGI members to Florence, Italy, for the third GGI Italian Business Summit.

On the Saturday morning, the conference will be in a special venue where participants will be surrounded by artistic masterpieces from the Renaissance.

There is also a very comprehensive programme of extracurricular activities, including a "Made in Italy" cooking class, a shopping trip, a round of golf, a tour of Galleria dell'Accademia and a day trip to EXPO2015 in Milan.

Don't be fooled into think-

ing this will be a gentle, relaxing weekend. The work in Practice Group meetings on Friday afternoon and a comprehensive conference programme on Saturday morning are sure to stimulate the mind.

Register soon to ensure you do not miss the "A night under the bridge" dinner at Circolo Canottieri Firenze, which will open exclusively for GGI conference participants.

Please note that registration for this event should be completed directly with the host firm. All GGI members can download the registration form from the GGI Website.



Florence – Circolo Canottieri Firenze



Florence – Chiesa di Orsanmichele



Florence

6 to 8 February in Zurich, Switzerland

Practice Group Chairperson Meeting (PGCM) 2015

From 6 to 8 February, the 2015 Practice Group Chairperson Meeting took place at the Hotel Continental in Zurich. This annual event witnessed the gathering of the Global Chairpersons of the GGI Practice Groups, who are the core of GGI's professional activity.

The meeting started on Friday evening with a welcome dinner at Quaglinos, an elegant restaurant offering local products and wines near the Zurich Opera, the city's most famous theatre.

The Saturday session included productive discussions, focusing on taking advantage of the current assets of the GGI Practice Groups as well as exploiting new development opportunities. Each of the Practice Group Chairs attending this session had the opportunity to illustrate the developments occurring within their practice groups, suggest further projects and brainstorm ideas, all in a relaxed and friendly environment. Topics such as new goals of the practice groups, meeting frequency, communication tools and vision were also discussed, taking note of the different points of view provided by the international experience of the Practice Group Chairs.

The afternoon session also featured a presentation delivered by Dr László Tunyogi focused on EU institutions. Dr Tunyogi explained how knowledge on current European issues can help GGI members

to further improve their professional success and how this knowledge can benefit the practice groups. He also illustrated the European Monitor publication, published on the internal area of the GGI website every two weeks, which contains the last fortnight's EU news collected by GGI representatives in Brussels. It primarily uses information that is publicly unavailable, gathered in the corridors of EU institutions, as well as from internal material of research, financial and specialised organisations. The European Monitor also lists the "Your Voice in Europe" topics that are open for discussion and on which every GGI member can express an opinion. In this way, they can influence the decisions of the European Parliament.

After the meeting session, the programme continued with a sightseeing tour in the nostalgic "Classic Trolley", an old Tram carriage from San Francisco renovated as a touring bus. The Classic Trolley accompanied the Practice Group Chairs around the city, touching the heart of Zurich's history and ending its route at



Tour with a nostalgic "Classic Trolley"



Exchanging experiences

the Zunfthaus zur Zimmerleuten, one of the city's oldest venues, located along the Limmat River in the very centre of Zurich. All the Practice Group Chairs enjoyed the delicacies offered by this classy and renowned location as the event came to a successful end.

The 2016 Practice Group Chairperson meeting will take place between 5 to 7 February, and certainly promises to be another welcome opportunity for sharing and applying the experience of GGI members in order to further improve the professional opportunities offered by the alliance.



Exploiting new development opportunities in a relaxed atmosphere

6-8 March 2015 in Bratislava, Slovakia

“Revamped” GGI EasyMeet

Bratislava seemed a little sleepy when we first arrived. “It’s the school holidays,” the locals told us. “Everyone is away to spend some quality time with their families.” However, what happens when over 40 GGI junior professionals and associates converge in Bratislava for an EasyMeet? First, we woke the city. Secondly, we also got a most exciting weekend filled with making new and renewing old connections, treasure hunting, learning, interesting photo opportunities, and of course plenty of good food surrounded by a little history and culture.

Our “revamped” EasyMeet started early on Friday afternoon, with a welcome from Michael Reiss von Filski, GGI Global CEO, and Marian Augustin from GGI member firm AT Partners, k.s. AT Partners is a professional services organisation based in Bratislava that provides integrated solutions that draw on diverse and profound competencies in tax, audit and accounting consulting and assurance.

In an effort to ensure that everyone got to know each other early on in the weekend, we ran a Speed Networking session followed immediately afterwards by a Treasure Hunt all over the city. The guidelines for forming teams were that (i) you had to find a team that had someone you might not have had a chance to meet yet during the Speed Networking session and (ii) you could not be with someone from your company or your country. Of course, there were the few who managed to break the rules but on the whole the teams were fairly even. Nothing like the hint of a competition to bring out a competitive streak in everyone, although some spent perhaps too much time looking for photographs with “a random beautiful woman” and “a random beautiful man”. The winning team, “GGI Rockets”, was the most mixed team, the only one with GGI in the name, and

the only team to complete all the challenges for time deduction bonuses. In fairness, they were also one of the few teams to find real beautiful people as opposed to photographing themselves with models on advertising billboards.

There was a great buzz on Friday evening as we gathered for dinner at Hrad Restaurant on the grounds of Bratislava Castle. There were many opportunities to take photographs of the city at night as we walked from the coach to the restaurant and the views of the Castle up close and personal were also rather spectacular. When we finally got to the Restaurant, we were greeted with a traditional Slovakian welcome: salt with bread, accompanied with sparkling wine. Dinner was a buffet of many local traditional delights and some Sacher-Torte, which somehow managed to make its way across the border from Austria or was a very good imitation.

Saturday morning kicked off bright and early with Michael Reiss von Filski presenting a short talk on “How to Get Almost Anything from Almost Anybody – The art of conversation, persuasion and negotiation”. He did also cover how to set up the scene for when you need to renegotiate a raise with your manager, which was rather useful advice. Following on from the talk, Prof Dr Ivan Perlaki, who has over 40 years of experience in management consulting and management develop-



Intense Speed Networking session

ment, spoke about “Strategic Scenario Planning: How to Face the Current Global Crisis”. We wrapped up the meeting with a choice between Technical Presentations by the host firm and a Case Study Workshop run by Prof Dr Dirk Baur.

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Captivating talk on “How to get Almost Anything from Almost Anybody”

With all meetings over and done with, the group embarked on an adventure away from the city and across the Slovakian countryside. We had a private lunch in the wine cellar of a countryside restaurant, which was so gastronomically splendid that we had to enquire about the chef. Apparently, he had earned a couple of Michelin stars while working at another restaurant previously. Following on from lunch, we drove through a Small Carpathian Wine Trail and ended up in the Cervený Kamen (Red Stone) Castle, located above the village Pila some 30km northeast of Bratislava, surrounded by a beautiful forested landscape. This massive military stronghold was originally constructed as a part of a defensive castle chain spreading along the Small Carpathians that guarded the borders of the medieval Hungarian Kingdom. The current appearance of the castle is a result of radical Renaissance reconstruction in the wake of the Turkish military retreat

in the 16th-17th centuries. In recent decades, the castle underwent a lengthy restoration process, which resulted in its opening to the public in 1992. Rich collections of historical furniture from Pálffy estates, memorabilia from the anti-Ottoman wars and other items illustrate the lifestyle of the nobility in this part of Europe. We were led through the Castle room by room on a private tour, the highlights of which included some very interesting furniture in the gentlemen’s game room.

The falconry show immediately after the guided tour of the Castle was quite something else. Unfortunately it was very early in the season to see the likes of eagles and hawks swooping down from up high – the birds were still a little bit overweight after the winter – but we did see some rather scary owls, ravens and falcons. (No doubt the use of the word “scary” in this paragraph gives away the author of this article to all those present that afternoon, but



Falconry show - brave GGI members with owls



Preparation for the teambuilding – a Treasure Hunt all over the city



The winning team “GGI Rockets”

they would also agree that THAT raven was certainly the personification of pure evil.)

We closed off the EasyMeet weekend with a dinner in the very trendy UFO Restaurant atop of the Novy Most (New Bridge), with views across the river back towards Bratislava Castle and the whole of the city, plus a little bit of the windmill farm across the border in Austria. It was a very chilled evening in a very intimate setting. Certainly no better way to end an EasyMeet.

GGI is on the lookout for more cities in which to hold EasyMeets in the future. AT Partners has helped us very much in setting a high standard for our revamped format. We would love to hear from your firm if you are interested in hosting an EasyMeet. Please contact Linda Soriton at soriton@ggi.com for more information.

Bahamas

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**Gerardo
Acevedo**

WE WISH TO EXTEND A VERY WARM WELCOME TO OUR NEW DISTINGUISHED MEMBERS.



Bangkok – new member firm MBMG Group (from left to right): Paul Gambles, Usa Suwanchtree, Claudio G. Cocca, Janjira Sumanus, Peter Emblin



Jakarta – KAP Jimmy Budhi & Rekan, Registered Public Accountants (from left to right): Setyani Indrastuti, Francisca Fuanawan, Claudio G. Cocca, Julia Sugityo, Linda Uiharto

Claudio G. Cocca and Peter Kaeser travelled around Asia Personal contacts are key

Claudio G. Cocca, GGI's Founder and President, travelled around Asia for two weeks with Peter Käser, GGI Regional CEO Middle East/Africa/Asia, to meet (potential) new GGI members and visit existing members.

They visited Bangkok, Jakarta, Singa-

pore, Hong Kong, Shanghai and Beijing, gaining insights into the everyday working life of GGI members and discovering more about their latest projects, training, developments and activities. The GGI member firms were exceptional hosts.

After a 14-hour flight to Thailand, there

was only a short time to rest in Bangkok before the appointment with GGI member Dherakupt International Law Office Ltd. The long journey was quickly forgotten on the warm welcome at the impressive offices. In Bangkok, Peter and Claudio also visited future GGI member firm MBMG Group. They had the opportunity to meet all partners and admire the firm's modern offices.

They then travelled on to Jakarta, Indonesia, where they visited GGI member firms PT ASA Indonesia, KAP Jimmy Budhi & Rekan Registered Public Accountants and KIPP Rao, Yuhal & Rekan. A fascinating and inspir-

ing meeting was rounded off with a delicious Indonesian lunch.

The next stop was Singapore, where temperatures were a hot 36°C. A relaxed, informative meeting with GGI member Robert Yam from Robert Yam & Co. made the trip very worthwhile.

The duo then flew to Hong Kong, a bustling metropolis never fails to captivate. Peter and Claudio met up with GGI member firms Robertson Law Firm and Wong Brothers & Co. Certified Public Accountants. Frank Szeto and Ricky Wong were both excellent hosts. This was a brilliant opportunity to discuss this year's GGI Asia-Pacific Conference in Hong Kong, as well as to visit the hotel at which it will take place.

In Shanghai, the largest city in the world with 25 million inhabitants, GGI member Shimin Law Office also welcomed Peter and Claudio to their professional firm, which specialises in foreign investors and international clients in China.

The last destination of the Asia trip was the capital of China, Beijing, to visit GGI member Horizon Group, an accounting firm with more than 600 employees. President Peigang He and Tony Shao welcomed Peter and Claudio and took them on a guided tour of their new headquarters. As is the tradition in China, the pair drew Chinese characters in



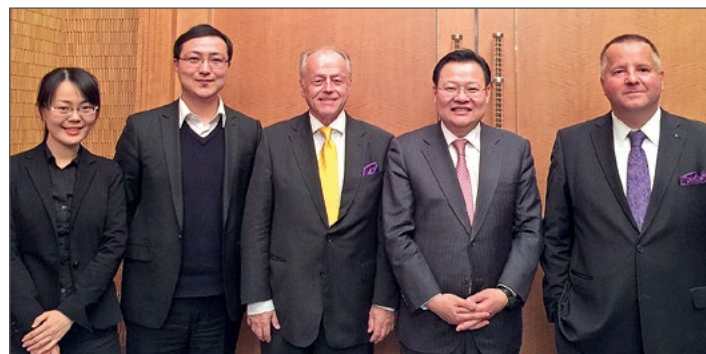
Singapore – Robert Yam & Co. (from left to right): Peter Kaeser, Robert Yam, Claudio G. Cocca



Hong Kong – from left to right: Ricky Wong, Wong Brothers & Co., Certified Public Accountants, Claudio G. Cocca, Peter Kaeser, Frank Szeto, Robertsons Law Firm



Beijing – Global Law Office (from left to right): Lawrence Guo, Claudio G. Cocca, Peter Kaeser, Christoph Köppel



Shanghai – Shimin Law Office (from left to right): Jiayun Huang, Yong Liao, Peter Kaeser, Shikun Gao, Claudio G. Cocca

a welcoming ceremony, which they both found very moving.

In Beijing, they also had the opportunity to visit potential member Global Law Office, which is one of the leading internationally oriented Chinese law firms. Christoph Köppel and Lawrence Guo introduced the firm to Peter and Claudio, discussing the future collaboration with GGI.

GGI sets itself apart through the personal relationships between GGI's management and its members, as well as between the members. The face-to-face contact, exchange visits and regular meetings as well as extensive communications between members and head office define GGI's culture, helping to build the strong foundation for the trusting co-operations.

Claudio G. Cocca comments: "The warm welcome we received from all GGI members on our trip was truly touching and inspiring. It is extremely rewarding to maintain contact with all GGI members and stay up-to-date on the latest developments. The friendly atmosphere at GGI and close personal contact set GGI apart from other organisations."



Beijing – Horizon Group (from left to right): Tony Shao, Claudio G. Cocca, Peigang He, Peter Kaeser, Christoph Köppel



Welcoming Ceremony – Claudio G. Cocca and Peter Kaeser drawing Chinese characters



Focus congratulates Kieffer · Stübben & Partner "TOP tax consultancy firm 2015" in Germany!

GGI member firm Kieffer · Stübben & Partner (KSP) is regarded as one of the TOP tax consultancy firms in Germany. According to the German magazine, Focus, KSP stands out for

its comprehensive expertise in the following fields:

- general tax consulting & tax returns
- human resources
- representation and enforcement

versus tax authorities, reviewing administrative deeds

- restructuring, reorganisation, bankruptcy

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- corporate succession
- restructuring, mergers & acquisitions
- inheritance, bequeaths, estate
- value-added tax consulting
- company and corporation tax
- company formation
- international tax consultancy
- management consulting
- auditing
- industry & production
- trades, real estate, building industry
- wholesaling & retail
- IT, media, the creative economy

Dr. Kieffer, one of the 4 KSP partners, comments: “We are delighted about the accolade, particularly as we can see that our firm’s values, such as trust, reliability and skills, have built the foundation of our success.

The way we have chosen to give individual advice to our clients, comprehensive support and development of customized solutions is bearing fruit. We also invest heavily in the further development of our employees and partners and

GGI member firm

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KSP Team, in the front from left to right: Dr Walther Kieffer, Dr Dirk Stübben, Ulrich Heers. The photo has been taken in K21 Dusseldorf (art museum, accommodating contemporary art)

are constantly looking for innovation.”

Focus presents the TOP tax consulting and auditing firms in Germany: The firms are listed based on 19 areas of work and ten segments across Germany. KSP convinced in 12 of 19 areas of work and 4 of 10 segments. The selection was made based on the frequency of recommendations by colleagues. A further evaluation criterion was the formal additional qualifications per area of work and segments which the firms can exhibit. The seal “Top Steuerkanzlei 2015” honours the high expertise of the firm in the le-

gal and special areas mentioned.

Frank Mertgen, assistant chief editor of Focus Money: “In this country we now have more than 92,000 tax consultants. Their clients are often spoiled for choice. Focus therefore has to identify the Top tax consultants and auditors. The best in their trade can be found in the latest Focus Spezial.”

What’s more, we give information on everything worth knowing around tax returns.

Kieffer · Stübben & Partner

Wirtschaftsprüfungsgesellschaft · Steuerberatungsgesellschaft

Merger with Polakoff & Michaelson, CPA, P.C.

Prager Metis CPAs, LLC

Expands New York Presence

GGI member firm Prager Metis CPAs, LLC, a top 100 public accounting and consulting firm with offices in the U.S. and London, announces the merger with

Polakoff & Michaelson, CPA, P.C., a boutique accounting firm based in New York City, which focuses on Family Office Service. The combined firms will offer a wid-

er breadth of services to family office entities and high-net worth individuals as well as accounting services. The merger is effective since January 2015.

Craig Michaelson is the Chairman and CEO of P&M, a firm founded more than 75 years ago. What sets aside P&M from other Family Office Service firms is that his team works very closely with their clients to learn about their lives and care for their issues. He says, "They are more than just clients, they're like our family." Michaelson also added, "We are thrilled to be joining such a dynamic firm with Los Angeles, London and New York offices, and their additional services and technological capabilities. They provide

the depth and scale that we were looking to provide for our clients."

"We are very excited with their addition of Polakoff & Michaelson," says Glenn Friedman, Co-Managing Partner and Partner-in-Charge of M&A for Prager Metis CPAs, LLC. "We wanted to expand our service capabilities by increasing our family office services. Polakoff & Michaelson's bring a tremendous breadth of experience as well as a shared value of hands-on client service. It is the perfect fit."

GGI member firm

Prager Metis CPAs, LLC

Auditing & Accounting, Tax, Advisory, Corporate Finance, Fiduciary & Estate Planning
Basking Ridge (NJ), Long Island (NY), Los Angeles (CA), New York (NY), White Plains (NY), USA
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David E. De Lorenzi named among Top 25 IP Attorneys nationwide

David E. De Lorenzi, Chair of the Intellectual Property Department at GGI member firm Gibbons P.C., has been named among only 25 intellectual property attorneys nationwide by the BTI Consulting Group in its 2015 BTI Client Service All-Stars Report. The newly released report is the comprehensive result of interviews with more than 300 senior legal officers and other executives overseeing the provision of legal services at companies with revenues of \$1 billion or more.

The top 25 attorneys were selected based on their innovation and thought leadership, proficiency and talent, and

their understanding of their clients' businesses and needs, as well as value and results. In particular, the ranked IP attorneys were noted for their deep insight into the complex connection between the business, technical, and legal issues their clients face. "There's a small but important trend of clients wanting to acquire more IP services from the single firm," says Michael Rynowecer of BTI. "One thing that stands out about these IP All-Stars is that they seem to have a little bit better understanding of that than most. They're very good at going back into their firms and putting together a team that fits perfectly for clients."

Mr. De Lorenzi, who has also been ranked among the world's leading patent practitioners by Intellectual Asset Management (IAM) for each of the last four years, has 25 years of trial court experience before federal courts nationwide and the International Trade Commission in all fields of intellectual property law, spanning a variety of technologies. The other half of his practice involves coun-



David E. De Lorenzi

seling clients on their strategic intellectual property development, acquisition, divestiture, and enforcement needs, and negotiating intellectual property transactions that accomplish those business goals. Mr. De Lorenzi's representative clients are in the life sciences, alternative energy, telecommunications, and consumer products industries.

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Commercial Court

Memery Crystal Obtains Successful Judgment

GGI member firm Memery Crystal obtained a successful judgment on a number of crucial preliminary issues in the Commercial Court last week acting for Japanese owned energy company, Idemitsu Petroleum UK Ltd, in a dispute with BG over Opex sharing. This dispute also involves Canadian energy group, Talisman Energy.

The case arose from the shared use of an FPSO vessel in the Ross Field and adjoining Blake Field and the basis on which operating expenditure was agreed to be shared between two fields.

Talisman and Idemitsu, licensees of the Ross Field, claimed that BG, the Blake Operator, has failed to pay over

£100 million, part of its share of operating expenditure. BG, on the other hand, denies this and claims that it has been overcharged by £35 million.

The case is likely to require two further trials to conclusion and some issues may end up in the Court of Appeal.

Memery Crystal's team was led by Dispute Resolution Partner Jane Marsden with Associate Ryan Lynch.

Jane Marsden commented: "This is an interesting example of the sort of disputes over expenditure which are becoming increasingly common in the North Sea. We anticipate more such disputes over expenditure, as fields become more marginal."

This successful judgment follows on from the Memery Crystal team winning the Litigation Team of the Year (The Lawyers Awards 2014) and the Dispute Resolution Team of the Year (The Legal Business Awards 2014). It marked the first time that a firm has won both awards in the same year.

Memery Crystal's Oil & Gas team is an industry-focused team across the



Jane Marsden

disciplines of the firm, led by dedicated industry specialists supported by partners from the Corporate Finance, M&A, Banking/Debt Finance and Dispute Resolution practice areas. Our lawyers are experts in a wide range of disciplines but all share a common theme – knowledge of and service to the Oil & Gas sector.

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2015 Family Wealth Report Tax Advice Award in New York

GGI member firm Cantor & Webb Wins Prestigious Award

The Miami, Florida based international tax and estate planning law firm of Cantor & Webb P.A. has received within the

Consultant to Family Office Categories, the Tax Advice Private Client Award at the 2nd annual 2015 WealthBriefing Family

Wealth Report Awards. Winners were revealed at the stunning Mandarin Oriental in New York on March 12, 2015, during a

gala event attended by 360 guests which honored exceptional wealth management firms and individuals in the US and Canada.

Showcasing the “very best operators” in the global private banking, wealth management and trusted advisor communities, the Family Wealth Report awards recognize high-quality service and achievement at both the institutional and individual level, at a time when the Canadian, US and indeed global wealth management arena is confronted by a raft of challenges and, of course, new opportunities.

Judges report that the winner of this award gave a clear illustration of how they manage the complex needs of their international clients, and offered a clear description of their positive interaction with leading authorities in the industry. Commenting on the firm’s win and recognition in the private client industry, managing partner Steven L. Cantor said: “We



Steven L. Cantor

are delighted to have been selected for this prestigious recognition which we feel is a testament to our dedication in providing world-class legal and tax services to our high net worth international private clients and our continued commitment to the profession.”

ClearView Financial Media’s CEO, and Publisher of Family Wealth Report, Stephen Harris, was first to extend his congratulations to all the winners. He said: “The firms who triumphed in these awards are all worthy winners, and I would like to extend my heartiest congratulations. These awards were judged solely on the basis of entrants’ submissions and their response to a number of specific questions, which had to be answered focusing on the client experience, not quantitative performance metrics. That is a unique, and I believe, compelling feature. These awards recognise the very best operators in the private client industry, with ‘independence’, ‘integrity’ and ‘genuine insight’ the watchwords of the judging process - such that the awards truly reflect excellence in wealth management.



FAMILY WEALTHREPORT AWARDS
TAX ADVICE
NEW YORK
2015
WINNER
Cantor & Webb



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Rantalainen Accounting Services Ltd

GGI member firm expands in Southern Finland

GGI member firm Rantalainen Accounting Services Ltd has purchased a group of 11 accounting offices in Southern Finland from Osuuspankki Bank. Following this acquisition, the Rantalainen Group covers 30 cities with a staff of 430 skilled professionals and a turnover of EUR 30 million. Senior Partner Ossi Sopen-Luoma

comments: “We have significantly strengthened our position in Finland and are now amongst the biggest accounting firms in the country, while remaining independent. Despite our size, we keep our entrepreneurial spirit and offer proactive, reliable service to build on our clients’ success.”

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Germany introduces a statutory minimum wage

By Michael Wendler

On 1 January 2015, the Minimum Wage Act (MiLoG) came into force in Germany, which fixes the minimum hourly rate at €8.50. Around 3.7 million workers in the low-pay sector will benefit from the new legislation, with their wages rising as a result. A statutory minimum wage is now in force across every sector of 22 of the 28 EU member states, with the exceptions being Austria, Cyprus, Denmark, Finland, Italy and Sweden.

In Germany, a nationwide statutory wage already applies to some sectors and industries, since a collective wage agreement was declared to be generally binding under the terms of the Employee Act (AEntG).

Most employees whose working conditions in particular industries or sectors come under a minimum wage collective agreement of this type may already be earning more than the €8.50 statutory minimum, but some collective wage agreements (which have already

been in force for some time) specify a lower minimum wage.

The legal entitlement to a minimum wage applies to anyone aged 18+ who works in Germany. It also covers foreign staff if they are working in Germany, irrespective of whether they are employed by a domestic or foreign company. However, the law also provides for a few exceptions.

The Minimum Wage Act does not contain any express regulation on which types of contractual or actually paid remuneration elements can be included when determining the minimum wage. In the past, the European Court has examined the potential inclusion in the minimum wage of variable remuneration elements paid in connection with wages.

The court found that variable remuneration elements could be included if they represented a consideration paid to remunerate the regular activity of the employee.

Inclusion of payments based on an entitlement to a minimum wage pur-



Michael Wendler

suant to a collective wage agreement depends on whether the additional elements of remuneration are equal in value in practical terms to the intent of the minimum wage, for example in the case of one-off payments made under the terms of collective wage agreements.

Conversely, elements of remuneration which pursue a completely different purpose and are subject to other provisions are not admissible for inclusion. This covers, for example, capital-forming benefits, compensation for rotating shifts, dirty work bonuses, overtime payments, night shift bonuses, Sunday and bank holiday work bonuses, danger money, time workers bonuses or quality bonuses.

Whether these basic principles as established by the European Court will actually apply to the statutory minimum wage remains to be seen. Since the law does not give any clear ruling, the courts may well have to decide this issue.

Employers are liable – regardless of culpability – as absolute guarantors, for the net amounts owed to their employ-



ees under the terms of the provisions covering the minimum wage. However, this does not apply to taxes and social contributions relating to minimum wages.

In future, the level of the minimum wage will be verified by a commission of parties to the collective wage agreement. When determining the minimum wage, the commission will take into account the development of collective wage tariffs in Germany. In the context of an overall assessment, it will investigate whether the minimum wage provides employees with appropriate minimum wage protection, allows fair competitive conditions and does not jeopardise employment. The legislation provides for an adjustment to the statutory minimum wage every two years.

With the introduction of the Minimum Wage Act, employers are subject to new record-keeping obligations. From 1 January 2015, they are obliged to record the start, end and duration of the hours worked by marginal employees (defined as “mini jobs”) within one week of the work being carried out and to keep these records for a term of two years.

In certain industries and sectors (e.g. construction, gastronomy, building cleaning, exhibition construction and the meat industry) the employer’s obligation to record working hours extends to include all employees. Over and above this, employers whose registered office is situated abroad must notify the German Head Office of Finance West of the job for which employees are being taken on prior to their employment.

Compliance with payment of the minimum wage and with notification and record-keeping obligations will be strictly monitored in future by the Financial Supervisory authorities for the prevention of black labour (undeclared work), a department of the German Financial Administration. The Minimum Wage Act provides for substantial penalties in the case of infringements.

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Investment funds in some countries may claim Polish CIT refunds

By Artur Plutowski

Last year the European Court of Justice (ECJ) issued a judgement in case DFA Investment Trust Company vs. the Head of Tax Chamber in Bydgoszcz (C190/12). Generally, the case concerned investment funds benefiting from exemption in income tax (CIT). In particular, it referred to whether such exemption may depend on where the registered office of the investment fund is located.

According to Polish regulations, investment and pension funds based in Poland are exempt from CIT. It is worth mentioning that in 2011, due to infringement proceedings initiated by the Euro-

pean Commission, Poland extended the scope of the exemption and included funds from other European Union (EU) member states and EEA member states (under some conditions). However, investment funds located in non-EU and non-EEA member countries still remained outside the scope of the exemption.

The case resolved by the ECJ concerned the U.S.-based fund that applied for refund of the CIT paid on dividends distributed in Poland, in both 2005 and 2006. DFA Investment Trust Company was managing Emerging Markets Series and claimed that the income tax paid was undue, and submitted a refund

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Artur Plutowski

application to the relevant tax authority. The tax authorities refused the refund and rejected the application. The core argument was that Polish regulations limit the scope of exemption to investment funds with registered offices in either EU or EEA member states.

The District Administrative Court in Bydgoszcz DFA Investment Trust Company requested suspended issuance of its verdict due to doubts regarding compliance of Polish limitation with the EU regulations and referred the case to the ECJ. By referring this case to the ECJ, the Court sought to resolve the following issue: is the EU regulation contradicted by provisions adopted by the EU Member State under which dividends received by investment funds established in the USA may not benefit from CIT exemption?

The ECJ issued judgement in which it stated that **a member state may not exclude from exemption dividends paid by companies with their registered offices in Poland to an investment fund located in a third state if an undertaking to render mutual administrative assistance exists between those two states.** However, the ECJ noted that it is the task of the national court to examine whether the contractual obligations between Poland and the country in which the foreign fund's registered office is located



actually allow Polish tax authorities to verify the information provided by the investment funds and to establish whether they carry out their business activities within a regulatory framework equivalent to the regulatory framework of the EU.

This judgement has substantial impact for investment funds based outside both the EU and the EEA that have received or will receive earnings from Poland.

Such investment funds investing in Poland may benefit from the Polish

CIT exemption provided that they meet requirements listed in Polish CIT, for example (i) shall be subject to taxation on their worldwide income, (ii) shall be supervised or (iii) their assets shall be kept by a depository.

Support is available to investment funds located outside the EU or the EEA, in countries such as Canada, Switzerland and the USA as well as in Asia, to review and analyse whether conditions listed in Polish regulations are met and if a particular fund may benefit from CIT exemption in Poland. If the outcome of the analysis is positive for any given investment fund, there is a refund entitlement. Assistance will also be provided to the claimant over the administrative process for claiming.

Please also note that the judgement may give basis for resuming proceedings in already concluded cases in which Polish tax authorities refused the refund of tax.

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10 Tips for employers when sending employees abroad

By Merrill April

Sending employees overseas to international offices is becoming increasingly common in today's business world. It is essential that the employee's contract reflects what is expected of him or her in their new role abroad, and specifies the

changes in line manager, salary, role, duration of role and other changes.

Before

1) Who should be the employer? – One of the first questions that needs to be asked is who should be the employer

when the employee moves to a foreign office. It could either be the current employer or, alternatively, the Host employer if there is a suitable entity in the destination country, e.g. a subsidiary or sister company. There will inevitably be an impact on tax and social security so that is likely to be a driving force in deciding on the right employer.



Sending employees overseas to international offices is becoming increasingly common in today's business world

2) The Employment Contract – Whether the employee is remaining with the current employer, or transferring to the Host employer, the employment contract will need to be amended.

An employee will expect continuous service with the current employer to be preserved and this needs to be stated in the contract to avoid disputes. This is extremely important because it offers the employee protection from unfair dismissal and gives them the right to a redundancy payment, dependent on their service. Unilateral change cannot be forced on behalf of the employer, so all the changes need to be skilfully negotiated.

3) Key terms included in either the variation or the new contract – It is essential to specify the duration of the employee's assignment abroad in their contract.

E.g. If the employee has a fixed term in the new country - "you will be based in Australia for a fixed term of 24 months."

E.g. If the employee is based in the new country indefinitely - "you will be based in Australia for an indefinite term."

E.g. If the employee is based in the new country on a fixed term with a notice period - "This arrangement will be terminable by either party giving to the other not less than [3] months' written notice."

E.g. Does the employee have the right to return to the UK when his assignment is terminated? This will need to be clarified - "It is expected you will return to x's London office at the end of the 2 year period."

Should there be a "probationary"/trial period?

You know your employee but you do not know how they will adjust to life in a new country. Therefore, it is sensible

to write a trial period into the contract. e.g. "subject to a formal review after the first [x] months it is intended you will be based in Australia from 1 July for a period of 24 months."

During

4) Management during the assignment – It is imperative that the employer considers how local customs and laws in the host country will affect the employee's work.

Hours – The hours of work may be different in the new country and the employee will be expected to follow local practice.

Holidays – The public holidays may be slightly different in the new country. An employer needs to decide who will authorise the holidays; will it be the normal line manager or the boss in the new country?

Cultural Issues – An employee who is transferring from London to the People's Republic of China may need some cultural norms/expectations incorporated into the contract.

Reporting – An employer needs to decide who the employee will report to when working the new country.

Grievance and disciplinary issues – An employer needs to state who the employee should go to in the event of a grievance issue; will it be the normal line manager or the boss in the new country?

Training – An employer needs to decide whether their employee is subject to continuing professional development obligations. They also need to decide whether these obligations can be suspended when working in the new country

and, if they cannot, will this involve them travelling back to their original workplace to fulfil training obligations?

Clawback Provision – An employer needs to consider what happens if an employee moves to a competitor firm once he arrives in the new country. If appropriate clauses are drafted into the contract it will be possible to retrieve some of the costs of moving the employee to the new country. If there are no clauses in the contract, this will not be possible.

5) Remuneration and allowances/benefits – The employment contract needs to explain the changes in salary and payment that will commence once the employee is working in the new country.

Is the current salary simply converted into the currency of the new country or will there be some new arrangement?

Is the pay period exactly the same? Will it change to weekly or monthly?

What exchange rate will be used?

Is there a provision to review the exchange rate? E.g. every 6 months. "And a new exchange rate will be applied to the conversion if the exchange rate moves by 10% either way".

Housing

An employer needs to consider what the position will be with housing

Whose responsibility is it to find accommodation?

Whose responsibility is it to pay for accommodation?

Insurance (Health/life)

Will London schemes cover this or will this need to be replaced with a local equivalent?
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The level of cover of insurance also needs to be documented in the contract.

6) Tax Reimbursement Policy – An employer must carefully consider, and make clear in the contract, any changes in tax procedures that will occur when working in the host country.

Will the employer deduct the tax in the source country?

Will the employee be paid gross and have to account for their own tax?

Is there a promise that the employee will be no worse off than if they were working in the UK?

e.g. Tax equalisation / tax neutral position.

If the employee is removed from UK payroll and transferred to a new country, what will happen to their national insurance contributions? It may be possible to make voluntary contributions – this is not a matter for the contract but it may be something your employee may expect advice on.

It must be completely clear who is paying what and when.

Does employee know what they will get at the end of 1st month and subsequently?

Is the employee clear what their responsibilities are?

Is the employer offering tax return services to the employee?

7) Liability and Insurance (Tax is not the only liability!) – As an employer, you have a duty not to expose your employee to unnecessary risk.

An employer needs to consider exactly what risks their employee will be exposed to, whether the premises are safe to work in and, if the employee is required to go onto sites to assess other projects, what health and safety measures will be in force onsite.

Although risk-assessments are crucial for an employer, they should be considered on a case by case basis. For example, there is no need to risk-assess a scheduled flight from London to New York.

Example: This is a case where an employer was accountable for the fatality of an employee. The employee moved to the Peruvian office of his firm. Whilst working, he and some other colleagues



Merrill April

were taken to visit a site in the Peruvian mountains in a helicopter. Unfortunately, the helicopter crashed mid-flight into the mountains and all the workers on board died. The accident could have been prevented had the employer ensured that the correct health and safety checks were carried out. The employer was responsible for their employee's safety and was liable for the accident.

8) Regulatory Issues – Is there a need for accreditation with the competent new country's authorities?

- If so, what is the process?
- How long will it take?
- Who is responsible?

You don't want to find that the employee cannot work in the new country after all.

Ensure your employee is fully briefed as regards to the Bribery Act and other relevant legislation in the Host country.

After

9) Termination – This is an extremely important part of the contract to consider. Indeed, the greatest number of disputes arise in this area. The employer needs to make clear in the contract whether the assignment is ending or whether the employment is ending.

If the trial period doesn't work and the employee is pulled back to the UK,

it needs to be clear what will happen to the employee's family. For example, if the employee has young children, will they be able to finish their school term before moving back to the UK?

The employer needs to make clear in the contract what would happen if the employee's contract is terminated during the assignment, for example, if the employee was made redundant.

The employee may have accrued rights in the host country, as well as having UK employment rights. Both of these will need to be adhered to in order to avoid unfair dismissal claims.

Compromise and settlement agreements may well be needed in two jurisdictions with two sets of advisers.

10) Repatriation (a type of Termination) – If the employee is to return to his original employer, it is essential that his contract specifies what is to happen. For example, is the employee to return to their former role, or a different role?

The parties will need provisions dealing with post-termination obligations to assist e.g. with the recovery of money from tax authorities.

Conclusion

Why is it important to have an assignment contract? It is essential to have an assignment contract when an employee works abroad. Firstly, the contract will help to manage your employee's expectations and assist their understanding of the move. Secondly, the contract will help to reduce the likelihood of disputes. Thirdly, the contract will help to allocate and, in some cases, to contain costs.

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Kentucky Employers Beware:

Your Non-Competition Agreements May No Longer Be Valid

By Nicholas Birkenhauer

Kentucky courts have always strictly construed employee non-competition agreements against employers and in favor of employees. This means that any ambiguities, or other questions, in a non-competition agreement will be resolved in favor of the employee. For this reason, it has always been important for Kentucky employers to pay careful attention when drafting non-competition agreements. This is even more true today, in the wake of a 2014 Kentucky Supreme Court case which significantly altered the requirements of employee non-competition agreements in Kentucky. In *Charles T. Creech, Inc. v. Brown*, 433 S.W.3d 345, (Ky. 2014), the court held that “continued employment” is no longer adequate consideration for employees who are required to sign non-competition agreements. The case marks a significant shift from prior Kentucky case law.

Charles T. Creech, Inc., a provider of hay and straw to farms throughout Kentucky, employed Donald Brown as a driver, dispatcher, and salesman. In 2006, after being employed for sixteen years, Brown was asked to sign an agreement containing non-competition and non-disclosure covenants. Brown did not receive any additional monetary consideration for signing the agreement. Shortly thereafter, Brown was transferred from his position as a salesman to the position of dispatcher, which arguably constituted a demotion due to the decrease in responsibilities



Nicholas Birkenhauer

and customer contact. Two years later, Brown resigned and accepted a sales position with a competitor, Standlee Hay Company. After learning that Brown had contacted some of its existing customers, Creech sued Brown and Standlee in the Fayette Circuit Court, seeking damages and injunctive relief.

On appeal, the Court of Appeals upheld the validity of the non-competition agreement, finding that because Brown had remained employed for two years after signing the non-compete, the agreement was supported by adequate consideration. In so holding, the Court of Appeals was simply reaffirming the long-established rule in Kentucky that continued employment is sufficient consideration for such an agreement. In a surprising move, however, the Kentucky Supreme Court went on to reverse the decision of the Court of Appeals, finding that the agreement

lacked consideration and was thus unenforceable. The court rejected the employer’s argument that continued employment, standing alone, is sufficient consideration to support a non-competition agreement.

The court conducted a lengthy analysis of the two cases relied upon by Creech, *Higdon Food Service, Inc. v. Walker*, 641 S.W.2d 750 (Ky. 1982) and *Central Adjustment Bureau, Inc. v. Ingram Associates, Inc.*, 622 S.W.2d 681 (Ky. App. 1981). The court distinguished those two cases by noting that the “common thread” between Higdon and Central was that after the non-compete agreement was signed, “the employment relationship between the parties changed.” Creech, 433 S.W.3d at 354. In the case before it, however, the court noted that Brown’s employment relationship with Creech remained stagnant after he signed the agreement and throughout his remaining two years with the company. Brown remained an at-will employee, and he did not receive a bonus, a promotion, a wage increase, or specialized training. “In short,” the court concluded, “Brown received no consideration from Creech in exchange for signing the Agreement or after he signed the Agreement. Therefore, the Agreement is not enforceable.” Creech, 433 S.W.3d at 354.

While the court did not adopt a bright-line test for determining whether sufficient consideration exists in such a case, the court did consider several factors which it found relevant in that analysis:

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1. The length of employment both before and after signing the agreement;
2. Whether the non-compete is part of a larger employment contract setting forth other terms and conditions of employment;
3. Whether the employee is threatened with termination for failure to sign the agreement;
4. Whether the employee's at-will status changes at some point after signing the agreement; and
5. Whether the employee receives monetary consideration or some other benefit after signing the agreement, such as a bonus, raise, promotion, or access to specialized training.

See generally Creech, 433 S.W.3d at 353-54. As these factors indicate, the analysis of this issue is highly fact-intensive, and will vary case by case. There is no bright-line rule.

While Creech probably raised more questions than it answered – questions which will have to be sorted out by the trial courts – one take-away from the case is clear: Kentucky employers can no longer rely on continued employ-

ment, standing alone, to support their non-competition agreements.

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Russian banking system 2015:

Between sanctions and prospects

By Armen Danielyan

Today Russian economy shows all signs of slowdown and upcoming crisis with lowering oil prices and foreign economic sanctions tied to geopolitical tensions as main factors lying at the root of it.

Introduction of the US and EU sanctions against major Russian banks and oil companies banned middle- and long-term debt financing for the periods of more than 30 days. Another pressure point was major rating agencies' lowering foreign currency sovereign credit ratings on Russia and its regions to speculative grades with a negative outlook. The direct effect of all these measures was the reduced supply and the increased cost of foreign currency borrowing in the money market.

Still the key questions are (1) to what extent the imposed sanctions influence the current state of Russian banking system and (2) what are the banking

system prospects assuming the retention of sanctions through 2015.

(1) To what extent the imposed sanctions influence the current state of Russian banking system – Analysis of the performance of banks included in the original sanctions list shows that the sanctions had no material adverse effect of the operations of those banks till September 2014. According to the Bank of Russia statistics their total assets rose by 18.0% during the period. The banks significantly reduced the volume of transactions with non-residents and focused on the Russian market. Transactions with residents expanded by 35.0%. A negative consequence of the imposed sanctions was a decrease in the volume of individual deposits by approximately 23% according to the Bank of Russia, but in general the funds raised from residents till September 2014 increased by more than 20%.

The effect of the second wave of

sanctions was also not as adverse as it could have been. The banks covered by sanctions have substantial capital: according to the Bank of Russia data the capital adequacy ratio ranges from 10.5% to 15.7%. The banking system is stable now, although moderate negative trends resulting primarily from recent structural slowdown in the Russian economy are observed.

Lower liquidity

At the end of 2014 lack of liquidity in Russian banking sector was caused mainly by ruble devaluation processes as well as individual intentions to run on a bank. In order to stabilize Russian rouble exchange rate the Bank of Russia increased the key interest rate from 10.5% to 17% but it was not enough to keep rouble from devaluation and the lack of liquidity problems deepened. In 2015, in spite of the key interest rate decrease to 15%, most small and

middle-sized banks suffer from liquidity challenges. Even widening the list of banks able to take part in the Bank of Russia credit auctions was not enough to ease tensions.

At the same time the imposed sanctions affect only current liabilities of banks and those banks and financial organizations that used external borrowing to cover cash deficiency will continue using this opportunity in future.

In order to solve current liquidity problem the Bank of Russia plans further key interest rate decrease, widening credit auctions and – if needed – lowering reserve ratio.



Armen Danielyan

devaluation questions the timely repayment of debt.

Assets devaluation

Rouble deposits of banks lost their value because of Russian rouble devaluation and inflation rate appreciation. Today banks act decisively to increase corporate loan interest rates aiming to reduce risks of assets devaluation. At the same time these measures cut demand for corporate loans.

Quite a different situation can be observed in retail lending. According to the Russian legislation banks and financial institutions are not in the position of changing retail interest rates unilaterally otherwise stated in loan agreement. So the bank activity in retail lending remains under pressure. As for the borrowers' debt burden according to polling data provided by the Bank of Russia the debt burden of borrowers remained largely unchanged, and the weighted average value of the debt-to-income ratio (calculated as the ratio of borrowers' total payments under a loan agreement for the past quarter to their total income) stays at 33%.

Despite the constant level of the borrowers' debt burden, according to Unified Credit Bureau data an upward trend in the number of loans per borrower is observed. The situation may be challenging for the banks specializing in retail lending, especially for those with foreign currency denominated loans, as steep Russian rouble

Net income depreciation and demand for capital

Continuing Russian rouble weakness and exchange rate volatility also dented the confidence in the local currency and put a drain on deposits. To retain depositors, banks sharply increased interest rates on deposits which also led to a rise in their liability costs and further squeezed interest rate margins increasing balance sheet problems.

According to the official statistics net income in the banking sector in 2014 decreased 41% owing to earnings from operations dilution and charge for impairment provision increase. Losses on stock markets along with inability to attract foreign capital and increasing funding costs aggravated a problem of demand for capital.

These developments prompted the authorities to implement coordinated stabilization measures. The Bank of Russia introduced new 28 and 365 days foreign currency loans to banks with a capital over RUB 100 billion (for which 11 largest banks qualify). The government approved a RUB 1 trillion recapitalization plan for banks financed with

domestic sovereign bonds (OFZ). The State Duma approved a bill allowing the government to place up to 10% of the National Wealth Fund on subordinate deposits and subordinate bonds of Russian banks. Banks will get RUB 550 billion from the National Wealth Fund including RUB 300 billion for Vnesheconombank, the state development bank, to increase «lending to organizations of the real sector». The authorities also prompted that more measures to avoid banking system crisis might be introduced.

Wave of bankruptcies

Responding to current tough conditions some experts await a wave of bankruptcies in 2015 with as many as 20% Russian banks at risk of folding. The Center for Macroeconomic Analysis and Short-Term Forecasting estimates that 200 banks face collapse this year and 160 – next year on the back of combination of bad loans and Russian rouble devaluation. Others are predicted to face a steep challenge to stay afloat.

These forecasts seem to be exaggerated. The resolution of Russian banking system is a prerequisite for its globalization and, according to the projections based on evaluation of already taken and planned stabilization measures the number of bankruptcies will not exceed its usual annual ratio: 20-30 banks with most weak financials.

Thus, current problems of Russian banking sector, not so much originating from the imposed sanctions, as dealing with structural slowdown in the Russian economy, are far from being critical or adverse.

(2) What are the banking system prospects assuming the retention of sanctions through 2015 – Taking into account (but not fully based on) the imposed sanctions the main tendencies in Russian banking system through 2015 are supposed to be as follows:

- Net loss: Russian banks are expected to post net loss in 2015 of about RUB 500 billion. *...next page*

- Key interest rate – 13%: The expected key interest rate level will remain at the level of 13% or higher throughout the 2015, substantially increasing the overnight REPO price.
- Authorities support: Russian authorities will continue implementing coordinated stabilization measures, including capital injection which may prevent Russian rouble from strengthening.
- Lending revival: a RUB 1 trillion recapitalization plan for banks financed with domestic sovereign bonds (OFZ) is set to revive lending and increase loan portfolio by about RUB 800 billion annually.
- Consolidation: Increasing dominance of state-related banks and progressive concentration of the market are likely to continue. New entrants will be limited due to economic situation and 20-30 banks with weakest financials will go bankrupt.
- Eastern money market in focus: Over the long Russia is predicted to seek less dependence on Western capital markets in favour of Asia and BRIC countries.

Cooling economic growth, provoked by lowering oil prices and foreign economic sanctions, triggers certain chal-

lenges for Russian banking system in 2015. At the same time processes, that take place in Russian banking at the moment, will make it much more resistant to external shocks in the long run.

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ITPG

19-22 February 2015: ITPG Winter Meeting in Marbella/Spain

High-quality tax training, recharging the batteries and cocktails

By Oliver Biernat

In addition to the obvious benefit of professional development, tax meeting in the south of Spain in February certainly included some other pleasing aspects. The meeting at hotel El Fuerte Marbella was perfectly located directly on the beach and within short walking distance of Marbella's old town. Only one participant complained that it was "only" 18 degrees centigrade and sunny while he had been enjoying 30 degrees when he left his home country; South Africa.

The meeting attracted 44 delegates and several accompanying persons to

Marbella, coming not only from Europe, but also from Canada, Colombia, India, Mexico, South Africa and USA. This gave the event a truly international flavour. It was an opportunity for old friends to catch up and new acquaintances to be made.

A short walk started off the meeting on Thursday evening. Our hosts, GGI Member firm Javier Carretero y Asociados (JC&A) Abogados, represented by Maria José Rubio and Santiago Lapausa, introduced the participants to the tapas culture in nearby bars. In a relaxed atmosphere, all participants had the chance to get to know each other while enjoying delicious food and

drinks.

As global chairman of ITPG, I opened the technical programme with a presentation about international tax planning software on Friday morning. After the official start of the meeting, Professor Robert Anthony took over and introduced a case study on international holding and trade companies.

Six team leaders then formed six groups with the participants, identified by scarves of different colours. Each team had three hours to prepare a 10 minute presentation explaining: "Which country would in their opinion be best to incorporate a holding



ITPG Winter Meeting hotel



Welcome

company?” This was very intense and involved highly practical tax work in small groups.

After listening to all six presentations, the jury (Professor Robert Anthony, Claudio Cocca and I) decided on the winners: Team Purple, which included Julie Bryant (UK), Viviane Moro (France), Bärbel Wierzoch (Germany), Claudine Heinrich (France) and Oyvind Baltzersen (Norway). The lucky winners were awarded a bottle of French champagne, sponsored by Benefitax.

As the weather was extremely good on Friday, lunch was laid outside the hotel with a panoramic view of the Mediterranean Sea.

In the afternoon, another challenge awaited the participants and accompanying persons. In a teambuilding event, eight teams – all with members from different countries – were equipped with a map of Marbella, a questionnaire and some pesetas and had to make their way through the old

town of Marbella. To successfully finish this town rally, team members had to answer questions and fulfil various tasks, not least demonstrating their drinking skills and dancing the authentic Spanish Flamenco. The afternoon was enjoyed by all, with some already planning to return to Marbella at some point in the near future.

In the evening, dinner was organised at the Club Marítimo Alevante on the harbour-front in Marbella. The winners of the teambuilding event received a prize and celebrated their success. As promised, all attendees were served a delicious Sex on the Beach cocktail.

On Saturday, I had the privilege of moderating technical tax sessions throughout the day. Ashish Bairagra (India) started with a presentation on “Taxation of indirect transfers and how do different countries tax such indirect transfers”. That was followed by a case study on “Base erosion/profit shifting” chaired by Klaus Küspert (Germany). I

was joined on the panel by Brian Marita (USA), Julie Bryant (UK), Viviane Moro (France), Carlos Frühbeck (Spain), Sergio Finulli (Italy) and Artur Plutowski (Poland).

After the coffee break, I updated the participants on internal ITPG topics, the regional chairs reported news and projects from their regions and Federico Grossi introduced the next Italian Business Summit in Florence, Italy (30 May 2015). Before lunch, Robert Worthington (Canada) presented on “Cross-border financing using hybrid instruments” and Huub Kapel (Netherlands) on “Art 15 OECD/split salary”.

After lunch, Matteo Bedogna (Italy) shared his knowledge on “Transfer pricing litigation – case history with the Italian tax authority”. He was followed by Arlene Rochlin (Italy), who talked about “Compliance is elementary, my dear Watson” covering the elements of compliance for both accountants and lawyers.

...next page



Audience



GGI members working jointly on complex international tax issues



ITPG Winter Meeting 2015 – highly practical tax work in small groups



After the coffee break, our host Santiago Lapausa (Spain) discussed the “Spanish Golden Visa and the Spanish tax reform”. Last but not least, Stanley Ruchelman (USA) informed on “Treaty Abuse under B.E.P.S. – L.O.B.? G.A.A.R? Both?” and Marc Nideröst (Switzerland) gave an “Update on planned major corporation tax reform in Switzerland”.

At 5.40 p.m. the meeting was closed and the participants were given a little spare time to relax. In the evening, the successful conclusion of the meeting was celebrated with complimentary drinks in the hotel lobby followed by dinner at Restaurante Buenaventura in the old town. At around midnight, more than half the attendees decided to go for another BEPS session, this time standing for “Beer Every Person Slurps”, in the nearby Irish the Claddagh bar with live music and live dancers in the shape of GGI members. After the pub closed, some went on to a discotheque near the beach with

the hosts, where they danced into the small hours.

Those who had booked the golf training for beginners on Sunday morning went to the Monte Paraiso Golf Club in Marbella. In a beautiful surrounding, GGI members received individual and group training in putting and driving from golf professionals. After almost three hours, all became golf masters and five GGI teams battled against each other in a competition of two holes. All teams did very well and celebrated their newly learned skills in the open air restaurant of the golf club with a wonderful lunch of salads, paella and dessert accompanied by Spanish summer wine.

All feedback has been positive and the combination of high class technical tax topics, networking opportunities and city exploration was perceived as perfect by the majority of the participants. Our hosts summarised it brilliantly: “At the end, it is all about good friends having fun.”



Intense group work



Networking break in a beautiful surrounding



PRIVATE EQUITY AND INTERNATIONAL WEALTH MANAGEMENT

11 to 13 January 2015 – Ahmedabad, Gujarat, India

Vibrant Gujarat Summit 2015: major highlights and focus

GGI members Vijesh Zinzuwadia, Prof. Robert Anthony, Dr Atul Gupta, Alan Rajah, Ajit Vyas, J P Bairagra & Ashish Bairagra represented GGI at the Vibrant Gujarat Summit, held in Gandhinagar, Gujarat in January 2015. They attended the inaugural function of VG-2015 and theme and country-based seminars.

The key areas for development of the Government of Gujarat are as follows: innovation, sustainability, youth & skill development, knowledge sharing and networking.

Vibrant Gujarat Summit 2015: outcome

Like the previous summits, this year too, the Vibrant Gujarat Summit held from 11 to 13 January 2015 was a great success. These are some of the major outcomes of this year's summit:

- This year, the investment commitments that the State managed to secure; an investment sum of USD 402.36 billion from corporates. In fact, the investment figures for the State have risen continually, from a USD 10.61 billion in 2003 and USD 335.10 billion in 2011, to this impressive amount in 2015.
- More than 21,000 memorandums of understanding (MoUs) were signed during this summit, with over 17,000 relating to the micro, small and medium enterprise (MSME) sector.
- Around 4,000 MoUs were signed with large sector industries and



Vibrant Gujarat Summit 2015



Vijesh Zinzuwadia

- 10,119 for the Gujarat Industrial Development Corporation.
- The number of MoUs signed this year exceeded that of the previous summit by 3,585.

- The Gujarat government has also entered into more than 1,200 strategic partnership agreements with focus on 36 sectors.
- Mukesh Ambani, chief of Reliance Industries, announced that his Group would invest USD 16.08 billion across various businesses in the next year.
- Kumar Mangalam Birla of Aditya Birla Group also announced investment plans in Gujarat amounting to USD 3.21 billion.
- The U.S. business delegation which attended the summit is considering a potential investment target of around USD 41 billion in India over the next 3 to 4 years.
- Sam Walsh, the CEO of the Australian mining giant Rio Tinto, announced that the Group would add 30,000 jobs in the State's diamond cutting industry. *...next page*

- Diversified Kalyani Group will invest USD 96.50 million for the upgrade and overhaul of the Armoured Fighting Vehicles unit at Dholera, Gujarat.
- Welspun Renewables announced investment of USD 1.33 billion to set up 1,000 MW solar and wind capacities in Gujarat.

leader in eradicating poverty.

- Prime Minister of Republic of Macedonia, Nikola Gruevski talked of how India has helped the global economy during recession.
- Secretary-General of the United Nations, Ban Ki-moon said that Gujarat can be the crossroad for development.
- The Netherlands' Vice-Minister for Foreign Trade, Simon Smits considered the Vibrant Gujarat to be a flagship event for investment in India.

„As Global Chairman of Private Equity & International Wealth Management, I was delighted to support this event and assist our Asian Chairman, Vijesh Zinzuwadia, with my presence. India is a country full of promise. I hope to see many more GGI members next time at the event.“



Prof. Robert Anthony

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Key feedback by foreign delegates

- Japanese Chairman of Suzuki Motor Corporation, Osamu Suzuki asserted that the State will be superior in terms of infrastructure and administration.
- President of the World Bank, Jim Yong Kim declared that tax and subsidy reforms are required for inclusive growth in the country. He added that the country is likely to grow at a rate of 6.4% in 2015 and will grow further in the next year by following the steps taken by the Narendra Modi-led Government.
- U.S. Secretary of State, John Kerry shared that he was greatly inspired by Narendra Modi's slogan of "Sabka Saath, Sabka Vikas".
- President of the World Bank, Jim Yong Kim encouraged India to be a

For any inquires to questions related to events please contact

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TRUST & ESTATE PLANNING

Trust Letters of Wishes – a Trust Officer's View

By Brian Hatton

The Anglo Saxon form of discretionary trust has been popularly used for a very long time, amongst other things to help manage the protection and (hopefully, orderly) distribution and redistribution of family wealth. This article is from a practitioner's standpoint to highlight some simple practices that

can help create a great result rather than a cautionary tale.

Trust officers

As the trust has been such an enduring device about which so much has already been written, it's interesting to look at it from a different angle, that of

a trust officer, who often carries most responsibility for ensuring that what happens is as close to what the settlor wanted as possible, even if the settlor at the time couldn't have envisaged what that was!

Trust officers' views are informed by exposure to many real life examples from which they accumulate expertise to make a multitude of small decisions

and occasionally some rather more significant ones. For better or worse, the reality is it's a trust officer's skill, rather than their lawyers, that is responsible for the quality of the vast majority of trustee decisions. This is very relevant when referring to the subject of letters of wishes and first it's helpful to review some basic principles.

Golden rule

The primary (some say only) golden rule for trustees using their powers and carrying out duties is that they must act in the interests of the trust beneficiaries after taking everything relevant into account.

Is this the only guide trustees need or are there powers available, the exercise of which cannot be considered to be in the interests of existing trust beneficiaries? An example of such a power might be where the trust terms allow the addition of beneficiaries, as adding someone new can only diminish an existing beneficiary's interest. It seems the golden rule as above may not be enough and a modification is needed, which is:

Trustees must use their powers according to their purpose.

As a consequence, trustees need to understand the purpose and reason behind powers they're given and this is



Brian Hatton

where letters of wishes ought to play a part, as explored below.

Managing unexpected situations

As modern trust deeds include a wide range of discretionary powers, trustees will find many terms deliberately drafted to give the widest possible interpretation, with no hint of purpose or reasoning behind the granting of such powers. While giving trustees maximum flexibility to act in unforeseeable circumstances, one of the skills trust officers have to acquire is to extract purpose from a variety of sources, of which the letter of wishes

might be just one and then apply that to their solution.

Indeed, fixation on letters of wishes by trustees, maybe for marketing reasons, risks a formulaic approach that's bound to fail to capture the essence or sentiment of a settlor's purpose. Some trustees have even resorted to using a pro-forma letter and any 'form filling' approach, literally or figuratively, generally runs counter to deducing purpose.

So how can unexpected situations be managed by trustees with any confidence they are using their powers both in the interests of beneficiaries and for the purpose they were given?

Trustee's dilemma

The trustee's dilemma is usually they have a legally binding trust deed with an undefined purpose behind its powers on the one hand and on the other, the settlor's non-binding and informal comments contained in letters of wishes or other more casual exchanges. Key to success is how closely they've paid attention to or initiated discussions with the purpose of discerning a settlor's sentiments and then making sure those exchanges are documented and not forgotten, in the knowledge that they may inform a future event that may occur after the trust officer has moved on and/or the settlor is no longer capable.

In this context, success isn't always capable of measurement, especially when beneficiaries have competing interests or irreconcilable differences, however, sticking to the two golden rules, especially when a trustee may be in an invidious position, can be enough to help them make the best judgment possible and keep them from justified criticism.

Letters and memoranda

A well-written traditional letter of wishes can be worth its weight in gold though, if it contains views, information

...next page



and sentiment peripheral to the strict division of assets and if one reads between the lines, can give insight that informs a trust officer's decision when dealing with something unexpected. By contrast, a bland letter that concentrates on the arithmetic gives no such insight and leaves a trustee with only 'middle of the road' options, at best.

One settlor writing about his daughter: ***"She is just 5 years old and, what can I say, she is the apple of my eye." There's more to be gleaned from this statement than the family tree!***

Likewise trust officers are worth their weight in gold if they commit to the record all those actions carefully choreographed to discern a settlor's purpose. If these records result in a file note or "memorandum of wishes" they are every bit as valid and powerful a tool as a well written letter of wishes.

They are also created at the same time as settlors' thoughts evolve or clarify, are more likely to be current and, while there is no mandate on trustees to follow informal guidance, they should be weighed carefully when reaching decisions.

Conclusion

The message in all this is that while trustees should always have regard to the requirements of trust deeds and

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statute, to the extent they have discretion on important decisions such as investing or distributing trust assets, they must strive to be informed not only of beneficiaries' circumstances but also of the settlor's purpose behind granting them those powers.

The practical steps taken by an experienced trust officer to deduce purpose and sentiment throughout the trust period can and often do impact on decision making quality, especially when trustees have difficult or controversial issues to resolve, and while it can be impossible to make a trust decision that satisfies all beneficiaries, a trustee improves its chances of reaching a good and sound decision by understanding how to systematically record and then use the kind of information referred to here.

This is how trust officers learn to manage one of the biggest risks they face in their work – counsel for the plaintiff!

Trust & Estate Planning: New Chairperson

Henry Charles strengthens Practice Group as European regional chair

The Trust and Estate Planning Practice Group welcomes long-standing GGI member Henry Charles of Citroen Wells as Chairperson of the European Region.

A partner at Citroen Wells since 1989, Henry deals with all areas of general practice and has particular expertise in the field of international companies, overseas trusts and structuring for non UK residents and non UK domiciliaries and advises owner-managed busi-

nesses in several different sectors as well as high net worth individuals. He is a fellow of the Institute of Chartered Accountants and has been a member of the Audit Faculty and the Society of Trust and Estate Practitioners (STEP) for over 15 years.

Having been awarded the 10-Year GGI Membership Award in 2013, Henry has been responsible for the management of the relationship between Citroen Wells and GGI since the firm be-

came a member of the alliance in 2001. For the past decade he has attended every European and World Conference, remained active in various other Practice Groups, conducted various GGI workshops of his own, and has written and organized the submission of various articles within the GGI Insider by members of his firm.

In his role as Chairperson of the European Region, Henry Charles will be supporting the Practice Group Lead-

ership Team in the continued expansion, development and activities of the Practice Group while communicating the core purpose and objectives of the same, which are:

- To provide a focus for GGI members from the legal, accountancy and business advisory professions whose occupation includes a significant involvement with any of the planning, creation, management of

and accounting for, trusts and estates, executorship administration and related taxes.

- To promote discussion of aspects of tax, accounting, administration statute and case law that are of general concern to trust and estate practice group members.
- To advance training and learning and to promote the practical aspects of cross border trust and estate planning and administration.



Henry Charles

Global Chairperson of the Trust and Estate Planning Practice Group Steven L. Cantor is honored to welcome such a distinguished and dedicated professional as Henry Charles on board and invites interested members to join the Practice Group.

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Since its inception in 2011, the Leadership Team and current members of the Trust and Estate Planning Practice Group understand that given the mobility of high net worth private clients, there is a great need for those in the trust and estate profession to be able to identify cross border issues and to develop and maintain a network of colleagues with whom such issues can be properly addressed.

Join the upcoming GGI Events

GGI Latin American Regional Conference
in San Jose – Costa Rica | 16-19 April 2015

GGI European Conference
in Lausanne – Switzerland | 23-26 April 2015

GGI Developing Leaders Conference
and GGI Best Practices Conference
in Las Vegas, NV – USA | 14-16 May 2015

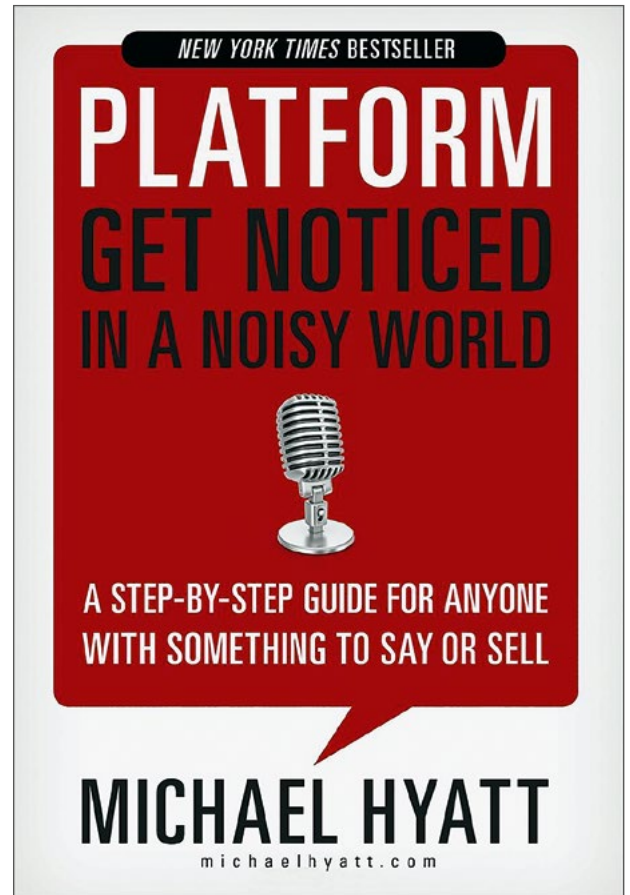
Platform Get Noticed in a Noisy World

Isn't a great product enough? Shouldn't it be able to stand on its own? When there were three TV channels and two kinds of toothpaste, quality alone could sell itself. But in a global economy crowded with millions of competitors, quality is just the beginning. The real challenge is getting the attention of those who might buy your product or service.

Two little words have combined to make this easier, less expensive, and more possible than ever: social media. Websites, blogs, apps, and social networks – used in concert and with savvy – can connect you with a global audience. No gatekeepers. No massive fees. Michael Hyatt knows from experience. An author, agent, and publisher for more than thirty years, he has spent the past eight years creating an online following that numbers in the hundreds of thousands – all while leading the largest inspirational publisher in the world. But a flashy website is not a platform.

A Facebook page joins millions just like it. Creating an effective platform is the key to success, but it is not simple. In *Platform*, Hyatt condenses his expert knowledge into step-by-step plans for building your own virtual stage, including: • Proven strategies • Easy-to-follow formulas • Practical guidance You don't need a separate book to explain each application, each decision. You just need one book that distills it all into clear, proven paths. You just need *Platform*.

Platform: Get Noticed in a Noisy World
Michael Hyatt
Hardcover: 288 pages
ISBN-10: 15955503X



Further Conferences & Events

What: Countering the Illegal Use of the Internet

Where: Stockholm, Sweden

When: 16-17 April 2015

Brief Description: This conference is part of a project sponsored by the European Commission and consisting of a series of six events in Madrid, Lisbon, Vilnius, London, Sofia and London.

Each event in “Fighting cybercrime:

series of intensive seminars for EU legal practitioners” will have a specific focus. This conference will provide a platform to debate and assess how EU legislation and other European and international instruments are addressing large-scale cyber attacks and other threats posed by methods such as botnets, i.e. networks of compromised computers infected by malicious software and remotely controlled by a “botmaster”. The event

will also discuss possible future scenarios in the fight against cybercrime such as the possible restrictions on the use of the internet for those who commit cybercrime offences and the confiscation of the proceeds of crime in cyberspace.

[MORE INFORMATION](#)

Further Conferences & Events

What: Compliance Risk Management
Where: Miami, Florida
When: 20-22 April 2015

Brief Description: Through lecture, class exercises, interactive participation, simulation, and case studies, participants will review the need for financial services regulation, the markets/participants/institutions/instruments over which regula-

tion proceeds, the use of the compliance function as a risk mitigator, the various methods and approaches to compliance with regulatory requirements, establishment of a well-functioning compliance department, and the skills required to succeed as a compliance officer. Through intense analysis of specific cases concerning insider trading, compliance and ethical lapses, money laundering, rule vi-

olations (both inadvertent and purposeful), delegates will obtain keen insights to reduce the risk of regulatory and compliance problems and to foster a culture of compliance within their own firms

[MORE INFORMATION](#)

What: Value for Money
 in Performance Auditings
Where: Cape Town, South Africa
When: 4-6 May 2015

Brief Description: This course aims to bring some clarity to the subject (indeed what is the difference between “value for money” and “performance” audit?!) and to equip candidates to understand a range of techniques for assessing the economy, efficiency and effectiveness of

their business areas, functions, services and projects. The course provides practical advice and significant hands-on participation to ensure that candidates leave with knowledge not only of the theory behind VFM, but also how to put that theory into practice. A range of scenarios will be covered, with candidates being given an opportunity to consider relevant topics of their choice. Participants will receive sample documents, diagrams and checklists

that will support them in applying the concept within their day jobs. The course is designed for internal auditors who are looking to expand their remit into VFM / performance reviews and, as such, a basic understanding and experience of internal audit procedures is ideally assumed.

[MORE INFORMATION](#)

What: Center for International Legal
 Studies International Mediation
 Symposium
Where: Schloss Leopoldskron, Salzburg
When: 11-14 June 2015

Brief Description: Residential seminar for and by experienced mediation practitioners and academics. Experience an exchange of ideas among peers and users of mediation from different

countries. Explore cross cultural and cross-sectoral ADR phenomena. Converse with high-level participants in the Northern Ireland Negotiations (US Ambassador Kevin O’Malley) and in the Palestine/Israeli Peace Talks (Ms Hiba Hussein) Immerse yourself in “preparing clients”, “judges as mediators”, “fused/tiered mediation”, “in-house counsel expectations”, “European/US/Australasian approaches”, “active v pas-

sive mediation” Network at the historic “Sound of Music Palace”, Schloss Leopoldskron. Relax in the scenic environs of the Palace and the City of Salzburg. Chairs: Prof. Dr. Renate Dendorfer-Ditges, LL.M, MBA and The Hon. Kenneth L. Fields, JD, BA.

[REGISTRATION](#)

What: Developments in
 employment law
Where: Bridgewood Manor, Chatham,
 Kent ME5 9AX
When: 21 May 2015

Brief Description: Part of a series of seminars, run by member firm Thomson Snell & Passmore, focusing on changes to the commercial, legal and environmental landscape of business in 2015. The Employment Team will consider how

employment law has developed over the last year and what you need to be aware of in 2015. Topics include:

- ACAS Early Conciliation – is it a success?
- Employment Litigation – what does the future hold?
- New sickness absence advisory service
- Update on family friendly rights to include shared parental leave and flexible working rights

- Holiday Pay
- TUPE update

The Team will also consider and provide some advice and recommendations on how to deal with mental ill health issues in the work place.

[MORE INFORMATION](#)



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