



## Non-US Financial Institutions and Their US Person Clients

### Venue

Baker McKenzie Zurich  
Holbeinstrasse 30  
8008 Zürich  
Switzerland

Thursday, 4 May 2017  
and Friday, 5 May 2017

We would like to invite you to a special seminar on US securities, commodities and related tax issues relevant to non-US financial institutions. We will also explore potential changes to US regulation in this area and the roles of the SEC, CFTC, FINRA, IRS and the US State regulators.

We hope to see you there!

### Non-US Financial Institutions and Their US Person Clients

#### Venue:

Baker McKenzie Zurich  
Holbeinstrasse 30  
8008 Zürich

Thursday, 4 May 2017  
08.00 – 17.00

#### Speakers:

Marnin Michaels, Baker McKenzie Zurich  
Lyubomir Georgiev, Baker McKenzie Zurich  
Gregory Walsh, Baker McKenzie Zurich  
Matt Kluchenek, Baker McKenzie Chicago  
Kristin Gonzalez, Baker McKenzie Chicago

We hope that you and/or one of your colleagues will be able to join us. Please reserve a place and confirm your attendance by filling out and returning to us the attached form with the completed payment slip attached. Space is limited so please reserve early.

*The Baker McKenzie Financial Services  
Practice Group*

### Agenda - Day 1

08.30 – 09.00 **Registration**

09.00 – 09.15 **Introduction, Welcome and Program Overview**

09.15 – 10.45 **US Financial Law for Non-US Market Participants**

- What are the roles of the SEC and CFTC?
- What are the main triggers for US jurisdiction?
- Understanding the primary US laws that regulate brokers and advisers.
- What are the most relevant exemptions and exclusions?

10.45 - 11.00 **Coffee Break**

11.00 – 12.30 **Recent Trends from the SEC and CFTC**

- Discussion of last year's initiatives, enforcement actions and results.
- Review of established priorities and what you need to do to stay ahead.
- The regulation of cryptocurrencies (e.g., Bitcoins) by US financial regulators.

12.30 – 13.30 **Lunch**

13.30 – 15.00 **Tax Considerations for US Person Clients**

- Definition of US person for US tax purposes and how it is different from the securities concept.
- Taxation of Passive Foreign Investment Company (PFIC) investments, filing obligations, elections and mitigation strategies.
- Taxation of foreign currency gains.

For program information, contact:

**Marnin Michaels**

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For registration information, contact:

**Businessbriefings.Zurich**

**@bakermckenzie.com**

Please feel free to dress "smart casual" for the program!

A sandwich lunch will be offered.

This may qualify as "Attorney Advertising" in some jurisdictions.

- FATCA reporting and CRS KYC by financial institutions US person client accounts.
- FBAR and other reporting by US person clients of foreign bank and financial accounts.

15.00 – 15.15 **Coffee Break**

15.15 – 16.30 **What does US Regulation Look Like in a Trump administration?**

This panel discussion will include our CFTC, SEC and Tax experts who will discuss the potential and likely effect of U.S. President Trump's announced agenda as it relates to taxation , the Dodd – Frank Wall Street Reform and Consumer Protection Act and the related rules.

16.30 – 17.00 **Day One Wrap and Cocktail Hour**

*Please join us for a cocktail hour and an opportunity to present your questions to our experts one-on-one.*

### Venue:

Baker McKenzie Zurich  
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8008 Zürich

Friday, 5 May 2017  
08.30 – 16.30

### Speakers:

Marnin Michaels, Baker McKenzie Zurich  
Lyubomir Georgiev, Baker McKenzie Zurich  
Gregory Walsh, Baker McKenzie Zurich  
Matt Kluchenek, Baker McKenzie Chicago  
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### Agenda - Day 2

08.30 – 09.00 Registration and Coffee

09.00 – 10.00 Building and Reviewing Your US Person Policy

- Defining US Person under the SEC and CFTC Regimes.
- Practical Restrictions and their implementation.
- Tax considerations.
- Monitoring and testing.

10.00 – 10.30 Coffee Break

10:30 - 12:30 Cybersecurity

The SEC continues to focus on cybersecurity by sponsoring a cybersecurity roundtable, issuing a Risk Alert on OCIE's cybersecurity examinations initiative, and announcing plans for OCIE to examine cybersecurity preparedness at investment advisers and broker-dealers. The CFTC has also implemented cybersecurity initiatives along similar lines of the SEC. This discussion will consider issues relating to cybersecurity governance, identification and assessment of cybersecurity risks, protection of networks and information, risks associated with remote customer access and funds transfer requests, risks associated with vendors and other third parties, detection of unauthorized activity, and handling cybersecurity threats.

12.30 – 13.30 Lunch

13.30 – 15.00 Investment Advisers: Form ADV and You

- Calculating your assets under management.
- Determining custody.
- Discussing conflicts.
- Mandatory statements and disclosure of fees.
- Discussion of your code of ethics and policies.

15.00 – 15.15 **Coffee Break**

15.15 – 16.00 **The Compliance Program Report**

- Annual training and personal securities reporting.
- Discussing Issues along the way and framing.
- Stress testing your program.

16.00 – 16.30 **Program Wrap-up**

Discussion of your questions throughout the program.



## Non-US Financial Institutions and Their US Person Clients

### Registration

#### US Securities Issues Relevant to non-US Financial Institutions

Please use one reply slip for each person attending. Photocopies of the reply slip are acceptable.

Last Name, First Name: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code / City / Country: \_\_\_\_\_

Telephone no.: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

#### Methods of Payment

Enclosed is our cheque/bank draft/postal deposit slip (form enclosed) payable to Baker McKenzie Zurich for the sum of:

\_\_\_\_\_ **CHF 350.00** for Day 1 only

\_\_\_\_\_ **CHF 500.00** for both Day 1 and Day 2

the registration fee for the ***Non-US Financial Institutions and Their US Person Clients*** program on 4-5 May 2017 at Baker McKenzie Zurich, Holbeinstrasse 30, 8008 Zurich. A light lunch on both days is included in the fee.

Please send me an invoice for our files.

#### Our banking details are as follows:

**UBS AG**, 8098 Zurich

**Account Name:** Baker McKenzie Zurich, 8034 Zurich

**Reference:** US Securities Issues – **4-5 May 2017**  
**(Please include your name!)**

**Account Number:** 225-P2718045.0

**Bank Clearing Number:** 225

**International SWIFT Code:** UBSWCHZH80A

**IBAN:** CH 19 0022 5225 P271 8045 0

#### Please return this reply slip to:

Miriam Corver-Stenberg  
Baker McKenzie Zurich  
Holbeinstrasse 30  
P.O. Box  
CH-8034 Zurich  
Switzerland

Or send by email:

**Email:** SEC@bakermckenzie.com

#### Registration Deadline: 24 April 2017

Due to commitments on the part of Baker McKenzie Zurich, refunds cannot be made for cancellations after 21 April 2017. We would be delighted to accept replacement delegates provided that we receive notice thereof any time prior to the start of the training program. In the event of cancellation or postponement of the training program by us, fees will be refunded promptly and in full.