Automatic Exchange of Information: which reporting obligations for Companies & directors and Trusts & trustees

And also: domiciliary companies, corporate directors, underlying companies, settlors, protector, beneficiaries

Lyubomir Georgiev, Partner, Baker McKenzie, Zurich

Gregory C. Walsh Associate, Baker McKenzie, Zurich

Peter Cotorceanu, CEO and Founder, GATCA & Trusts Compliance Associates LLC, Zürich

8.50 Registration and welcome coffee

9.00 When is a company “active NFE” or “passive NFE”?  
• Examples of unexpected switches from active to passive, and vice-versa? What are the facts & information to look for? Why does it matter?  
• The case of holding companies: with operational companies underneath, or accumulative passive income  
  Gregory C. Walsh

9.40 Domiciliary company and corporate directors  
• Corporate directors: are they an investment entity/FI?  
• What is the role of corporate directors in “managed” entities?  
• The law of which jurisdiction should apply to FI/NFE status certification?  
• When is there “reason to know” an entity is FI/NFE?  
  Lyubomir Georgiev and Gregory C. Walsh

10.20 Reporting equity interest and credit / debt interest of investment entities, for trusts, companies  
• How debt interest of investment entity defined?  
• What is equity interest when there is no equity and no fixed interests or amounts?  
• How should swaps or derivatives related to PICs be treated?  
  Lyubomir Georgiev

11.00 Coffee break

11.00 How do FATCA and CRS apply to trusts and underlying companies?  
• How should such entities be classified?  
• What difference does it make?  
• Who is reportable (settlors? protectors? beneficiaries? trustees?)?  
• What weight, if any, should [or may] be given to the CRS FAQ and Implementation Handbook/local Guidance Notes? Can FIs ignore those documents? Must they ignore them?  
  Peter Cotorceanu

11.40 Avoiding CRS and FATCA (for non-U.S. persons under FATCA reciprocal IGAs) - is it moral, legal, possible? If so, how?  
• What about anti-avoidance legislation?  
• Is it too late to avoid CRS in early adopter jurisdictions?  
  Peter Cotorceanu

12.10 What is the U.S.’s status under CRS? Will that status last?  
• Can jurisdictions treat the U.S. as a CRS Participating Jurisdiction? Should they?  
• What practical effect would it have?  
• Why have the BVI, Liechtenstein and Luxembourg all reversed their position in this regard?  
• Will Switzerland follow suit?  
  Peter Cotorceanu

12.30 End of the conference

INFORMATION & REGISTRATION  
Tel: +41 22 849 01 11  
Fax: +41 22 849 01 10  
info@academyfinance.ch  
Academy & Finance SA  
PO Box 6069, CH-1211 Geneva 6  
www.academyfinance.ch

FEE  
590 CHF (VAT 8%)  
Additional participants from the same company: -50%

PAYMENT  
An invoice will be sent to you by email following registration. Payment is made by credit card. For other payment methods please contact us.

☑ YES I wish to register to the seminar “Automatic Exchange of Information: which reporting obligations for Companies & directors and Trusts & trustees” in Zurich on Friday 11 November 2016.

Full name ............................................................................................................................................................
Position .................................................................................................................................................................
Company ..............................................................................................................................................................
Address .................................................................................................................................................................
Zip code/City ............................................................................................................................Fax........................
Tel ........................................................................................................................................................................
E-mail...................................................................................................................................................................
Date ...................................................................................................................................................................
Signature.............................................................................................................................................................