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Trusts in a commercial context

Wednesday, 23 September 2009

8.30am – 1.00pm

Grace Hotel, 77 York Street, Sydney

Course cost includes tuition, materials and refreshments \$352I cannot attend but please provide the papers \$165Total Price includes GST **Total \$**

Payment Options

I enclose a cheque payable to "CLE, UNSW",

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**Please return this registration form
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**CLE,
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Tel: (02) 9385 2267 or (02) 9385 2195

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Email: cle@unsw.edu.au

Website: www.cle.unsw.edu.au

Programme Variation: The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.

Cancellation Policy: Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.

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THE UNIVERSITY OF
NEW SOUTH WALES

FACULTY OF LAW
CONTINUING LEGAL EDUCATION

Trusts in a Commercial Context

Wednesday, 23 September 2009

8.30am – 1.00pm

Grace Hotel
77 York Street, Sydney

www.cle.unsw.edu.au

Audience

- Solicitors in General Practice
- Commercial Lawyers
- Financial Services Specialists
- Banking & Finance Lawyers
- In-house counsel at Financial Institutions
- Barristers
- General Practitioners

Objective

This seminar will review the use of Trusts in commercial activities as a structure offering tax and legal benefits. We examine the compliance and administrative issues in conducting activities in these structures and the obligations and liabilities of trustees. The seminar will be relevant to all commercial lawyers advising both small and large clients considering trusts as a vehicle for their activities or considering investments in trust units.

CLE/CPD Points: Four (4)

About CLE/CPD

The CLE/CPD programme is an important link between the Law School at UNSW and the professional community. The programme consists of a series of quality short courses assisting lawyers, accountants, financial planners, executives and other professionals whose work demands up-to-date knowledge of, and skills in, the relevant areas.

Trusts in a commercial context

Wednesday, 23 September 2009

8.45am Introduction and Welcome

Chair: James GRAHAM, Partner, Freehills

8.55am

Topic 1: Overview of Trusts and the purposes they serve in commercial structures

Speaker: Scott CHARANEKA, Partner, Deacons

- Choice of vehicle – Trusts or limited Partnerships
- Influences in other jurisdictions
- Control and amendments to trust deeds Chapter 5C Corp Act
- Liquidity
- Beneficial Rights “Best interests” Test
- Removal of Trustee

9.50am

Topic 2: Stapling of Property Trusts

Speaker: Matthew FARNSWORTH

Senior Associate, Blake Dawson

- Understanding the structure and purposes of stapling assets
- Issues of relevance for advisors and investors

10.45am Morning Tea

11.00am

Topic 3: Assessing trust income for taxation purposes: the impact of *Cajkusic* and *Bamford*

Speaker: Karen ROOKE, Special Counsel, Mallesons

- How do the cases affect trust distributions?
- Do they cover the field?
- Can you stream capital gains?
- Are these cases the last word?

11.50am

Topic 4: Trustee Duties

Speaker: John EDSTEIN, Partner, Mallesons

- the essential features of a trust;
- primary sources of law;
- types of interest of a beneficiary;
- general law duties of a trustee;
- discretions: the exercise of powers;
- relevance of the above to income distributions and taxation.

12.45pm Q & A

1.00pm Close

For more information visit our website: www.cle.unsw.edu.au