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Stand out from the crowd

2011

AMICORP GROUP

Amicorp Trustees (India) Pvt. Ltd.

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• Amicorp

- Founded in 1992
- Currently over 40 offices, in 28 countries
- Over 600 employees worldwide
- Amicorp Group A.G. is a Swiss company
- In India since 2005
- In 2012 Amicorp established its Estate & Succession Planning company “Amicorp Trustees (India) Pvt. Ltd.”



The Americas

Bogotá, Colombia
 Bridgetown, Barbados
 Buenos Aires, Argentina
 México
 Miami (FL), USA
 New York (NY), USA
 Rio de Janeiro, Brazil
 San Diego (CA), USA
 Santiago, Chile
 São Paulo, Brazil
 Tortola, British Virgin Islands
 Willemstad, Curaçao
 Wilmington , (DE), USA

Europe

Amsterdam, the Netherlands
 Barcelona, Spain
 London, UK
 Luxembourg
 Madrid, Spain
 Malta
 Moscow, Russia
 Nicosia, Cyprus
 Vilnius, Lithuania
 Zug , Switzerland
 Zurich, Switzerland

Asia Pacific

Auckland, New Zealand
 Mumbai, India
 New Delhi, India
 Bangalore, India
 Dubai, UAE
 Hong Kong, People's Republic of China
 Beijing , People's Republic of China
 Chengdu, People's Republic of China
 Shanghai, People's Republic of China
 Shenzhen, People's Republic of China
 Davao, Philippines
 Manila, Philippines
 Singapore
 Taipei, Taiwan

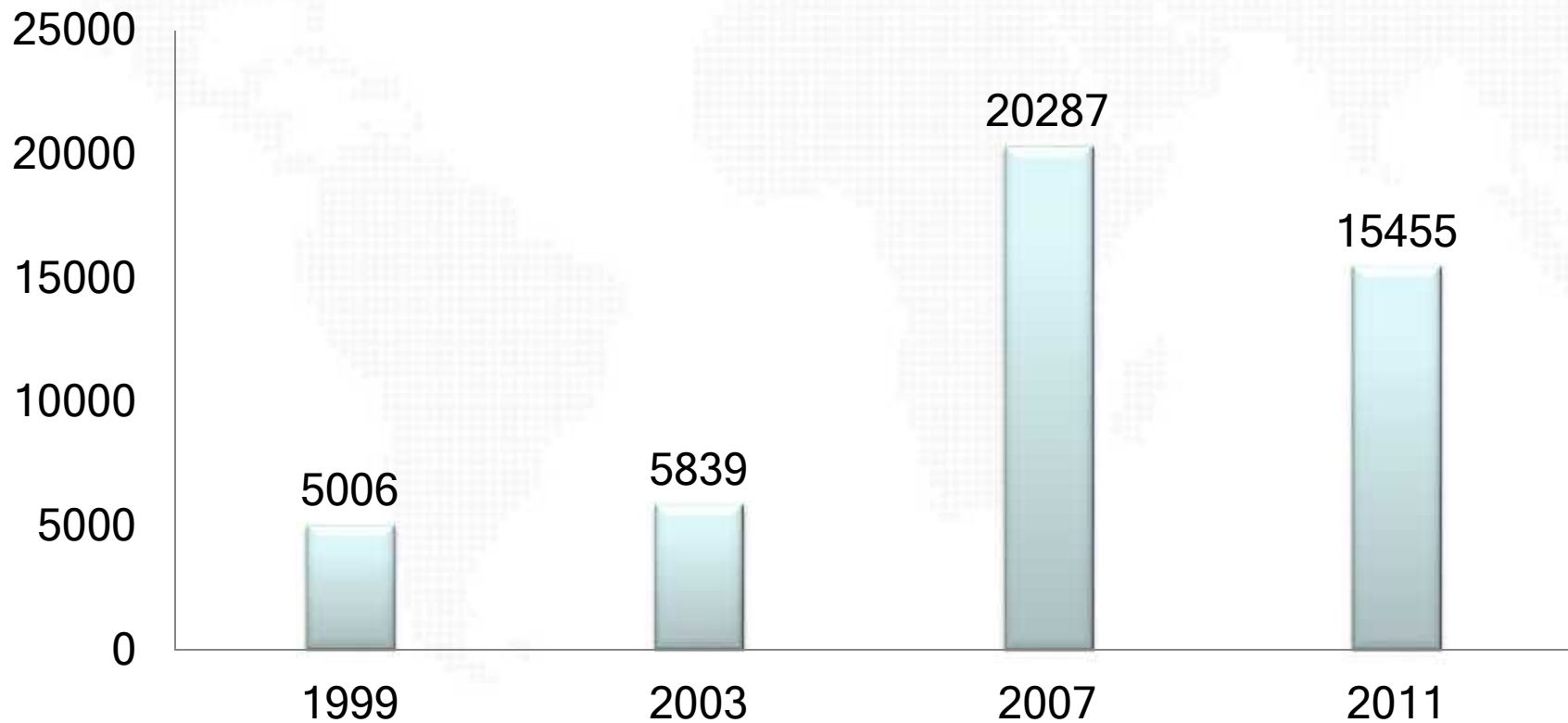
Africa

Pretoria, South Africa
 Mauritius



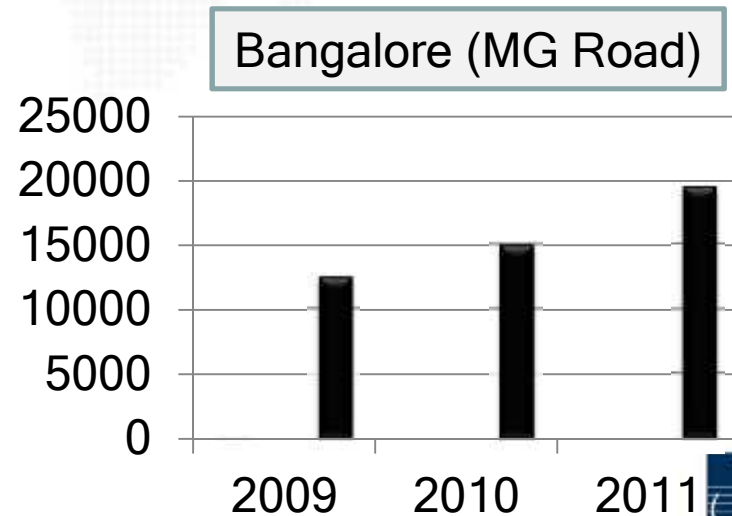
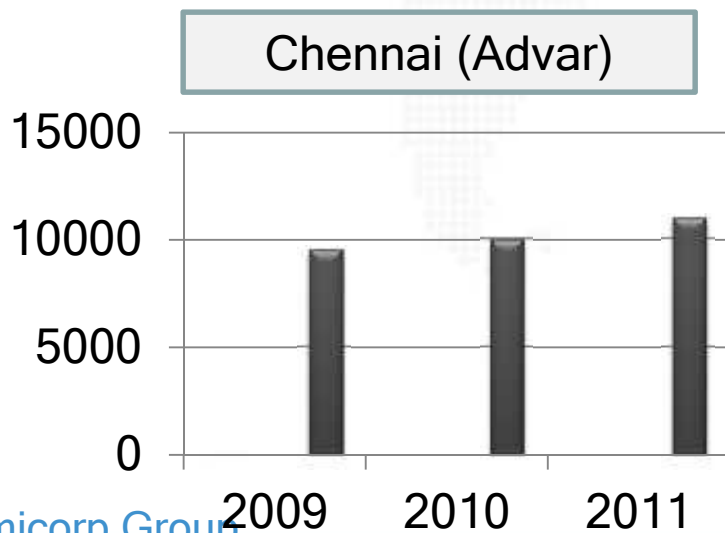
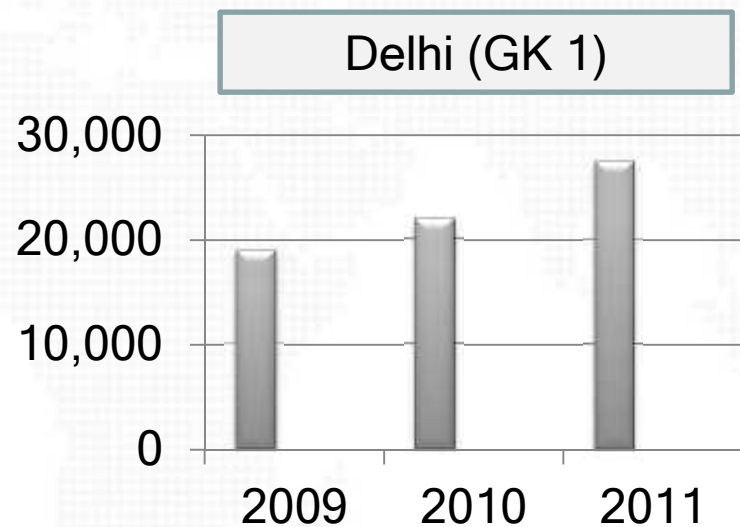
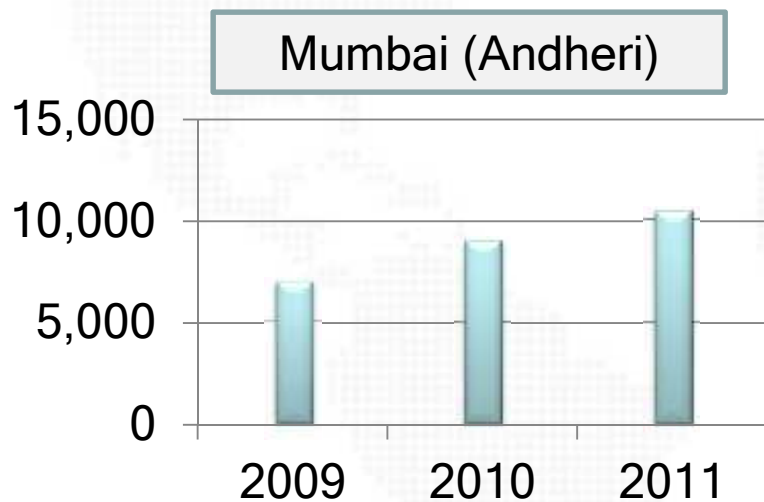
❖ **India Growth story in different asset class**

• Equity Trend in India

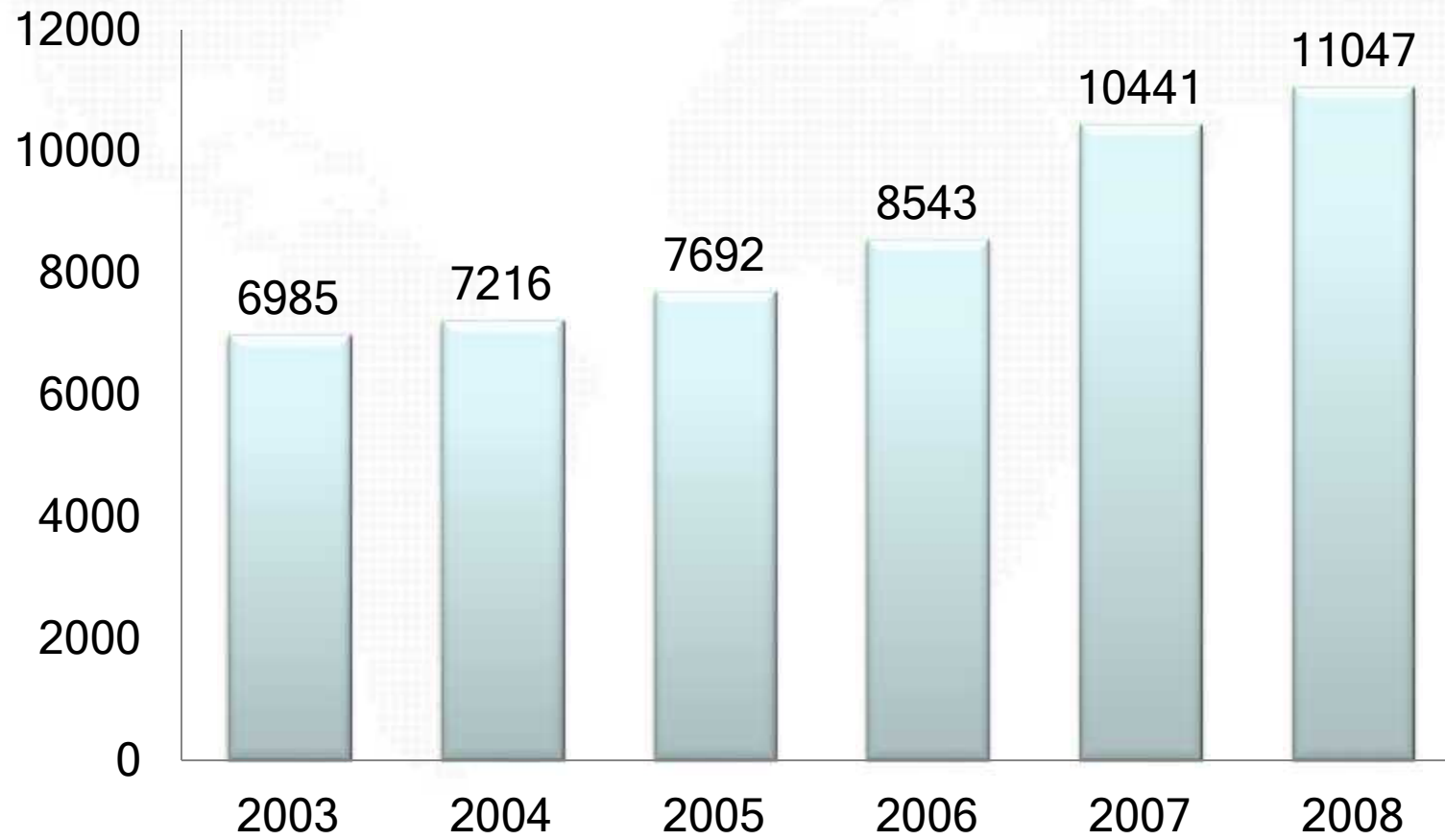


■ SENSEX Performance as on the last date of each year (Money Control)

Real Estate Price Trend



- **Divorced cases filed with Delhi District Court**



■ http://delhidistrictcourts.nic.in/Annual_Reports.htm

- **Family dispute due to WEALTH as on Nov 15, 2011**
 - 40% of the globe's wealthy population has direct experience of their family fortune leading to disputes
 - 53% in Singapore
 - 51% in Hong kong
 - 51% in Monaco
 - 61% of the HNI in India have seen relationships deteriorate into feuds

Source: Barclays Wealth Insights report:

<http://www.rediff.com/money/slide-show/slide-show-1-india-tops-in-family-feuds/20111115.htm>



❖ Estate & Succession Planning

• What is Estate Planning

- Estate planning is the process of anticipating and arranging for the disposal of estate during and after your life time.

An estate plan includes :

- Estate management,
- Estate preservation and
- Estate legacy

• Who needs Estate Planning

- Big business houses
- Entrepreneur
- Professional
- Nuclear family
- Families with no legal heir
- Joint family
- Family with special child
- Families with beneficiaries across globe
- NRI families with assets in India
- Families looking at generation skipping
- Multiple marriages
- Inheritance tax planning
- Sunni Muslim
- Any one else who would like to protect his assets against unforeseen events
- Any one else who would like to distribute his assets as per his or her wish and not as per the governed law

• Few Advantages of Estate Planning

- Asset protection from litigation
- Avoid claims from outside the family
- Avoid fights and litigation within the family
- Seamless & smooth asset distribution
- Generation skipping
- Asset protection during divorce & separation
- Medical emergencies
- Old age
- Care of special child
- Wealth preservation
- Demarcation of personal & business income

- **Estate / Succession Planning Services**

There are two primary tools one can use in Estate Planning

Will
or
Trust

• WILL

- Will is a Legal document that comes in play on the demise of the testator;
- It carries the wishes of an individual regarding his/her estate/ assets, i.e. Distribution of assets, Guardian for the children, etc.

• Advantages of having a Will

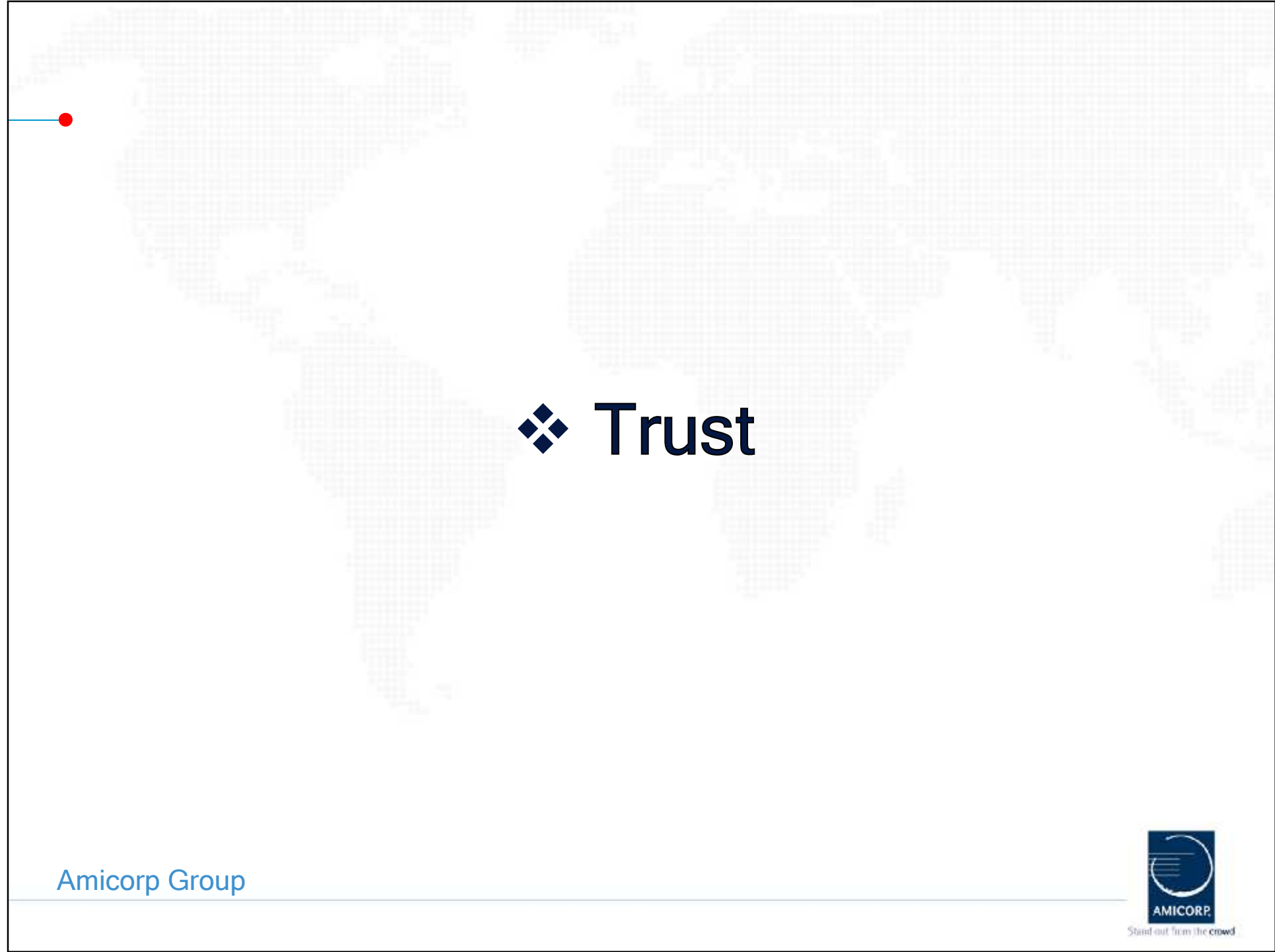
- Avoid dispute within or outside the family
- Smooth distribution of wealth as per one's wish
- Appointing a guardian for a minor
- Avoid succession certificate
- Philanthropic aspirations

• What if one does not have a Will ?

- If one dies intestate, which means without making a Will:
 - Assets will be distributed according to religion based personal law applicable to one, which can be a lengthy process with undesired results

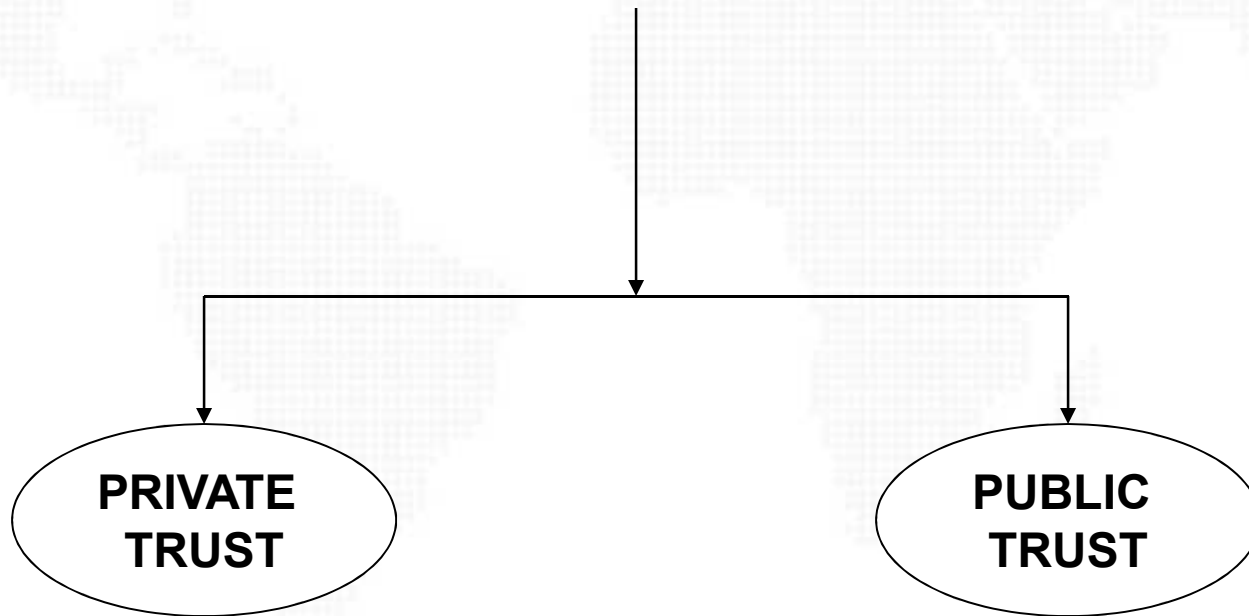
• Who can write a Will ?

- Eligibility:
 - Should be a major
 - Should be Indian National/ NRI/ PIO
 - Should be of sound mind
 - Should not otherwise be debarred from making a Will



❖ Trust

- **Private & Public Trust**



• What is a Trust ?

▪ Private Trust:

- A Trust is a relationship whereby property (real or personal, tangible or intangible)
- Is transferred by one party (Settlor)
- To be held by another party (Trustee)
- For the benefit of a third party (Beneficiaries)

▪ Public trust:

- When a trust is formed for the benefit of the public or any section of the public, religious or charitable purpose includes a temple, any other religious or charitable endowment is called a public trust.

• Few Advantages of a Private Trust

- Asset protection - against claims from within or outside the family
- Safeguard interests of the dependents
- Efficient and uninterrupted management
- Preservation of assets
- Avoidance of probate
- Succession planning
- Confidentiality
- Consolidation of assets
- Tax planning

Parties to Trust



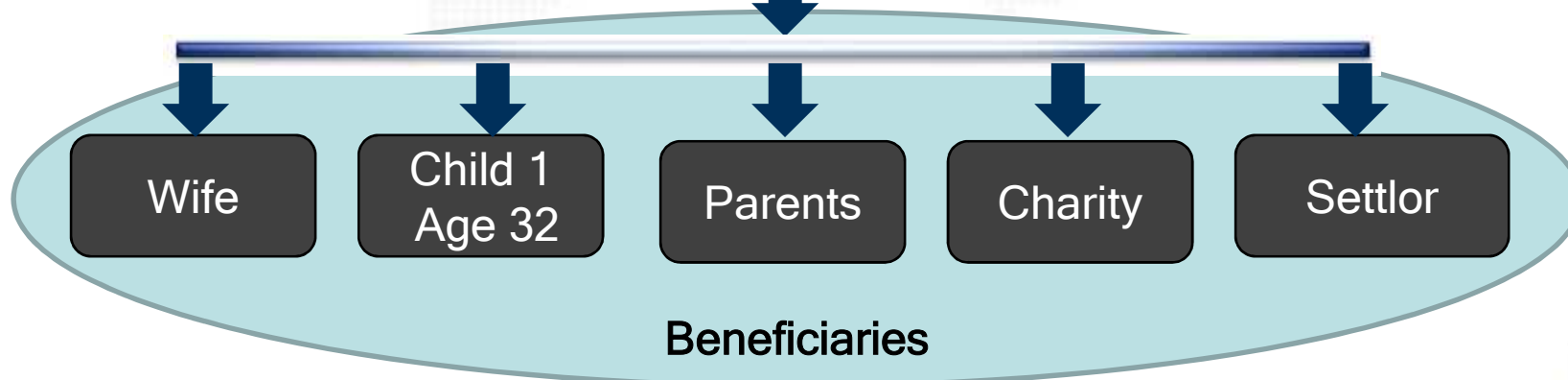
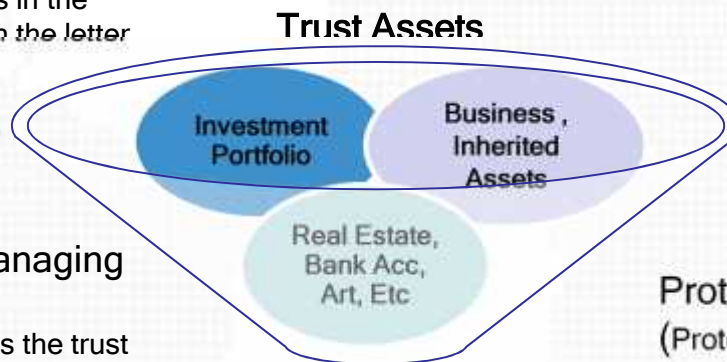
Settlor :
(One who transfer the assets in the Trust, either direct or through the letter of Wishes)

Trustees:
One who hold the Trust property in the Trust for the benefit of others

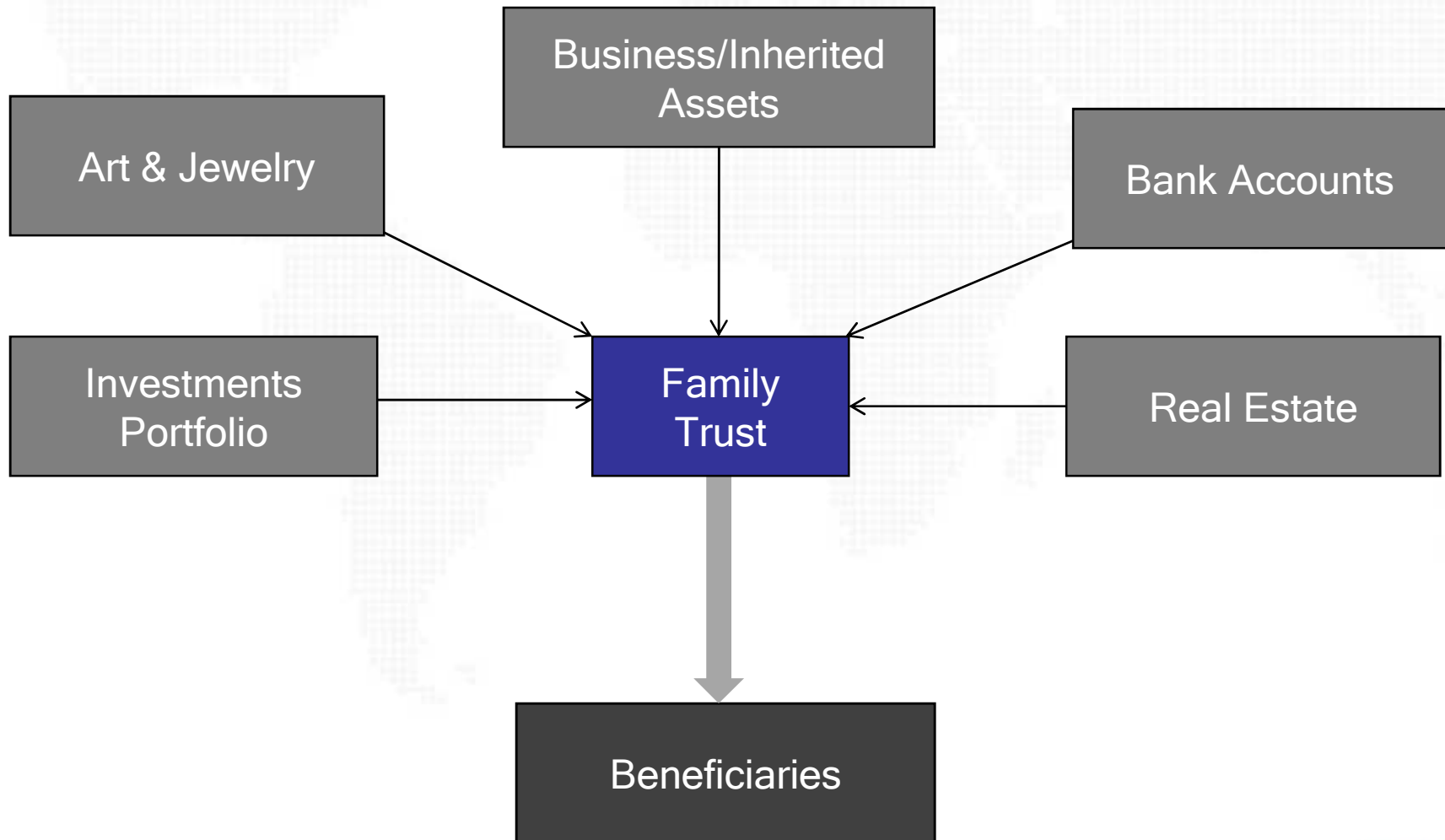


Administrator / Managing Trustee
(One who actually does the trust Job in terms of Filing Returns or Investment for the Trust)

Protector:
(Protect the interest of the Beneficiaries. Keeps a check on the Trustees)



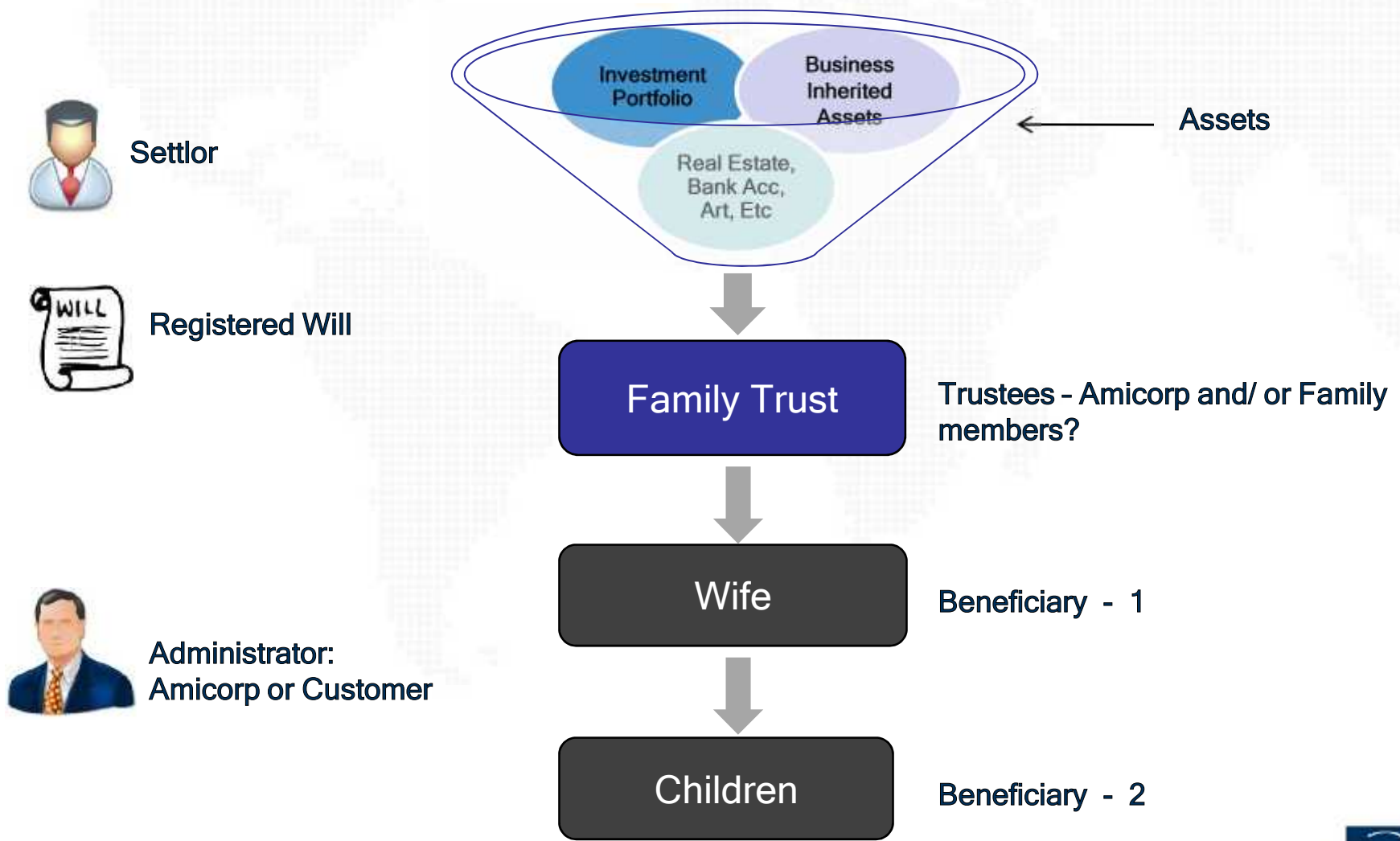
- **Assets that a Trust can hold**



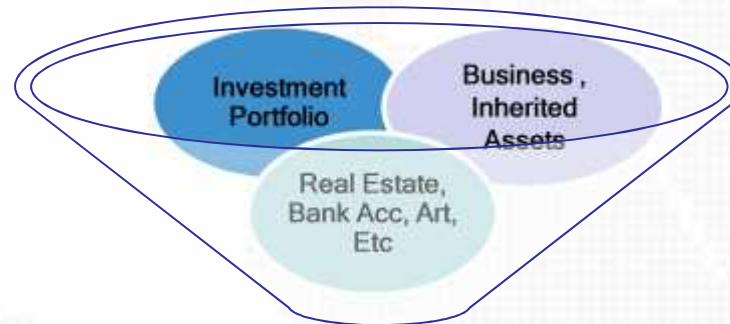


❖ Different Trust Structures

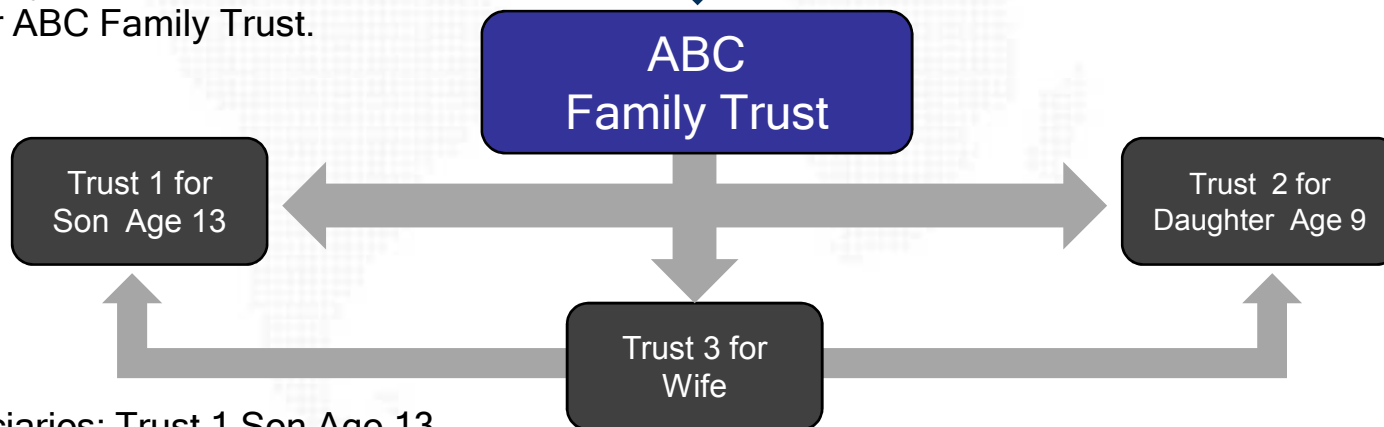
Trust Through a Will



Independent Trust for ABC Family



- Trustees: Amicorp
- Managing Trustees: Amicorp
- An Advisory board would be set up for ABC Family Trust.

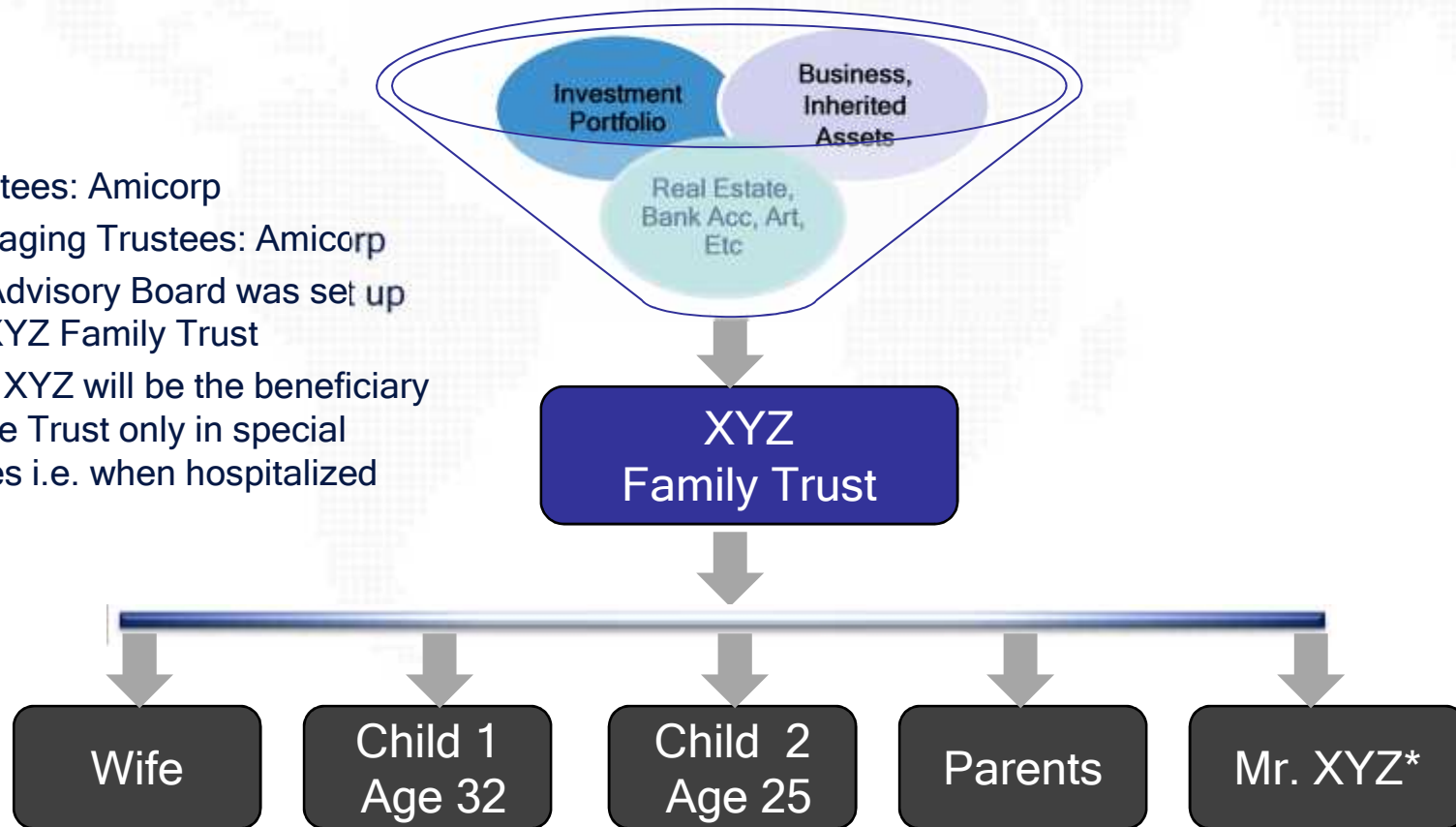


- Beneficiaries: Trust 1 Son Age 13
- Beneficiaries: Trust 2 Daughter Age 9
- Beneficiaries: Trust 3 Wife
- On the demise of the Wife, Trust 3 would be dissolved and the assets would be distributed to Trust 1 and Trust 2 in equal proportion

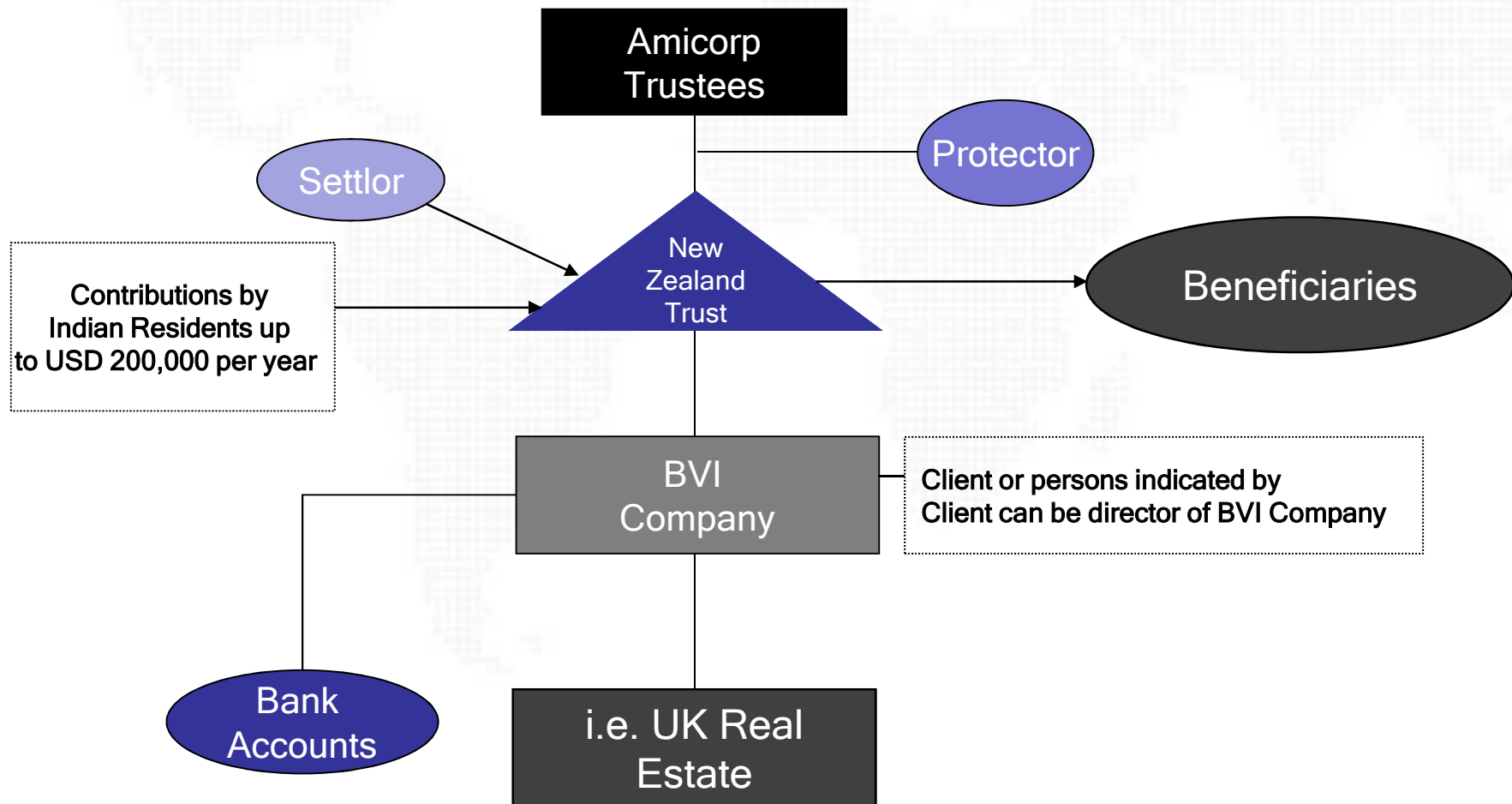
• Direct Trust for XYZ Family

- Mr. XYZ seeks options for the protection of his family and himself against any unforeseen event.

- Trustees: Amicorp
- Managing Trustees: Amicorp
- An Advisory Board was set up for XYZ Family Trust
- *Mr. XYZ will be the beneficiary to the Trust only in special cases i.e. when hospitalized



• Succession Planning/ Asset Protection Structures





❖ Our Expertise

Amicorp Group



Stand out from the crowd

• Estate / Succession Planning Services

❖ Will

- Drafting of Will
- Registration of Will
- Safe custody of Will

❖ Trust's Formation

- Drafting of Trust Deed
- Registration of Trust
- Management of Trust as Trustee / Managing Trustee

❖ Custodial Services

- Safe custody of Will / Trust Deed
- Safe custody of property documents held under a Trust

❖ Executorship Services

- Identifying assets of the Testator
- Obtaining letter of administration / probate from the court
- Recovering dues
- Paying debt, duties and expenses
- Distributing the assets to the beneficiaries
- Co-ordinating the preparation of tax returns
- Filing final statement with the court

• Amicorp as Trustees or Managing Trustees

- As Trustees or Managing Trustees Amicorp will strictly abide and follow instructions defined in the Trust deed

❖ Scope of work:

- Property management
- Transferring movable (i.e. shares) and immovable assets (i.e. real estate) to the Trust
- Pay rent or collect rent on behalf of the Trust
- Payment of tax return and audit for the Trust
- Conducting board/shareholders meetings where the Trust holds shares in a company
- Family welfare and maintenance in reference to medical or any other requirements

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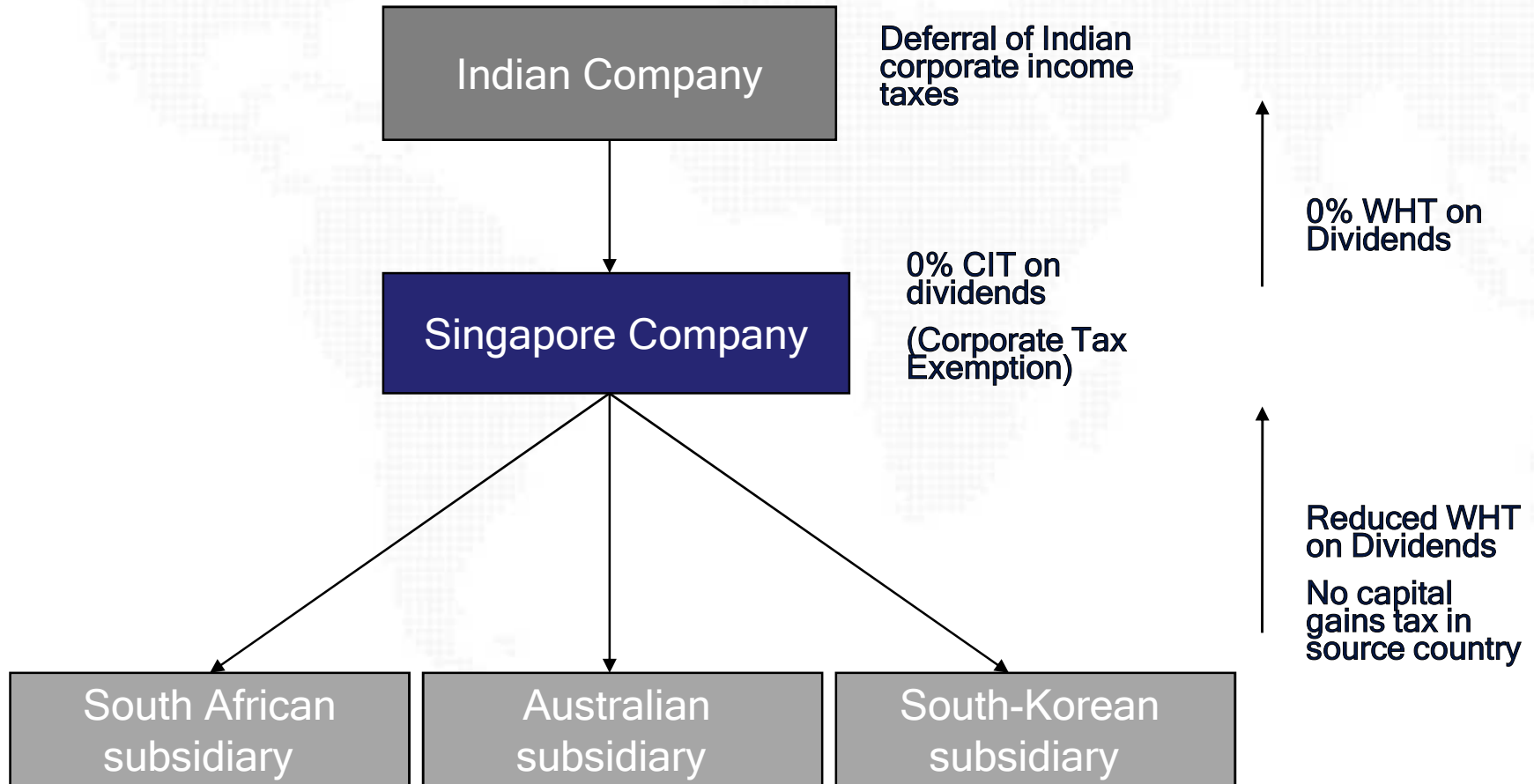
AMICORP GROUP

Amicorp Advisory Services Pvt. Ltd.

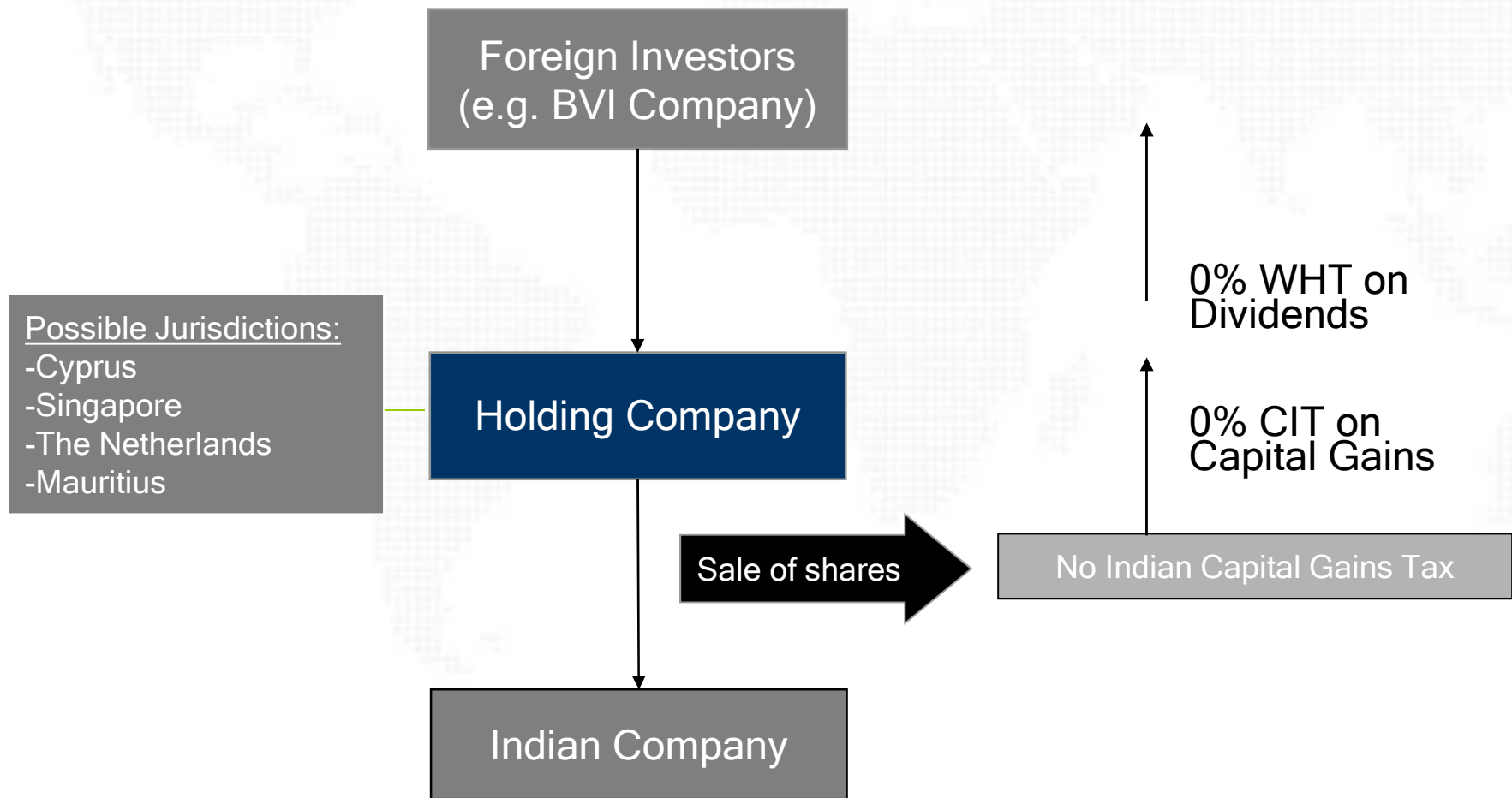
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- India Outbound Investments (iv) Singapore Holding Company



• India Inbound Investments



• Amicorp India Team

- Trust specialists: 12 members
- In-house Legal Team: 17 members
- Back office operations: 60 members



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Thank
YOU

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