

Make the Wise Choice

 Legalwise

February 2019

Accounting CPD Program

Trusts Essentials
Estate Planning

EARLY BIRD OFFER: Save up to \$100
when you Register & Pay by 21 December 2018

3 FREE PAPERS with Every
Conference Registration



TRUSTS ESSENTIALS

4TH
ANNUAL

THURSDAY, 21 FEBRUARY 2019
9.00AM TO 5.15PM

\$695
192AQ01

A client will expect much when they turn to you for advice on trusts. Are you caught up on game changing CGT concession changes and the ATO's latest rulings? Are you across the types of trust structuring and asset protection strategies that will keep your clients coming back while referring you to others? Do you have the cutting edge strategies necessary to flawlessly handle complex issues related to discretionary trusts, distributions, trust loss provisions, payroll tax grouping with trusts and more? Gain an edge on your competitors with practical, real world guidance into each of these critical areas.

Chair: Peter Parsons, Director - Tax, Grant Thornton; FTI

★ OPENING ADDRESS

The Latest ATO Rulings and Developments in Trusts and the Impact on Your Clients

Presented by Michael Ballans, Barrister, Inns of Court

PERFECTING TRUST STRUCTURES AND ASSET PROTECTION

Choosing the Right Trust Structure: Business vs Investment

The rules surrounding trusts can be extraordinarily complex which in turn can make it difficult when advising clients on how to best structure their affairs. This session will focus on trusts as business and investment structures and explore:

- The various trust structures that exist and related strategies
- The opportunities and pitfalls that exist with various trust structures and what you need to be aware of when advising clients
- The application of various small business concessions within the different trust structures
- Restructuring opportunities that exist within a trust
- How to deal with unpaid present entitlements and Division 7A
- Other recent ATO guidance and announcements

Presented by Jacqui Reeves, Manager, Private Client Services, EY; CTA

Using Trusts for Asset Protection: Strategies Your Clients Need and Expect

- Identifying and understanding risk profiles
- Structuring key roles: who to nominate as beneficiaries, trustees and appointors
- Debunking the *Richstar* 'alter ego' argument
- Managing loan accounts and unpaid present entitlements
- Pros and cons of corporate trustees and appointors

Presented by Patrick Ellwood, Founder, Clover Law

Significant Changes to Small Business CGT Concessions: Application of Integrity Measures and What it Means for You

- Summary of recent changes to how the Small Business CGT Concessions apply
- Announced 'integrity' changes from the 2017/2018 Budget (now enacted)
 - Stricter active asset test
 - Changed timing of when a business must be carried on by either a taxpayer or underlying company/trust
 - 'Object entity' rules: satisfaction of modified maximum net asset test or satisfaction of small business (turnover) test
- Announced 'integrity' changes from the 2018/2019 Budget
 - Denial of concession for partnership interest (*Everett*) assignments
- Some practical scenarios illustrating the changes

Presented by Mark West, Principal, West Garbutt; CTA

Should a Trust Own the Family Home? What to Advise Your Clients

- How to access the CGT main residence exemption
- Necessary legal, tax and practical requirements
- Duty and land tax implications and exemptions
- Differences between the Australian jurisdictions

Presented by Clifford Hughes, Principal, Clifford Hughes & Associates; Accredited Specialist in Tax Law and Business Law; CTA

PRACTICAL TRUST STRATEGIES

When the Fighting Starts: How Does the Family Court Treat Discretionary Trusts?

- When are the assets of a discretionary trust vulnerable to a property settlement claim under the *Family Law Act*?
- How to limit the inclusion of assets of a discretionary trust in a family law property settlement
- Latest cases as to the treatment of discretionary trusts by the Family Court

Presented by Rebecca O'Brien, Senior Associate, Phillips Family Law

Practical Trust Distribution Strategies and focus of the ATO Compliance Programs

- Issues evidencing trust distributions prior to 30 June
- Focus of the ATO compliance programs
- How clients can be dispute ready for reviews by revenue regulators

Presented by Jacqueline McGrath, Senior Associate, KPMG Law

Trust Loss Provisions and Family Trust Elections: The Consequences for You and Your Clients

- When should a family trust election be made?
- How to identify who is in the 'family group' and the practical implications for your clients
- What are the implications of distributing outside of the 'family group'?
- When can a family trust election or interposed entity election be revoked?

Presented by Linda Tapiolas, Partner, Cooper Grace Ward Lawyers; CTA

Trusts Inadvertently Grouping Family Businesses for Payroll Tax: Issues You Must Consider

- Payroll tax and the grouping provisions
- Consequences of structures being grouped
- Case study: the difference a trust makes in grouping structures for payroll tax
- Recent cases in relation to payroll tax grouping and trusts
- Tips and traps to be wary of when managing payroll tax grouping with trusts
 - Structuring it right
 - Exclusion orders
 - Variations or disclaimers
 - Reviewing existing contracts

Presented by Darius Hii, Director, Chat Legal Pty Ltd



GROUP AND MULTIPLE BOOKINGS: \$495

Register for 2 or more conferences or register 2+ delegates from your firm and pay just \$495 per delegate per conference

ESTATE PLANNING CONFERENCE

4TH
ANNUAL

FRIDAY, 22 FEBRUARY 2019
9.00AM TO 5.15PM

\$695
192AQ02

It's an age old idiom that nothing is certain in life but death and taxes, and in the complex world of estate planning the two go hand in hand. Unlock the latest estate planning strategies regarding critical tax issues tied to death, dealing with a rapidly involving superannuation landscape, and deftly managing Division 7A issues and testamentary trusts. This diverse panel of experts will guide you to the results your clients expect in each of these areas and more, including dealing with blended families, foreign clients and assets, small businesses, aged care issues, and executor risks.

Chair: **Michael Klatt**, Partner, Mullins Lawyers; Leading Wills, Estates & Succession Planning Lawyer, *Doyle's Guide* 2018

SOPHISTICATED TAX AND ESTATE PLANNING STRATEGIES

Use and Misuse of Testamentary Trusts in Estate Planning: Staying on Track

Testamentary trusts can provide significant asset protection and tax minimisation opportunities for the beneficiaries of a deceased estate. However, establishing a testamentary trust that is not fit for purpose or one that is not flexible enough to deal with the future needs of specific beneficiaries can create unnecessary complexities or provide no benefit at all. You will examine the factors and key considerations when dealing with testamentary trust provisions including:

- Key asset protection and income tax advantages
- Who should control the trust?
- What powers do they need or should they be prevented from using?
- Who is able to receive capital and income distributions from the trust?
- Alternative types of testamentary trusts

Presented by **Steven Jell**, Senior Associate, Cooper Grace Ward Lawyers

Taxation of Deceased Estates: Coping with Complexity

Examine key tax issues and gain practical tips on effectively identifying and dealing with them including:

- Capital Gains Tax and withholding requirements
- The principal place of residence
- When and where stamp duties may apply
- Taxation of testamentary trusts
- How tax affects life interests and the remainder beneficiaries

Presented by **Linda Farmer**, Director – Private Advisory, Grant Thornton

Dealing with Division 7A Loans in Estate Planning: New Strategies for the New Changes

Many SME clients have private companies and family trusts that can raise complex tax issues, including:

- Developing an estate plan to deal with shareholder loans and UPEs
- Dealing with Division 7A loan repayment obligations after death
- Managing unpaid trust entitlements
- Debt forgiveness tax traps

Presented by **Damian O'Connor**, Managing Principal, Tax + Law; CTA

Estate Planning and Superannuation: How to Avoid the Common Mistakes

- A member has passed away: steps the trustee needs to follow
- Beneficiaries: How are they identified?
- Tools to provide certainty with the distribution of death benefits
- Post 1 July 2017: What has changed with regard to the distribution of death benefits?
- What impact has the Transfer Balance Cap had on estate planning?

Presented by **Peter Rimmington**, Principal – Business Advisory, Crowe Horwath

Effectively Managing Your Client's Overseas Assets in Estate Planning

- How to deal with assets in other jurisdictions
- Will a Will executed in Queensland be effective in another jurisdiction?
- Are separate Wills required?
- Who should be the executor?
- What are the taxation implications?

Presented by **Angela Cornford-Scott**, Director, Cornford-Scott Lawyers; Preeminent Wills, Estates & Succession Planning Lawyer, *Doyle's Guide* 2018

ADVANCED ESTATE PLANNING TECHNIQUES

Should You be the Executor of Your Client?

Examine practical matters and suggested solutions to allow you to make the best decision when considering whether to be your client's executor, including:

- Appointment of executor in a Will
- Role and responsibility of an executor
- Checklist of major estate issues to consider
- Who is liable if it goes wrong?

Presented by **Philip MacIsaac**, Partner, Walker Wayland Advantage

The Practical Realities of Death: Small Businesses and Funerals

- Keeping the business running after the business owner dies: dealing with companies and trusts
- Executor vs family members: who should have control and why
- Costs and payment for funeral, wake, burial plot and headstone expenses

Who should bear the costs and other considerations

Presented by **Clifford Hughes**, Principal, Clifford Hughes & Associates; Accredited Specialist in Tax Law and Business Law; CTA

Practical Estate Planning Strategies for Blended Families

- Common challenges faced by blended families when considering their estate planning
- Control: Who should be the executor and trustee?
- Balancing the needs of the spouse and the children from an earlier relationship
- Estate planning strategies for blended families including mutual Wills, binding financial agreements and other relevant strategies to deal with the risk of an estate challenge

Presented by **Ashleigh Poole**, Special Counsel, Thynne + Macartney; Recommended Wills, Estates and Succession Planning Lawyer, *Doyle's Guide* 2018

Aged Care, Retirement and Estate Planning: Putting it all Together

- Types of aged care and retirement property interests and rights: how they differ
- The 'ins and outs' of elder care: funding and exit
- Family care, granny flats and changes in care needs
- The evolving and critical role of the enduring power of attorney
- Common risks or issues that arise in the elder living environment
- Case study: practical applications for your practice

Presented by **Michele Davis**, Associate – Head of Succession & Elder Law, Wilson Lawyers

"These are the type of presenters and presentations that I treasure"

"Really positive and I liked the interaction with speakers and attendees"

5 SIMPLE WAYS TO REGISTER	PHONE 02 9387 8133	FAX 02 9387 8711	EMAIL info@legalwiseseminars.com.au	WEB legalwiseseminars.com.au	POST PO Box 971, Bondi Junction NSW 1355
----------------------------------	------------------------------	----------------------------	---	--	--

Hurry Time is Ticking!
Early bird ends 21 December 2018

COMPANY INFORMATION

Company Name _____
 Postal Address _____

 City _____
 State _____ Postcode _____

DELEGATE 1

Please register me for the following Conference

Conference: _____
 Face to face Live online Recording
 Salutation: _____ Name: _____
 Job Title: _____
 Telephone: _____
 Email Address: _____
 Special Dietary Requirements: _____

DELEGATE 2

Please register me for the following Conference

Conference: _____
 Face to face Live online Recording
 Salutation: _____ Name: _____
 Job Title: _____
 Telephone: _____
 Email Address: _____
 Special Dietary Requirements: _____

TERMS AND CONDITIONS For Full Terms and Conditions: Please visit www.legalwiseseminars.com.au **Early Bird Offer:** Register and pay by 21 December 2018 to receive the early bird offer **Live Online Conferences:** Live online conferences and conference recordings prices are per person viewing only. They may not be distributed to another person nor may they be used for group viewings. Please note Legalwise Seminars intends to run live online conferences and conference recordings as advertised but reserves the right to change the programs without notice and to cancel if there are insufficient registrations. If cancelled, we will offer the face to face option, a transfer to another conference or a full refund. **Replacement Delegates:** You may nominate a replacement delegate to attend in your stead at any time without charge. **Cancellation Policy:** If you notify us in writing more than 5 working days prior to the event you can cancel with no charge and receive a full refund/credit. If you notify us in writing 3 to 5 working days prior to the date of the event then you will be charged an administration fee of \$75 for a half day, \$150 for a full day conference. With the remaining balance you may choose to: i. Obtain a credit for future use (valid for 24 months and cannot be exchanged for a refund) ii. Transfer to another conference in any format and pay the difference. Any cancellations 2 working days or less before the event you will be charged the full fee and no refund/credit will be issued. **Transfer Policy:** Transfers more than 5 working days prior to the event are allowed without any charge. For all transfers 5 working days or less prior to an event, an administration charge of \$75 half day/\$150 full day conference will apply. **Exceptions:** For any transfer between live online and the recording of the same conference then no administration fee will be charged. All notifications should be forwarded to info@legalwiseseminars.com.au. Special Terms and Conditions for the Cape Town Conference 2019. **Privacy:** Legalwise Seminars Pty Ltd protects the privacy and security of information provided by you. By completing this form, you agree to the use of your personal information by Legalwise Seminars Pty Ltd, to process your registration or enquiry, to contact you about products, services and events, and for internal purposes. A list providing only the delegates' name, job title and company are provided to all presenters prior to the event. You may request to gain access to any of your personal information that we have collected. For our full privacy policy please visit www.legalwiseseminars.com.au

PLEASE CHOOSE YOUR 3 FREE PAST PAPERS

(Please visit our website for a comprehensive list of our past conference papers.)

1. Paper Code _____
 2. Paper Code _____
 3. Paper Code _____

GROUP AND MULTIPLE BOOKINGS: \$495

Register for 2 or more conferences or register 2+ delegates from your firm and pay just \$495 per delegate per conference

VENUE: MERCURE HOTEL BRISBANE, 85/87 NORTH QUAY, BRISBANE

Attend in Person

Conference Title	Date	Code	Std Fee	Early Bird	2+ Bookings
4th Annual Trusts Essentials	21 Feb	192AQ01	\$695	\$595	\$495
4th Annual Estate Planning Conference	22 Feb	192AQ02	\$695	\$595	\$495

Sydney Conferences Available Live Online or as Recordings

See our website for more information: www.legalwiseseminars.com.au

Conference Title	Date	Live Online Code	Recording Code	Std Fee	Early Bird
4th Annual Trusts Essentials	18 Feb	WEB192AN01	OND192AN01	\$695	\$595
4th Annual Estate Planning Conference	19 Feb	WEB192AN02	OND192AN02	\$695	\$595
Inaugural Employment Taxes and Financial Obligations Conference"	20 Feb	WEB192AN03	OND192AN03	\$695	\$595

PAYMENT

All price inc GST. This document will be a tax invoice for GST when fully completed and you make a payment that is under \$1000. Please take a copy for your records. ALL registrations must be paid in full prior to the date of the event.

CREDIT CARD Charge \$ _____ to my
 Mastercard Visa Amex
 Card Number _____

 Expiry Date / / CVV _____
Security Number for AMEX is 4 digits on front of the card. All other cards last 3 digits on back of the card.
 Name on Card _____
 Signature _____

EFT BSB: 062-124 Account: 1048 9181
 Email your remittance to accounts@legalwiseseminars.com.au

CHEQUE Please find enclosed a cheque for \$ _____ made payable to
 Legalwise Seminars Pty Ltd
 ABN 40 049 329 749, ACN 102 742 843