

Trust Essentials – July 2019

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Z trusts judgment: whose rights take priority when a trust is insolvent?

Jersey's Court of Appeal has handed down its long awaited judgment in the Z Trusts case. The decision considers important questions regarding the equitable rights of a former trustee, and whether those rights have priority over the rights of other claimants to the assets of a trust (including successor trustees) whose liabilities exceed its assets.

Jersey Royal Court rules on the extent of its powers to restrict a party that withdraws trust proceedings from starting afresh

Jersey's Royal Court has recently ruled on the extent of its powers to restrict a party that withdraws proceedings from starting afresh in a judgment that considers for the first time the implications of a 2014 English Court of Appeal decision on the public interest in there being finality in litigation.

Amendments to Cayman Trusts Law

Amendments to the Trust Law are welcomed by Cayman trust practitioners as they provide greater certainty and clarity, while also modernising fundamental aspects of the Law, and ultimately reaffirming the Cayman Islands' position as a market-leading jurisdiction for the establishment and administration of sophisticated trust arrangements.

At a Glance Guide to Ogier's Latin American Team

Ogier's team of Cayman Attorneys has a long track record of working with clients in Latin America, enabling and structuring investment into and out of the region.

At a Glance Guide to BVI Wills for Non-doms

For individuals domiciled outside of the British Virgin Islands, a separate will covering BVI assets can simplify the probate process – as well as providing certainty over who administers the estate, over the distribution of assets on death and offering a cheaper solution.

Intergenerational wealth transfer in the millennial age

How can baby boomers preparing to pass on wealth to their millennial children, and their advisers, help to ensure that the next generation holds on to their hard-earned wealth?

A decade of building on strong foundations: the tenth anniversary of the Foundations (Jersey) Law

This year marks the tenth anniversary since the enactment of the Foundations (Jersey) Law 2009, which was the first of its kind for offshore jurisdictions when it came into being.

New economic substance laws: the private wealth context

This article sets out a brief overview of the new substance regime with a particular focus on its application to private wealth structures. Although the article refers specifically to Jersey, the comments are directly applicable to Guernsey and the general principles can also be applied in relation to BVI and Cayman structures (albeit with some different nuances).

About Ogier

Ogier is a professional services firm with the knowledge and expertise to handle the most demanding and complex transactions and provide expert, efficient and cost-effective services to all our clients. We regularly win awards for the quality of our client service, our work and our people.

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