

## ● FIDUCIARY SERVICES

### FIDUCIARY SERVICES AND CAPABILITY

Collas Crill's fiduciary team advises institutional trustees and high net worth individuals on all aspects of Guernsey and Jersey trust law. Our emphasis is on innovation, pragmatic advice and responsiveness with a clear understanding of the related risks. We differentiate ourselves from our competitors in a number of ways by offering our clients a tangible set of key benefits including:

- Relevant offshore multi-jurisdictional experience in top tier law firms in London, the Cayman Islands, British Virgin Islands, Guernsey and Jersey.
- Innovative solutions that complement the demands of the private client as well as the sensitivities and fiduciary requirements of trustees.
- Solutions that are tailored to suit the exacting needs of high net worth individuals or a company's specific business model, rather than a 'one size fits all' solution.
- Senior in-house institutional trustee knowledge and in-depth private practice experience across the team, combined with a broad range of skills in other complementary practice areas.
- A transparent and up-front fee structure including, when possible, fixed fee quotations to ensure cost certainty in all aspects of our work.

### TAILORED TRUSTEE SOLUTIONS - OUR RISK MANAGEMENT FOCUS

We offer services designed for the prudent trustee with a focus on risk management in those areas of a trustee's business where risk is greatest. Our advice is not a 'one size fits all' solution, but rather is based on an individual company's specific business model. By building a partnership with you we add value by providing to trustees the following specific products and services within a dedicated team approach:

- Regulatory support - together with our risk and regulatory team, we advise on anti money laundering laws and the regulation of trust companies;
- We advise trustees before, during or after a regulatory inspection;
- Back office administration support - we can assist in the creation of straightforward operating procedures, including checklists, designed in conjunction with the needs of a trustee to ensure that all members of staff, no matter what their experience, can provide consistent and accurate back office services;
- We advise on all aspects of day to day administration of trusts, including the drafting of supplemental instruments;
- Precedent development - we can review existing documentation or provide our new precedents based on plain english drafting to incorporate such legislative innovations as "reserved powers" to strike a balance between maintaining a degree of control to the settlor, integrity of the trust and protection of the trustee. Such trusts have proved very popular with both settlors and trustees alike;
- Validity opinions - while many trustees draft their own documents we offer a simple 'second look' service, whereby for an agreed fixed fee we will review draft documents;

- Risk management reviews (both regulatory and in the administration of trusts);
- We advise on the best way to hold high risk trust assets and to take advantage of unique local legislation to protect trustees;
- Our team are committed to keeping our institutional trustee clients informed on updates to the law and the best ways to manage their risk.

### PRIVATE CLIENTS

#### Family Trusts

Our team regularly advise settlors and trustees on the creation and administration of fixed interest and discretionary trusts.

#### Purpose Trusts

Taking full advantage of Guernsey and Jersey trust legislation enables innovative private client solutions broadening the types of assets that can be held "safely" in trust including aircraft, yachts and artwork.

#### Private Trust Companies

Guernsey and Jersey provide excellent locations for the formation and management of private trust companies and our fiduciary team have expert knowledge in assisting in the creation and implementation of such trust companies.

#### Trust Disputes

Together with the Dispute Resolution team, we have been involved in some of the highest profile trust related cases in Guernsey and Jersey. We regularly act for trustees, beneficiaries, settlors and protectors on all matters of claims including disputes over the validity of trusts, tracing claims, representation of minor and unascertained beneficiaries and applications to the Royal Court for directions.

**COMMERCIAL TRUSTS****Pension Trusts**

We advise on all aspects of pension trusts, including drafting trust documents and scheme rules, and advising on local legislation which may affect the provision of pensions.

**Unit Trusts**

We act for investment managers, advisers and trustees in connection with the establishment, licensing (where applicable) and administration of unit trusts. We are experienced in drafting multi series unit trusts, umbrella structures and master feeder structures tailored to suit our clients' overall needs.

**Asset Holding and Asset Finance Structures**

We advise on the drafting of trusts used in capital market transactions, whether these be off balance sheet financing or the protection of assets, note issuing trusts, or other specific SPVs.

**FOR MORE INFORMATION,  
PLEASE CONTACT:**

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