Information

Four Ways to Register:
1. Telephone us: 604-730-2500 or toll free 877-730-2555
2. Fax us: 604-730-5085 or toll free 866-730-5085
3. Mail your registration form with payment
4. Register at **www.pbli.com/1161**

Registration: The registration fee is $770.00 plus GST of $38.50 totalling **$808.50** covering your attendance at the program (in person or by live webinar), written materials, a light breakfast, a networking luncheon and refreshments throughout the day.

Early Bird Discount: Register by May 8th, 2015 and receive a $100 discount on the registration fee ($670.00 plus GST).

Group Discount: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration. Early Bird and Group Discount cannot be combined.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the program.

When and Where: Check-in begins at 8:30 a.m. The program starts at **9:00 a.m.** UBC Robson Square is located at the basement level of **800 Robson Street** in Vancouver, BC. Please visit http://robsonsquare.ubc.ca/find-us/ for directions.

Materials: The faculty will prepare papers and/or other materials explaining many of the points raised during this program. Materials will be available for pick-up at the program. Please contact us at registrations@pbli.com if you are unable to attend the program and wish to purchase a set of materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the program delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations: Full refunds will be given for cancellations (less a $60.00 administration fee) if notice is received in writing five full business days prior to the program (**June 2nd, 2015**). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content, venue, or the availability of webinar for this event.

Course Accreditation: Attendance at this course can be listed for up to **6.5 hours** of continuing professional development with the Law Societies of BC and Upper Canada. For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.

Registration Form

Pacific Business & Law Institute
305 – 1681 Chestnut Street
Vancouver, BC Canada V6J 4M6
Telephone: 604-730-2500; Fax: 604-730-5085
E-mail: **registrations@pbli.com**

TRUSTS:
PLANNING FOR SUCCESS

June 9th, 2015
UBC Robson Square, Vancouver, BC

❑ **In person** ❑ **Live webinar**

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❑ Brochure ❑ Email ❑ Colleague ❑ PBLI Website ❑ Other __________

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Approved by the Law Society of BC for **6.5 hours** of professional development credits

TRUSTS: PLANNING FOR SUCCESS

Chaired by

Nicholas P. Smith
Legacy Tax + Trust Lawyers

June 9th, 2015 • UBC Robson Square • Vancouver, BC
Live Webinar **also available!**

Chair

Nicholas P. Smith, Principal, Legacy Tax + Trust Lawyers, Vancouver, BC. Nick Smith is a founding principal with Legacy Tax + Trust Lawyers in Vancouver. For over 25 years, Nick's practice has focused on Federal, Provincial and international tax and estate planning, with an emphasis on owner manager corporate reorganizations, tax structuring of purchases and sales of businesses, business succession and working with trusts, estates and tax-planned wills. He also has particular expertise dealing with the 21-year deemed disposition rule applicable to most trusts. He was called to the British Columbia Bar in 1989 and is a frequent author and lecturer for a variety of professional organizations. He has authored the chapter on Private Business Succession in the British Columbia Estate Planning and Wealth Preservation book published by the Continuing Legal Education Society of B.C. Nick is an Adjunct Professor at the University of British Columbia Faculty of Law and has been qualified by the British Columbia Supreme Court as an expert in Canadian taxation. He has been selected by peers for inclusion in Best Lawyers in Canada (Tax Law) and Lexpert.

Faculty

David R. Baxter, B.Comm. (Honours), LL.B., Partner, Thorsteinssons LLP, Vancouver, BC. Mr. Baxter's practice focuses on tax planning for individuals, trusts and corporations in both domestic and international matters, including divisive reorganizations, estate planning, business structuring and sales, life insurance matters, foreign affiliates and cross-border structures. His clients include private enterprises, owner-managers and public corporations. Mr. Baxter is a frequent lecturer on tax planning matters. He has written numerous papers and articles and is the author of business succession courses for the Institute of Chartered Accountants of BC and Ontario. Mr. Baxter has also lectured on tax matters at UBC law school.

Andrea E. Frisby, Associate, Legacy Tax + Trust Lawyers, Vancouver, BC. Andrea focuses her practice on assisting clients with estate and trust planning and administration. She prepares wills, trust documents, powers of attorney and representation agreements for clients, and also provides legal advice on estate and trust administration. Andrea was called to the Bar in 2008, after clerking at the BC Supreme Court. She has a broad legal background, having practised in estate and insolvency litigation, employment and administrative law prior to turning her focus to planning. Andrea is a regular author of publications in her practice areas for both legal and non-legal audiences.

Terry Gill, Principal, Gill Tax Law, Vancouver, BC. At the start of his career, Terry Gill completed articles of clerkship with judges at the British Columbia Court of Appeal, allowing him to learn about the inner workings of the Court. After completing this clerkship, he was appointed a Department of Justice federal prosecutor and gained valuable court experience and insight into the Canada Revenue Agency's operations. Mr. Gill then joined Vancouver's largest tax law firm, where he practiced as a tax litigator for over a decade and became a partner of the firm before founding Gill Tax Law. In his civil tax litigation practice Mr. Gill advises and represents clients with respect to CRA audits and appeals and has appeared in tax related cases before many different courts, including the Tax Court of Canada, the Superior Courts of British Columbia, Alberta, Saskatchewan and Ontario, the Federal Court of Canada and the Federal Court of Appeal. A significant part of Mr. Gill's civil tax litigation practice has involved the rectification of tax problems and he is amongst the most experienced counsel in Canada in obtaining superior court rectification orders. He has lectured and written extensively on various aspects of taxation law at conferences, meetings and courses for both legal and non-legal audiences.

Mary Hamilton, Associate Counsel, Davis LLP, Vancouver, BC. Mary has almost 25 years of experience in matters relating to wills, trusts and estate administration, and leads her firm's Wills, Estates and Trusts group. She has held senior positions with various wills, estates and trusts groups in Vancouver and was named Vancouver Trusts and Estates Lawyer of the Year 2011 by Best Lawyers. Mary advises clients about their estate planning and using wills, trusts and other vehicles (including charitable giving) to minimize taxes on death. She also advises about incapacity – preparing powers of attorney, nominations of committee and representation agreements and advising attorneys, committees and representatives about their roles and responsibilities. Mary lectures frequently to both legal and non-legal audiences on topics pertaining to wills, estates, incapacity and charitable giving.

Shane Onufrechuk, Partner, Tax, KPMG LLP, Vancouver, BC. Shane's focus at KPMG LLP is in the area of Canadian corporate tax with an emphasis on PPP project finance structuring, corporate reorganizations, acquisitions and providing tax advisory services to other professionals. Shane has written and presented for a variety of legal and non-legal audiences, including the Institute of Chartered Accountants of BC and the Society of Trust and Estate Practitioners. He plays an active role in ICABC professional development and has been involved in teaching and course development for the CA School of Business as well as the Sauder School of Business.

Pam Prior, CPA, CA, TEP, Partner, Tax, KPMG LLP, Burnaby, BC. Pam has been with KPMG for over 25 years and has been practising tax since 1990. In her practice, Pam acts as a trusted business advisor to private owner managed businesses, focusing on addressing tax compliance and tax planning issues at both a corporate and personal level. She specializes in the areas of estate planning, trusts and charitable giving and has received a Trust and Estate Practitioner (TEP) designation from the Society of Trust and Estate Practitioners. She also advises charities and not-for-profit organizations on their tax compliance and tax planning issues.

Genevieve N. Taylor, Principal, Legacy Tax + Trust Lawyers, Vancouver, BC. Ms. Taylor practises in the areas of wills, estates, trusts and related taxation including the preparation of wills, powers of attorney, representation agreements and *inter vivos* trusts and applications for probate and letters of administration. She regularly advises beneficiaries, trustees, executors and administrators regarding the administration of trusts and estates and has been involved in the successful conduct and settlement of estate and trust litigation. Ms. Taylor has authored and co-authored a number of papers in the area of wills, estates, trusts and adult guardianship and is a frequent speaker on these topics.

Trusts:
Planning for Success

Trusts are an important planning tool; however, the complex nature of trusts law and its continual evolution pose a challenge for even experienced professionals. Recent legislative developments promise to have profound implications on the use of trusts for tax and estate planning, and in order to effectively navigate this area of law, advisors must keep abreast of these changes, current issues and modern techniques.

This program assembles leaders in the fields of trusts and taxation to update you on recent developments in the law of trusts and key challenges facing practitioners today, and to provide you with current and emerging planning techniques, practice tips and practical solutions. You will gain a solid understanding of important planning issues, potential pitfalls and the techniques and structures currently available to best address your clients' unique circumstances and set them up for success.

You Will Learn About:

- New legislation and its important implications for estate planning
- Planning to address the 21-year deemed disposition rule
- Recent trends in fixing mistakes and eliminating liability
- Cross-border considerations where beneficiaries are located in the US
- Proactive drafting techniques to address issues arising under the *Family Law Act*
- Actions by trustees and beneficiaries that may unintentionally attract tax
- Planning for persons with disabilities

Who Should Attend?

- Lawyers practising in the areas of trusts, wills, estates or tax
- Estate planning specialists
- Investment managers and professionals
- Accountants providing tax and estate planning advice
- Financial planners and other consultants helping clients protect wealth and minimize tax

Will Todd, Associate Counsel, Davis LLP, Vancouver, BC. Will Todd provides tax and estate planning solutions for Canadian-resident US citizens and their family members and Canadians holding or acquiring US real property, among others with cross-border tax exposure. He is a member of the British Columbia and Ontario bars and is also admitted to practice law in New York and Massachusetts. Will advises clients about their tax and estate planning and using wills, trusts and other vehicles to minimize taxes on death. His advice often relates to cross-border estate planning for clients subject to the laws in Canada and the United States. His tax practice includes analysis of US gift, estate and generation skipping taxes, the Canadian tax rules for spousal and non-resident trusts and the Canada-US Tax Convention.

Richard T. Weiland, Partner, Clark Wilson LLP, Vancouver, BC. Richard Weiland is a partner with Clark Wilson LLP and a member of the firm's Wealth Preservation Group. His practice has an emphasis on advising business owners and high net worth individuals and families on corporate structuring, tax, and estate planning. He also advises a number of charities and other tax-exempt entities on tax, governance and business structuring matters. Richard has completed the Canadian Institute of Chartered Accountants' In-depth Tax Course, and has authored chapters for publications by the Continuing Legal Education Society of BC on estate planning and administration issues. He is a regular speaker and author for both legal and non-legal audiences.

TRUSTS: PLANNING FOR SUCCESS

TUESDAY, JUNE 9TH, 2015

9:00 Welcome and Introduction by PBLI

9:05 Chair's Welcome and Introduction

Nicholas P. Smith
Legacy Tax + Trust Lawyers

9:10 Bill C-43: Implications of New Legislation for Estate Planning

Pam Prior
KPMG LLP

- Taxation rate changes
- Modifications to charitable donation rules
- Implications for planning using spousal, alter ego or joint partner trusts
- Insurance trusts

10:10 Questions and Discussion

10:20 Refreshment Adjournment

10:35 Planning Around the 21-Year Rule

David R. Baxter
Thorsteinssons LLP

- Deemed disposition rules
- Rollouts to beneficiaries and limitations
- Other tax-related strategies in advance of 21st anniversary
- Corporate freezes

11:15 Questions and Discussion

11:25 Recent Trends in Fixing Mistakes and Eliminating Liability: *Pallen Trust* and Beyond

Terry Gill
Gill Tax Law

- Rectification
- Rescission
- Mistake
- When to notify CRA

12:10 Questions and Discussion

12:20 Networking Luncheon

1:20 Cross-Border Considerations

Will Todd
Davis LLP

- US beneficiaries and Canadian trusts
- US estate tax exposure for trust beneficiaries
- FATCA, bank accounts and information reporting
- Tracking days spent in the US and potential consequences

2:00 Questions and Discussion

2:10 Proactive Drafting Tips for Trusts in Family Law

Genevieve N. Taylor
Legacy Tax + Trust Lawyers
Andrea E. Frisby
Legacy Tax + Trust Lawyers

- Strategic planning when:
  - spouse is the settlor and;
  - a third party is the settlor
- Drafting to affect value

2:55 Questions and Discussion

3:05 Refreshment Adjournment

3:20 Adjusting the Trust: When Does it Rise to the Level of a Taxable Event?

Richard T. Weiland
Clark Wilson LLP

- Adding and removing beneficiaries
- Varying or amending trust terms
- Renunciation of interests

4:00 Questions and Discussion

4:10 Disability Planning

Shane Onufrechuk
KPMG LLP
Mary Hamilton
Davis LLP

- Planning in wills
- Avoiding clawbacks to Provincial benefits
- Implications of Bill C-43
- *Inter vivos* trusts

4:45 Questions and Discussion

4:55 Chair's Closing Remarks

5:00 Program Concludes