





Tax and Asset Protection Considerations for the Multi-jurisdictional Family

- Taxation systems
- Tax rates
- Tax residency
- Anti-tax avoidance/deferral rules

Tax residency & Tax rates

CRS & FATCA reporting

- Automatic information exchange
- U.S. FATCA
- Other countries (e.g. UK, PRC, Canada, HK, SG, CI, BVI, Jersey, etc.)
 - CRS

- Protection from creditors
- Protection from family disputes
- Protection from marriage
- Privacy & confidentiality

Assets protection

Solution? Offshore trust structures

- Trust structure & documents
- Roles (e.g. settlors, beneficiaries, protectors, investment advisors)
- Powers
- Governing law







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Jurisdiction	Tax system	Tax rates	Tax residency
U.S.	Worldwide basis	 Ordinary income (e.g. salary, dividend) – top rate 37% Short-term capital gain – top rate 37% Long-term capital gain – 20% Net investment income tax – 3.8% Estate tax – 40% (basis exclusion US\$11 mil) 	 U.S. citizens U.S. green card holders Physically presence in the U.S. (183 days over a three-year period)
НК	Territorial basis	 Salary/compensation: top rate 17% Investment income (e.g. div, cap gain): 0% No estate tax 	 Ordinarily resides in HK Stays in HK for more than 180 days during a year of assessment or more than 330 days in two consecutive years of assessment one of which is the relevant year of assessment
PRC	Worldwide basis	 Salary/compensation: top rate 45% Investment income (e.g. dividend, capital gain): 20% No estate tax 	PRC domiciled183 days rule6-year rule







Thank you