

Charles
Russell
Speechlys



Wealth structuring for *Latin American families*

Our firm

We are here to support our clients' international ambitions in an increasingly globalised world.

We can help navigate the challenges of doing business and managing complex personal matters across borders, in a challenging global setting.

Our lawyers are based in 12 locations across the UK, Europe, the Middle East and Asia. Across these locations, we will put together the right legal team, drawing upon the firm's different disciplines, sector expertise and geographies.

We offer a broad range of advisory, transactional and contentious services with a focus on private capital. We have over 700 lawyers, including 170 partners.

Where we do not have offices, our regional teams work with leading local law firms to support clients from or doing business in Latin America, North America,

Africa, Israel, the Caribbean, India and China along with various countries in Europe.

Services we provide:

- Banking & Finance
- Commercial
- Construction, Engineering & Projects
- Corporate
- Corporate Tax
- Employment & Immigration
- Family
- Financial Services, Regulation & Funds
- Intellectual Property
- Litigation & Dispute Resolution
- Private Client
- Real Estate

Offices

London, Cheltenham, Guildford, Paris, Luxembourg, Geneva, Zurich, Dubai, Doha, Bahrain, Hong Kong and Singapore



Regional teams

North America, Latin America, The Caribbean, Europe, Africa, Israel, India, China

Focus on Latin America

Latin America is a region of diverse and exciting opportunities. We are here to work with leading law firms across the region to advise clients on a broad range of issues.

The focus of our work in Latin America is wealth structuring and relocation for Latin American families:



International private wealth structuring, succession & governance

[Read more](#)



Tax information exchange, transparency & other compliance

[Read more](#)



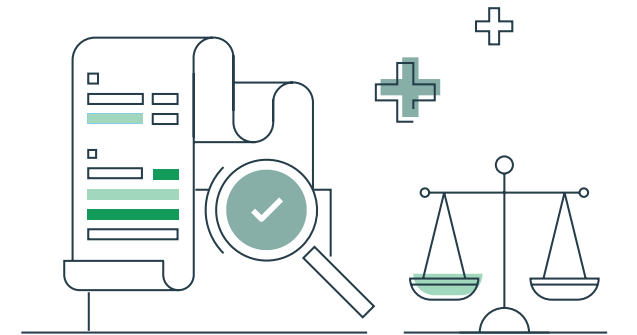
Individual relocation to the UK, Switzerland and Italy

[Read more](#)



Bilateral Investment Treaties (BIT) planning & other asset protection

[Read more](#)



Business asset & IP holding structures

[Read more](#)

In addition, we work with families and their advisors who are looking to invest in Europe or the Middle East, across a range of sectors including Real Estate and Sports. Our international dispute resolution practice is also on hand to offer a depth and breadth of expertise in case disputes arise when doing business in these regions.

International private wealth structuring, succession & governance

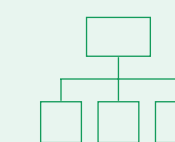


We are regarded as one of the world's leading law firms when it comes to advising on and implementing cross-border wealth holding structures that implement family governance and succession for international UHNWIs. We always work with local counsel in Latin America, enabling us to provide a high quality service for our clients.

Our recent experience



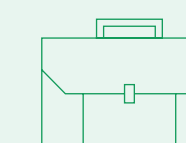
We have significant experience advising US and EU based financial institutions working with relevant Latin American counsel, on international wealth planning for their clients in Mexico, Brazil, Venezuela, Argentina, Peru, Colombia and Chile.



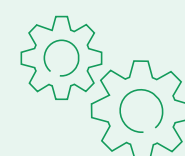
We advised a Mexican family on an international wealth structure with the aim to preserve wealth and facilitate succession across multiple generations as well as for charity purposes. This project included the analysis of wealth structuring vehicles that could subsist over the long term.



We advised on and implemented a major trust restructuring for trusts in Switzerland, Bahamas, Bermuda and the Cayman Islands for a Colombian family with industrial, transport and retail businesses across the Americas as well as Swiss based financial assets.



A long-term UK resident Brazilian national needed advice on the establishment of a Swiss based trust to hold financial assets (following a liquidity event in Brazil). We advised on succession for the client's Brazilian resident family.



We advised on an international wealth structure for a Mexican family. The client's objectives included investing in global markets, the transition of wealth to future generations and implementing governance developed with their Mexican advisors.

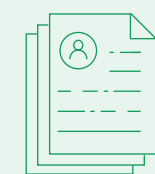
Tax information exchange, transparency & other compliance



Clients from the Latin American region have particular concerns as to what tax and financial information is being gathered and shared on them and their asset holding structures.

Our advice relates to what information is required to be disclosed either automatically or on request, what information the government authorities in their home countries will receive, how they perceive that information, who they will share it with and how secure it is.

Our recent experience



The trustees of a trust for the benefit of a Latin American family required our advice on the information to be disclosed under the Common Reporting Standard to ensure that clear and accurate information was provided in a manner consistent with domestic reporting by the family.



We advised a Mexican family to challenge international requests for exchange of information for tax purposes.



We have advised trustees with Mexican resident beneficiaries following a request to Switzerland for mutual assistance in tax matters.



Individual relocation to the UK, Switzerland & Italy



The world is getting smaller as families become increasingly international.

UK, Switzerland and Italy. The advice often includes a review of pre-existing structures, pre-immigration planning, advice on the beneficial tax regimes applicable in those jurisdictions (the residential non-domicile regime in the UK, the Swiss forfait and the Italian lump sum tax regime), assistance in obtaining a tax ruling, tax and legal advice on property purchases, immigration law advice and succession and family law advice.

Through our global network of leading local law firms we can source, coordinate and provide the comparison for advice in relation to Spain, Portugal, USA and Monaco (these are the main alternatives that are typically considered).

Our recent experience

- A Mexican resident was moving to the UK and therefore required our advice on immigration status, the statutory residence test, remittance basis taxation and renting a home in London.
- Assisting several Latin America families moving to Italy under the lump sum tax regime, including advising and obtaining rulings on the tax treatment of trusts, holding companies and funds and of the sale of the business.
- We have advised a number of Latin American clients on obtaining a tax forfait in Switzerland, their related offshore trust or company holdings, and Swiss-based activities.
- We have advised a Brazilian entrepreneur on his relocation options to a favorable low tax jurisdiction in Europe (as between Spain, Portugal, Switzerland, Monaco and Italy) while ensuring tax treaty protection in the event of a claim for dual residency.



Bilateral Investment Treaties (BIT) planning & other asset protection



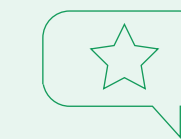
The threat of state appropriation of assets and exit planning is an area of particular concern for UHNWIs from the Latin American region. We have long standing and practical experience of protecting clients and their assets from these threats.

We advise on a selection of jurisdictions and entity types in order to be best able to make use of BITs should a client and their business be threatened with state appropriation. We also have deep experience of how to put such planning into practice and advise on the international arbitration processes should the unthinkable happen.

Our recent experience



We have advised a Venezuelan family on the early reorganisation of their in-country operations and ownership structure, using Dutch and Spanish holding companies, under a family trust, in anticipation of a potential expropriation. We have continued to advise the family on the expropriation process and compensation negotiations leading to proceedings before an international arbitration panel, which ultimately granted a favorable arbitration award.



The trustee of a trust created by a Latin American family required our team's advice with respect to the reorganisation options arising from the increased expropriation exposure in Argentina considering available BITs in Spain, Italy, Netherlands, Switzerland and the UK as well as the domestic holding company tax regimes in those jurisdictions.

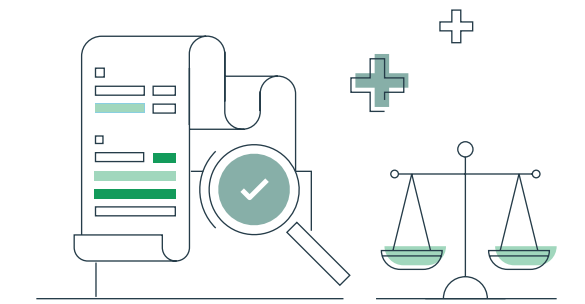


The owners of a business in Mexico were considering their options to mitigate political risk through bilateral investment protection treaties and multilateral trade agreements containing investor protection regimes. Our team was able to assess the options and advise the clients.



Venezuelan owners of a local business required our expertise on a Swiss private trust company structure to hold local and international active businesses to mitigate political risk through the application of the Bilateral Investment Protection Treaty between Switzerland and Venezuela. Following the expropriation event, we assisted with preparing an international arbitral claim to pursue the Venezuelan government.

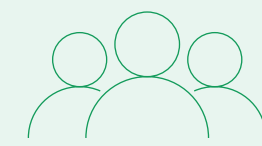
Business asset & IP holding structures



Cross-border taxation, asset protection and regulatory and reporting regimes are key drivers for Latin American business owning families and their businesses, particularly those that operate internationally.

We are here to advise our clients on international IP structuring and holding companies for their businesses in a tax and legally optimised manner.

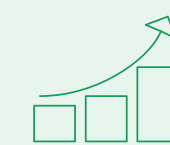
Our recent experience



We have advised Latin American founder and initial investor clients on the corporate and commercial terms of transferring their interests in local subsidiaries in Chile and the US into a UK holding company as part of a reorganisation involving the business taking on new equity funding from an institutional investor. This also involved advising on a new employee share option plan enabling options to be granted over shares in the UK holding company to employees in Chile and the US.



We advised a Mexican family with an industrial business with the design and implementation of a Luxembourg holding company using the (former) Luxembourg IP tax regime. This structure has been in place for approximately 10 years and has played an important part in the success of the business.



We have advised Mexican families on the use of a Canadian LP as a vehicle to pool assets for private equity investments in Mexico.



We have assisted an industrial group from Argentina on the structuring and implementation of the group's IP platform in Luxembourg.

Our team



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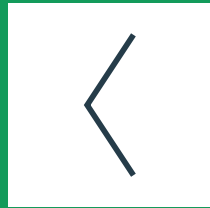
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