**Trusts in Prime Jurisdictions**

**Fifth edition**

Reviewed by Richard Citron

I was privileged to be part of the team that agreed that the first edition of this reference work could be STEP - branded, when I was the Deputy Chair of STEP and part of its Board, back in the 1990s. At that time Trusts in Prime Jurisdictions focused on common law jurisdictions where trusts were well known and recognized in their legal systems.

Since then trusts have been subject to scrutiny by successive governments in their home common law jurisdictions, in many cases implementing international initiatives started by multinational and bodies who do not appear to understand what a trust is, or how they work, and focus solely on the tax issues without a proper appreciation of the other advantages that they can bring.

The current Fifth Edition contains 44 chapters, 28 of them dealing with specific jurisdictions, 8 of these are civil law jurisdictions or jurisdictions such as Japan where trusts have not historically been mainstream. The growth in the incidence and use of trusts in civil law jurisdictions has been one of the reasons that this Fifth Edition is larger and more comprehensive than its predecessors. And the excellent chapter on the UK’s tax of trusts, written by Maggie Gonzalez contains much that is useful to practitioners, especially UK tax practitioners.

The UK’s legal system in general, and tax system in particular, struggles with trust-like structures …….in fact it struggles with hybrid entities generally. How are Panamanian foundations to be taxed? Is a Liechtenstein Anstalt to be treated as a company or as a discretionary trust? What are the reporting obligations of a Netherlands Stiftung? Are units in a US LLC issued to a director to be treated as falling within the UK’s Employment Related Securities rules, both for the individual and for the PAYE reporting of the employer? For those of us dealing with such questions on behalf of our clients the Fifth Edition of Trusts in Prime Jurisdictions will be a valuable primer, an Enabler of us asking the right questions of our opposite numbers in the other jurisdiction, even where it does not provide the answer.

Thanks and congratulations are due to Globe Law and Business in general, and in particular to Alon Kaplan, the General Editor, without whom this invaluable work would never have seen the light of day.

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