

**WEBINAR on  
Family Office Trust – Best Practice Governance and Precautions to avoid disputes**

Speakers: David Brownbill King's Counsel, XXIV Old Buildings  
Zac Lucas, Partner, Spencer West LLP  
Date: 29 November 2022  
Time: 5pm – 6pm  
CPD point: One point for HKTA Certified Trust Practitioner™  
Fee: HK\$250 (member); HK\$300 (non-member)

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**This session will cover:**

In this talk the speakers will discuss and answer the question whether excessive reservation of powers under a trust either to the settlor or a protector may ultimately invalidate the trust? The implications of the recent UK Privy Council decision in Webb vs. Webb [2020] UKPC 22, along with a series of supporting cases including “TMSF” “Pugachev” and “Dua” will be discussed in detail. The Hong Kong decision in Zhang Hong Li will also be considered in light of modern AML requirements obliging trustees to monitor activities of underlying companies.

Hong Kong trust law will be considered, in light of those recent decisions, in particular the implications of section 41X Trustee Ordinance will be analyzed and potential risks highlighted and discussed.

The talk will end with a practical assessment of steps that may be taken in order to protect the integrity of the trust, including, best practice drafting amendments and use of private trust companies.

**About the speakers:**

**David Brownbill King's Counsel, XXIV Old Buildings**

David specialises in international trust, company and financial services disputes and advice. His experience covers international trust, corporate and commercial structuring; investment funds, commercial trusts and pensions; political risks, international sanctions, investment disputes and bilateral investment treaties. David's litigation work covers all matters within these fields, in both the English and the Commonwealth courts. David has been called to the Bar of the Eastern Caribbean Supreme Court, has appeared in the courts of the BVI, Cayman, Gibraltar and the Isle of Man and regularly advises on cases in Anguilla, Antigua, the Bahamas, Bermuda, Jersey, Guernsey, Hong Kong, the Middle East and Singapore. David has for many years been concerned in the planning of international estates and family enterprise succession, including devising complex family governance and control structures.

**Zac Lucas, Partner, Spencer West LLP**

Zac has over 20 years post qualification international private client experience with various international law firms based in Europe, Caribbean and Asia. Zac has experience in all areas of international private client law including cross border tax, trust, estate, family, divorce and succession laws. Zac has particular expertise advising in relation to family business governance and succession planning, and is regularly retained by leading business families in Southeast Asia, Middle East and Latin America. Zac regularly advises wealthy families and individuals in relation to the creation of International Single Family Offices, typically undertaking a co-ordinating counsel role working closely with lead family members, multi-family offices, trust company service providers and private bank family office desks. Zac also has wide experience advising and lecturing in relation to various international regulatory and tax transparency initiatives.

**Important note:** Webinar facility will be provided by Hong Kong Securities and Investment Institute (HKSI). In order to create access to the HKSI WebEx platform, participants' names and email addresses will be passed to HKSI upon registration with HKTA. A link will be provided to each participant 2 days prior to each webinar.

## WEBINAR ENROLLMENT FORM

Topic: Family Office Trust – Best Practice Governance and Precautions to avoid disputes  
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Name of Company \_\_\_\_\_

Name(s) of Attendee(s) \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

(Please provide email address of each attendee for sending confirmation of webinar link and attendance certificate)

Email: \_\_\_\_\_ Mobile: \_\_\_\_\_

**Fee & Payment** (please tick as appropriate)

☐ HK\$250 (member) x \_\_\_\_\_ Person = HK\$ \_\_\_\_\_

☐ HK\$300 (non-member) x \_\_\_\_\_ Person = HK\$ \_\_\_\_\_

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- ☐ Cheque payment (payable to “**HK TRUSTEES’ ASSOCIATION LTD**”) is attached and sent to **HKTA, Room 745, 7/F, Grand Millennium Plaza, 181 Queen’s Road Central, HK**
- ☐ By bank transfer (**Standard Chartered Bank A/C No. 447-0-024582-3**). Please email the bank receipt (indicate attendee’s full name and seminar date on it) to [carmenwong@hktrustees.com](mailto:carmenwong@hktrustees.com)

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- ☐ No

**Personal data** (please tick)

- ☐ I agree to have my name and email address sent to HKSI for the purpose of attending the webinar

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2. Payment are non-refundable unless the event is cancelled by the Association.
3. e-Attendance certificate will be issued within 10 working days after the webinar. **Attendees must provide and sign in the webinar with the same full name provided in this enrolment form.**
4. In order to be eligible to HKTA CPD hours, participants are required to attend the entire webinar from 5:00pm to 6:00pm. Webinar recording is NOT available.
5. No CPD point will be granted if the attendee is late or early departure for 10 minutes for the webinar.