

WEBINAR ON
A CASE STUDY OF THE FIRST JUDICIAL DECISION IN CHINA ON TESTAMENTARY TRUSTS: A DISPUTE CONCERNING WILL AND SUCCESSION MATTERS BETWEEN LI 1 AND QIN (李 1、欽某某等遺囑繼承糾紛)

Speaker: Sherlynn Chan, partner, Messrs Stevenson, Wong & Co
Lusina Ho, professor, Faculty of Law, The University of Hong Kong
Hao Wang, founding partner, RayYin & Partners PRC Lawyers

Date: Friday, 28 August 2020

Time: 12:30pm – 1:30pm (including Q&A session)

CPD point: One point for HKTA Certified Trust Practitioner™
Law Society CPD points being applied for

Fee: HK\$250 (member); HK\$300 (non-member)

The talk will cover:

In May 2019, the Shanghai No 2 Intermediate People's Court in Shanghai handed down the first decision of the Chinese courts that recognizes the establishment of a testamentary trust under the Law of Trusts of the PRC. This landmark decision contains useful elucidations about the establishment and administration of a testamentary trust, as well as the relationship between the communal property and estate of the testator. It has important implications for practitioners in Hong Kong.

The talk will explore issues arising from the decision, with particular focus on:

- An overview of the decision
- The creation and administration of testamentary trusts in China
- The relationship between community property and estate
- The differences between foundations and trusts
- Implications of the decision for practitioners in Hong Kong

Speaker biography:

Ms. Sherlynn Chan

Ms. Sherlynn Chan is a partner of Messrs Stevenson, Wong & Co. She specialises in succession planning, wealth protection, probate and estate administration. Ms. Chan works closely with international trust corporations and advises clients on complex legal issues and trust structures. She also manages substantial assets on behalf of mentally incapacitated persons, partnering with reputable bankers, accountants and other professionals. She served as a Deputy District Judge in the Family Court in 2014 and is a fellow of International Academy of Family Lawyers (IAFL).

Ms. Chan is the author of "A Practical Guide to Mental Health Law in Hong Kong" and Chair of the Mental Health Law Committee of the Law Society of Hong Kong, Co-Chair of the Societies of Trusts and Estate Practitioners (STEP) HK's Mental Health, Elderly and Capacity Law Sub-Committee. She is also a regular speaker in various forums covering mental capacity, trust and other wealth planning issues. Ms. Chan is also the Chairman and co-founder of MIP Care Resources Connect, a charity aimed at promoting awareness on issues surrounding mental capacity.

Ms. Lusina Ho

Lusina Ho is Harold Hsiao-Wo Lee Professor in Trust and Equity at the Faculty of Law, The University of Hong Kong. She applies her expertise in both common law and civil law trusts to analyse laws and regulations pertaining to the use of trusts in China. Her book, *Trust Law in China*, published in 2003, is so far the only comprehensive critique of the Chinese Trust Law in the English legal literature. She publishes widely in the areas of Trusts, Equity, and Comparative Trusts. Her work has been cited by courts in common law jurisdictions.

Ms. Hao Wang

Ms. Hao Wang is the founding partner of RayYin & Partners PRC Lawyers. Ms. Wang is ranked by Chambers as one of the best lawyers (tier 1) in private clients and wealth management in mainland China. As counsels to high net worth individuals, family offices, trustees and private banks, she advises on estate, succession and tax planning; marriage risk management; immigration; and wills and trusts for family business. She also advises trustees, family offices and private banks on compliances issues, taxes and dispute resolution with beneficiaries. She has particular expertise on conflict of law issues concerning international estate plan. She lectures on family trusts at Qinghua University's Wudaokou College of Finance. In addition, she teaches the Family Succession and Wealth Management for Senior Wealth Management Planners Certificate course organised by China Banking Association.

She is the first member of the Society of Trustees and Estate Practitioners (STEP) in mainland China. She is also the only member of the International Academy of Estate and Trust Law (IAETL) among PRC practitioners. She is the author of *Strategy of Family Wealth Preservation* published by China CITIC press. She is the author of the chapters on China for *The World Trust Survey*, Oxford University Press and for *The Private Wealth and Private Client Review* (4th edition), Law Business Research.

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 participants 2 days prior to each webinar.

For further enquires:

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WEBINAR ENROLLMENT FORM

Topic: A Case Study of the First Judicial Decision in China on Testamentary Trusts: A Dispute Concerning Will and Succession Matters between Li 1 and Qin (李 1、欽某某等遺囑繼承糾紛)

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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 and attendance certificate)

Email: _____ Mobile: _____

Fee & Payment (please tick as appropriate)

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

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

Payment method (please tick as appropriate)

☐ Cheque payment (payable to “HK TRUSTEES’ ASSOCIATION LTD”) is attached and sent to **HKTA, Room 1103, 11/F., V Heun Building, 138 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

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Do you require an attendance certificate? (please tick as appropriate)

☐ Yes (**attendees must provide and sign in the e-seminar with the same full name**)

HKTA CTP no: _____

☐ No

Personal data (please tick)

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

Future Communication

☐ I agree to receive correspondence from the HKTA about its upcoming seminars, training courses, conferences and related activities. (Your data will not be used for other purposes and is held under strict controls in accordance with the Hong Kong Data Privacy Ordinance.)

Note:

1. Post-dated cheque will **NOT** be accepted. Payment are non-refundable unless the event is cancelled by the Association.
2. 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.**