

Cross-Border Personal Tax Planning

Cover all your bases in cross-border personal tax planning and avoid excess taxation

APPLICABLE TOWARD CPD REQUIREMENT

*Workshop Included: Tax Planning for
Canada-U.S. Employment Transfers*

participating organizations

Aird & Berlis LLP

Deloitte & Touche LLP

Gowling Lafleur Henderson LLP

KPMG LLP

Manulife Financial

Miller Thomson LLP

PricewaterhouseCoopers LLP

Soberman LLP

course highlights

- Cross-border estate planning strategies
- Overview of the U.S. estate and gift tax structure
- Critical tax planning issues for U.S. citizens in Canada
- Latest tax issues affecting non-resident investors in U.S. real property
- The U.S.-Canada tax treaty protocol
- Tax planning for Canada-U.S. employment transfers
- Tax planning for your cross-border family business

who should attend

Lawyers in Tax Planning, Lawyers in Estate Planning, Financial Planners, Investment Planners and Tax Accountants who want to expand this knowledge area or keep up-to-date in this field



Course Leader
Martin
Rochweg,
Miller Thomson
LLP



Joël Campagna,
Manulife
Financial



Ron Choudhury,
Aird & Berlis LLP



Hetal Kotecha,
Soberman LLP



Peter Megoudis,
Deloitte &
Touche LLP



Greg Papinko,
Pricewater-
houseCoopers
LLP



David Stevens,
Gowling Lafleur
Henderson LLP



Jim Yager,
KPMG LLP

FACULTY

COURSE LEADER

MARTIN ROCHWERG

Martin Rochweg practises in **Miller Thomson's** Tax and Private Client Services Groups and is among the most recommended estate planning lawyers in the country. As counsel to businesses, investment groups and philanthropists, he provides advice on tax planning, estate planning and succession planning to family business, wills and trusts.

RON CHOUDHURY

Ron Choudhury is partner and member of the Tax and Mining Groups and Estates & Trusts Litigation Team at **Aird & Berlis LLP**. His practice focuses on corporate and international tax.

GREG PAPINKO

Greg Papinko is an associate partner in the Tax Services practice of **PricewaterhouseCoopers LLP** working in the Toronto office. He is part of the Corporate Tax group.

HETAL KOTECHA

Hetal Kotecha joined **Soberman LLP** in 2011 and is a director in the firm's Taxation Group. Prior to joining the firm, he worked at a global accounting and consultancy firm, where he worked exclusively in corporate and international tax services.

DAVID STEVENS

David Stevens is partner in the business law department in **Gowlings'** Toronto office. His practice focuses exclusively on taxation concentrating on corporate tax, personal tax planning and charities.

CO-LECTURERS

JOËL CAMPAGNA

Joël Campagna, AVP, Tax and Estate Planning Group, **Manulife Financial**, is a CMA, a CFP® professional and a Registered Trust and Estate Practitioner (TEP) with over 17 years of taxation experience including personal, corporate and international tax.

PETER MEGOUDIS

Peter Megoudis is a Senior Manager with **Deloitte & Touche LLP**, where he specializes in cross-border compensation and tax planning. He consults on Canadian and U.S. tax issues.

JIM YAGER

As the Practice Leader of **KPMG's** International Executive Services practice in Canada, Jim Yager provides cross border tax and consulting services to employees, employers and individuals with investments outside their home country.

COURSE PROGRAM

U.S. ESTATE TAX ISSUES FOR CANADIANS: ESTATE PLANNING DESIGN AND DRAFTING

Clients migrating from Canada need to have a comprehensive estate plan to reduce the risk of significant reduction of estate assets, as estate planning for Canadians relocating to the U.S. is extremely complex and planning opportunities may be lost if appropriate steps are not taken in advance. This session provides a review of issues for Canadians involved in tax effective cross-border estate and wealth planning.

- Cross-border estate planning strategies
- Changes to the U.S. estate tax that took effect in 2011
- U.S. foreign trust, estate and gift tax rules
- Minimizing U.S. estate tax owing on U.S. securities and real estate assets
- Cross-border estate freezes
- Use of trusts to mitigate tax burdens

U.S. GIFT TAX REGIME: NEW U.S. TAX RULES IMPACTING GIFT TAX PLANNING

The U.S. gift tax regime has undergone considerable changes recently. Recent U.S. tax legislation brought about changes to the estate tax exemption and the lifetime gift tax exclusion. This session will provide an overview of the U.S. gift tax structure, the assets that trigger exposure to U.S. estate & gift tax, and planning opportunities to mitigate exposure.

- Overview of the U.S. estate and gift tax structure
- Legislative changes to the estate-tax exemption and the lifetime gift-tax exclusion: impact on estate and succession planning
- Assets that trigger exposure
- Tax planning opportunities

SUPPLEMENTARY COURSE MATERIAL

Federated Press is now providing delegates with access to an innovative new database containing at least 25 interactive multimedia presentations by leading experts and approximately 20 hours of lectures on the topics covered by this course, including all slides and speakers' papers. See the list of presentations on page 4.

Delegates will also receive a trial subscription to the Taxation Channel, a much broader resource representing hundreds of hours of interactive multimedia lectures on leading edge Taxation topics as delivered at our many recent Taxation conferences and courses.

- *This program can be applied towards 9 of the 12 hours of annual Continuing Professional Development (CPD) required by the Law Society of Upper Canada. Please note that these CPD hours are not accredited for the New Member Requirement.*
- *For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.*
- *Attendance at this course can be reported as 12 hours of Continuing Professional Development (CPD) to the Law Society of B.C.*
- *The Barreau du Québec automatically accredits training activities held outside the Province of Quebec and accredited by another Law Society which has adopted MCLE for its members.*

TAX PLANNING FOR U.S. CITIZENS IN CANADA

U.S. citizens in Canada must carefully plan their move in order to ensure compliance with relevant laws and requirements. Adding to the complexity of getting up to speed with the Canadian tax system, is that these individuals often retain property or business interests in the U.S. and still have taxation obligations there. This session explores tax issues and planning opportunities for U.S. citizens in Canada.

- Critical tax planning issues for U.S. citizens in Canada
- Use of an offshore immigration trusts in tax planning
- Avoiding double taxation risks: foreign tax credits issues
- Tax treaty implications
- Disclosure requirements
- Implications of owning foreign real property

TAX EFFECTIVE CROSS-BORDER WILL PLANNING

While many wills are straightforward, there are intricate tax strategies that come into play in cross border will planning involving beneficiaries, assets, trustees in different jurisdictions. This session covers efficient financial, legal and taxation issues involved in cross-border will drafting and how to make sure you cover all your bases and avoid excess taxation.

- U.S. tax-saving opportunities in will planning
- Tax effectively addressing issues involving beneficiaries, assets, trustees in different jurisdictions
- Changes to U.S. law affecting will planning
- Post mortem impact that U.S. taxes have on estates, trusts and beneficiaries

TAX IMPLICATIONS OF CANADIANS BUYING, SELLING AND RENTING U.S. REAL ESTATE

Non-resident must be aware of the tax consequences of buying selling and renting U.S. real estate in order to take advantage of tax planning opportunities and to avoid paying excess taxes. This session will examine the latest tax issues affecting non-resident investors in U.S. real property.

- Review of tax rules generally applicable to non-residents investing in U.S. real estate
- Pros and cons of various ownership structures involving non-residents
- Minimizing tax liability on rental income and capital gains earned by non-residents in the U.S.
- Tax considerations for Canadians owning U.S. rental properties
- Estate tax law and U.S. vacation homes
- Practical considerations for ownership structures

THE U.S.-CANADA TAX TREATY PROTOCOL: IMPACTS AND PLANNING OPPORTUNITIES

Since being signed in 1980, the Canada-US Tax Convention has been revised a number of times. The Fifth Protocol includes important changes that may affect cross-border estate planning in such areas as charitable donations, taxes imposed by reason of death on RRSPs and U.S. stock options. This presentation will provide an overview of its impact and look at potential tax planning opportunities.

- Rules dealing with residence: U.S. residency issues, snowbirds and treaty provisions
- Tax planning opportunities in light of the changes: charitable donations, RRSPs, stock options
- Impact on foreign tax credit rules & withholding taxes
- Tax consequences of migration
- The exemption of certain income from taxation altogether

TAX PLANNING WHEN SPOUSE OR CHILDREN ARE U.S. RESIDENTS/CITIZENS

Canadians whose spouses or children are U.S. citizens or residents must consider U.S. estate taxes in order to take advantage of all tax saving opportunities. This session will focus on tax effective estate planning strategies for families that include U.S. residents/citizens.

- Outright bequests to U.S. children
- Bequests to testamentary trusts for U.S. children: testamentary trusts and U.S. estate tax
- Trust residency: foreign trust rules and the 21-year rule
- Alter ego trusts and joint spousal/common-law partner trusts
- Cross-border tax planning using family trusts

U.S./CANADA CROSS-BORDER FAMILY BUSINESS PLANNING

This session will examine tax considerations that go into cross-border family business planning, focusing on key tax issues in the process of planning for your cross-border family business.

- Tax considerations for ownership structures
- Inbound U.S. tax structure and impact of choice of entity
- Inbound and outbound Canadian tax issues
- Federal and state income tax implications and registrations
- Tax credits, economic incentives and state tax considerations

TRUSTS AND ESTATE PLANNING FOR U.S. BENEFICIARIES

The inclusion of one or more beneficiaries who are U.S. citizens or residents further complicates the tax considerations in your estate planning process. This session examines the tax implications for such an arrangement and how to plan for them in order to minimize tax.

- Impact of U.S. beneficiary on the estate freezes
- Implications for Canadian trusts and holding corporations
- U.S. transfer tax and income tax considerations
- Compliance and reporting obligation issues

TAX PLANNING FOR SNOWBIRDS AND RETIRING IN U.S.

Individuals who are planning a retirement in the U.S. must carefully consider the tax implications of such a move in order to fully benefit from effective tax planning and prevent spoiling their comfortable retirement. This session will examine tax planning for retiring in the U.S.

- Cash flow planning for living in the U.S.
- Taxation of retirement income in Canada and the U.S.
- Tax effective investment planning for your retirement investments
- U.S. taxation of RRSPs, RRIFs & LIRAs
- U.S. taxation of pensions

WORKSHOP

TAX PLANNING FOR CANADA-U.S. EMPLOYMENT TRANSFERS

This interactive workshop will provide you with an understanding of best practices for facilitating tax compliance and for averting tax problems related to employees on shared across the border.

- Tax reimbursement programs: tax equalization issues
- Retirement compensation arrangement & salary deferral arrangement tax planning issues
- Tax issues for managing expatriate costs
- U.S. deferred compensation rules
- Designing a tax effective cross-border employee relocation program
- Executive compensation for cross border executives

Your registration includes an interactive multimedia database comprising the following presentations from recent Federated Press courses and conferences. They are presented in their entirety with complete audio or video and accompanying slides. You may also purchase the multimedia proceedings of the course which will be available on CD-ROM 60 days after the course.

Fifth Protocol to the Canada-U.S. Income Tax Convention - Traps & Opportunities

Terry McDowell,
Ernst & Young LLP

Taxable Canadian Property

Larissa V. Tkachenko,
Borden Ladner Gervais LLP

Elimination of Withholding Tax on Cross-border Interest Payments

Julie A. Colden,
Osler, Hoskin & Harcourt LLP

Supplemental Executive Retirement Plans (SERPS)

Deron Waldoock,
Blake, Cassels & Graydon LLP

Wills: Avoiding Excess Taxation

Tim H.R. Brown,
Richards Buell Sutton LLP

Owner-Manager Tax Planning

Nicolas P. Smith,
Legacy Tax + Trust Lawyers

Charitable Gift Planning

Michael Louie,
D+H Group LLP

International Wealth and Tax Planning

Peter Wong,
Borden Ladner Gervais LLP

Taxation of Nonqualified Compensation, with a Focus on the US Rules

Peter Megoudis,
Deloitte & Touche LLP

Use of Insurance in Tax Planning

Mimi C. Tang,
Mimi Tang Wealth Mgmt & Consulting Ltd;
Peter G. Wong, BMO Insurance

Tax-Free Savings Accounts

Helena Plecko,
Gowling Lafleur Henderson LLP

Issues for Non-Residents Providing Services in Canada

Dom Cocco & Kais Aziz,
BDO Dunwoody LLP

Cross-Border Executive Compensation Issues

Gloria J. Geddes,
Gowling Lafleur Henderson LLP

Tax-Effective Stock-Based Compensation

Dov B. Begun,
Osler, Hoskin & Harcourt LLP

Tax Planning for Retiring Abroad

Terry Ritchie,
Transition Financial Advisors Group

U.S. Immigration: Exposure to the Gift & Estate Tax Regime

Ryan T. Carey,
Moody's LLP

Tax Effective Estate Planning when Leaving Canada

Siobhan A.M. Goguen,
Felesky Flynn LLP

Qualifying for Canadian Non-Residency

Lyle Moline,
Continental Tax Professional Corporation

US Cross-Border Planning and Compliance Best Practices

Melanie Kurk, Nancy Kwun & Greg Papinko,
PricewaterhouseCoopers LLP

U.S. Income Tax Planning: Recent Developments

Lyle Moline,
Continental Tax Professional Corporation

Tax Saving Measures Pertaining to Immigration To Canada and Emigration From Canada

Stephen S. Ruby,
Davies Ward Phillips & Vineberg LLP

Developments in Canadian and US Cross-Border Taxation

Nelson Ong,
PricewaterhouseCoopers LLP

Dealing with Foreign-Based Information Requests

Salvador M. Borraccia,
Baker & McKenzie LLP

Creating Offshore Structures

Peter C. Myers,
PricewaterhouseCoopers LLP

Developments in Cross Border Taxation – US

Melanie Kurk, Nancy Kwun & Greg Papinko,
PricewaterhouseCoopers LLP

Registration: To reserve your place, call Federated Press toll-free at 1-800-363-0722. In Toronto, call (416) 665-6868 or fax to (416) 665-7733. Then mail your payment along with the registration form. Places are limited. Your reservation will be confirmed before the course.

Location: Novotel Toronto Centre Hotel, 45 The Esplanade, Toronto, ON, M5E 1W2

Conditions: Registration covers attendance for one person, the supplementary course material as described in this document, lunch on both days, morning coffee on both days and refreshments during all breaks. The proceedings of the course will be captured on audio or video. Multimedia proceedings with all slides and handouts can be purchased separately on a CD-ROM which will also include the course material.

Time: This course is a two-day event. Registration begins at 8:00 a.m. The morning sessions start promptly at 9:00. The second day ends at 4:00 p.m.

Cancellation: Please note that non-attendance at the course does not entitle the registrant to a refund. In the event that a registrant becomes unable to attend following the deadline for cancellation, a substitute attendee may be delegated. Please notify Federated Press of any changes as soon as possible. Federated Press assumes no liability for changes in program content or speakers. A full refund of the attendance fee will be provided upon cancellation in writing received prior to February 14, 2012. No refunds will be issued after this date.

Discounts: Federated Press has special team discounts. Groups of 3 or more from the same organization receive 15%. For larger groups please call.

Payment must be received prior to February 20, 2012

Phone: 1-800-363-0722 Toronto: (416) 665-6868 Fax: (416) 665-7733

TO REGISTER FOR CROSS-BORDER PERSONAL TAX PLANNING

Name _____
 Title _____ Department _____
 Approving Manager Name _____
 Approving Manager Title _____
 Organization _____
 Address _____
 City _____ Province _____ Postal Code _____
 Telephone _____ Fax _____ e-mail _____
 Please bill my credit card: AMEX VISA Mastercard
 # _____ Expiration date: ____ / ____
 Signature : _____
 Payment enclosed: Please invoice. PO Number: _____

REGISTRATION COSTS

NUMBER OF PARTICIPANTS:
 COURSE: \$1975
 COURSE + PROCEEDINGS CD-ROM:
 \$1975 + \$175 = \$2150
 PROCEEDINGS CD-ROM: \$599
 NOTE: Please add 13% HST to all prices.
 Proceedings CD-ROM will be available 60 days
 after the course takes place
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 and follow the normal registration process