



Independent | Personal | Intelligent

Helm
Trust Company Limited

About Helm

An independent trust company with practical solutions to complex situations

Helm Trust Company Limited ("Helm") was incorporated in Jersey, Channel Islands on 20 March 1989. Its activities are to provide a full range of company, trust and foundation management services to a broad base of international clients.

In the main our clients are predominantly private individuals however we also look after a number of corporate or institutional entities. The business has been built up over time and the Helm group was classified as a medium sized trust company of 30-40 employees in 2012. The sole office of the Helm group of companies is in Jersey, Channel Islands.

A brief resume of the Directors of Helm is provided on our website www.helm.je. All of our Directors are fully qualified and have a wealth of experience in the offshore finance industry. There is a diversity of qualifications at board level as detailed on our website including in house legal expertise. Underlying the Directors is an experienced administrative team including Managers with relevant knowledge and qualifications who assist the Directors in running their respective portfolios. All of our Directors are client facing and very much "hands on" in terms of running their portfolios. Client responsibility is allocated to each Director who is the main point of contact along with the team Manager. We aim to be pro-active, approachable and flexible thereby tailoring our approach to the bespoke requirements of each client.

We also have departmental teams comprising compliance, reviews, bookkeeping, accounts, IT and billing.

The ethos of Helm has always been to develop long-term relationships with our clients and to work with them and their international advisers to provide a high quality professional service delivered with a personalised approach. As many of our clients have followed the Directors to Helm from other organisations, some client relationships date back over two decades.

Helm's client base is extremely varied and includes a variety of structures such as Trusts, Companies and Foundations dependent on the jurisdiction of the client, their requirements and the type of asset. Asset classes may include commercial and residential property, investments, cars, chattels, antiques and jewellery, private yachts, commercial and private aircraft, patents and trademarks and private funds.

It is Helm's view that, given the fiduciary nature required by many of our roles, our independence provides autonomy thereby allowing us to use our extensive network of professional contacts for bespoke legal, banking and investment services without the potential conflict of interest that some of our competitors face. We also endeavour to accommodate client preferences whenever possible.

We are also able to be flexible in terms of our fee arrangements. Helm can offer fixed, time costed or ad valorem methods of charging depending on the client preference.

Helm Trust Company Limited and its affiliates are regulated by the Jersey Financial Services Commission for the purpose of conducting trust company business and the Helm group carries the appropriate professional indemnity insurance.

If you would like to find out more about our services and how we can help please contact us at helm@helm.je

Jersey

Strategically positioned to provide offshore security

Jersey, at a total of 45 square miles, is the largest of the Channel Islands. The Island is located 85 miles south of mainland Britain and 14 miles from the coast of France. Jersey has a permanent resident population of around 90,000 and a large proportion of the workforce is within the finance and support industries.

The main language of Jersey is English however due to its proximity to Europe, most European languages are spoken. The British pound and the Jersey pound (of equal value) are the Island's retail currencies and all major currencies are accepted for financial transactions.

Jersey is not part of the United Kingdom, but is a self-governing Crown Dependency which gives the Island constitutional rights of self-government, taxation and judicial independence with political and economic stability. These rights were granted by Royal Charter over 800 years ago and are unaffected by any changes to the United Kingdom or European governments. Jersey's status as a Crown Dependency offers both businesses and investors the benefits of an independent international finance centre, which is close to the United Kingdom and mainland Europe. Jersey's legislative assembly, the States of Jersey, has total responsibility for the Island's domestic legislation, including taxation and financial regulation.

The Island has a special relationship with the European Union but it is neither a member nor an associate member of the European Union. As a result of this relationship Jersey complies with European Union Directives on trade in industrial and agricultural products, but is not obliged to implement Directives or Regulations in other areas.

Jersey is a long established international finance centre used by both private and international clients and is ideally placed to provide worldwide offshore solutions through its skilled financial service providers. The industry has developed within the Island's stable political and fiscal infrastructure and this combination has kept Jersey at the forefront of global finance.

Jersey can be reached by air or sea and is a 30 minute flight from London Gatwick or London City airports and just over an hour by ferry from France.

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Independently owned, managed by experienced and qualified professionals and have been providing such services in Jersey for over 20 years.



Services

A bespoke trust company offering independent and intelligent thinking

Helm Trust Company Limited ("Helm") has a number of wholly owned subsidiaries incorporated to provide a full range of offshore fiduciary management services. These include the provision of services as Trustees, Directors, Foundation Council Members, Nominee Shareholders, Secretaries and other Officers plus administration, accountancy and financial reporting.

Helm is able to offer a full range of offshore structuring solutions which may include the following:

- > Investment Companies
- > Property holding Companies
- > Trading Companies
- > Asset holding Companies for chattels, jewellery, aircraft or boats / yachts
- > Private Trusts
- > Charitable Trusts
- > Foundations

The Helm Group has extensive experience of establishing Jersey Trusts as well as assisting in the setting up of these vehicles in other jurisdictions as appropriate. We are able to assist with the establishment of Foundations both in Jersey and in a number of prominent jurisdictions worldwide. The introduction of the Foundations (Jersey) Law 2009 provides for Jersey Foundations to be incorporated as alternative vehicles. Helm can also arrange for the establishment of Companies both in Jersey and elsewhere throughout the world, should another jurisdiction prove to be more appropriate. The structure involved depends on the objects and constraints of clients and the recommendations of their advisers.

Helm provides a complete administration service to its clients in order to facilitate the effective management of family wealth and to achieve generational wealth transfer. This includes in-house accounting and arranging for external investment management and advisers through our close network of high quality professionals.

The typical range of services provided by Helm includes:

- > Formation of Companies, Trusts and Foundations
- > Acting as Directors and Officers of Companies
- > Provision of Corporate and Personal Trustees
- > Acting as Foundation Council Members
- > Provision of Nominee Shareholders
- > Provision of Registered Office / Administrative Office
- > Liaising with appointed advisers and ensuring adherence with advice received
- > Preparation of Financial Statements in accordance with recognised accounting standards
- > Ensuring compliance with relevant legislative and regulatory requirements
- > Ongoing Company, Trust and Foundation administration including the management of assets, general correspondence, maintenance of accounting records, attendance at and preparation of minutes of meetings of Directors, Trustees and Foundation Council Members and maintaining statutory records
- > Arranging Banking and Funding Facilities
- > Preparation of UK Tax Returns



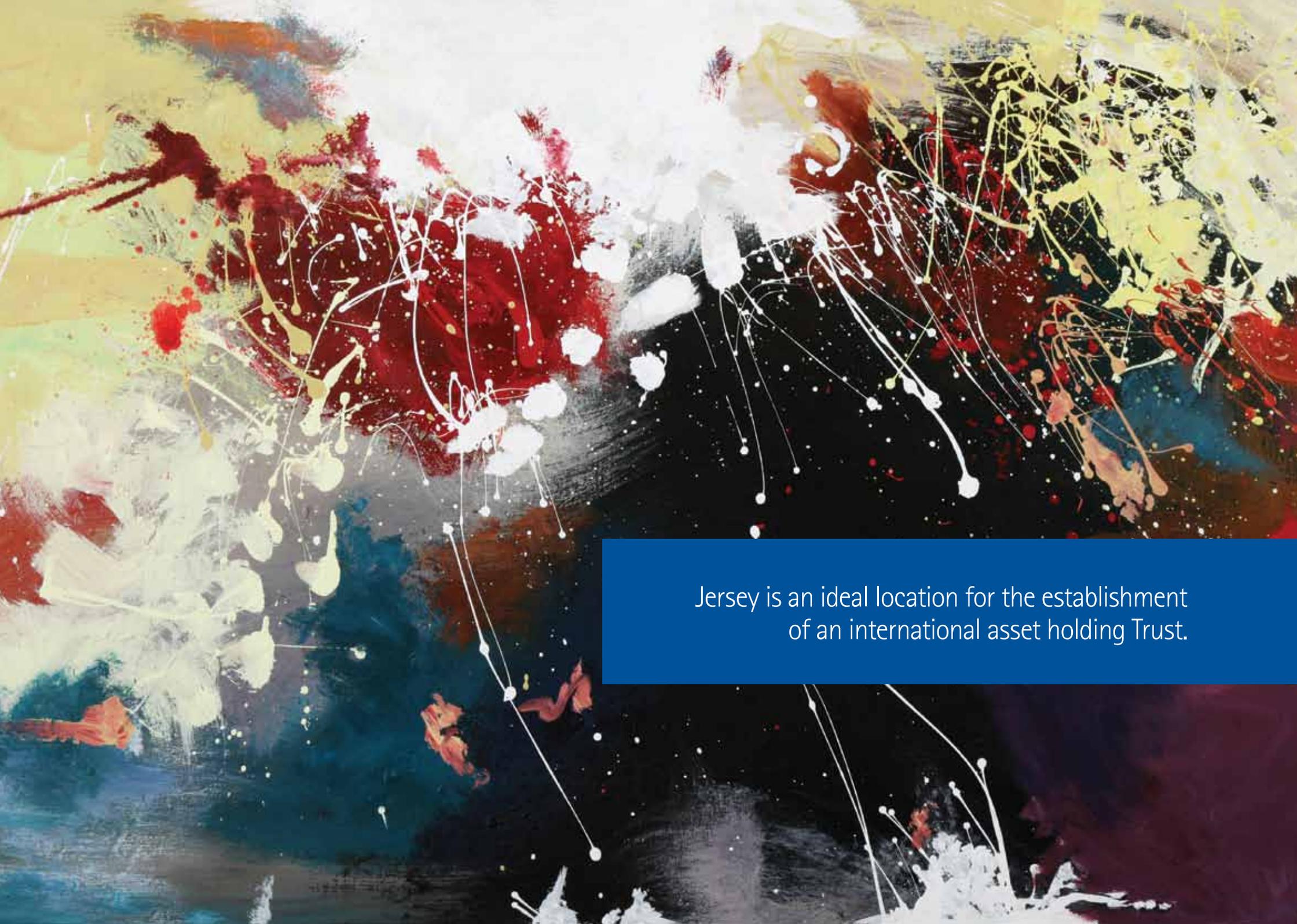
Helm prides itself on its ability to service all of its clients' needs through the Jersey office using its international agents and advisers as appropriate.

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"Painting is poetry that is seen rather than felt, and poetry is painting that is felt rather than seen."

Leonardo da Vinci

An abstract splatter painting featuring a complex interplay of colors and textures. The composition is dominated by vibrant red, bright yellow, and stark white splatters and drips against a dark, almost black background. The paint is applied in a dynamic, expressive manner, creating a sense of movement and energy. The red and yellow splatters are often larger and more concentrated, while the white drips are thin and delicate, extending across the canvas. The overall effect is one of chaotic beauty and visual intensity.

Jersey is an ideal location for the establishment
of an international asset holding Trust.

Trusts | A basic guide

The purpose of this short guide is to describe the main elements of Trusts and to detail some of the advantages of establishing a Trust in Jersey. We would also be happy to discuss the establishment and ongoing administration of Trusts in a number of alternative jurisdictions.

A Trust is an arrangement under which one person, known as the "Settlor" transfers assets to another person, known as the "Trustee", and instructs the Trustee to hold those assets for the benefit of other persons who are known as the "Beneficiaries". The Settlor may also be a Beneficiary and usually the other Beneficiaries will be members of the Settlor's family. A Beneficiary may however be any person(s) nominated by the Settlor.

The Trust Deed details the terms and conditions of the Trust by way of powers which set out precisely what the Trustee can do. If necessary, the Courts can be asked to intervene to ensure that the Trustee abides by these powers.

The principle which underlies all of the powers of the Trust Deed is that the Trustee must always act in the best interests of the Beneficiaries. Thus the Trustee has the legal ownership and control of the assets but can not benefit from them as they are held for the benefit of a defined class of Beneficiaries.

Whilst the Trust Deed details the powers of the Trustee, the Trustee may be guided in the exercise of those powers by a Letter of Wishes which the Settlor provides. Whilst not legally binding, this document usually details out how the Settlor would like the Trustee to handle their Trust Fund during their lifetime and also following their demise.

A Trust is an excellent and flexible vehicle for managing and maintaining wealth and protecting the financial future of family members and other nominated Beneficiaries.

The key advantages in establishing a Trust include:

- > Trust assets can be protected against the claims of creditors of the Settlor or Beneficiaries
- > A Trust is a confidential arrangement between the Settlor and the Trustee as in Jersey there is no requirement for the documentation to be registered and therefore it is not available for public inspection
- > A Trust is a flexible way to provide for the succession of family wealth and to secure the financial future of younger family members
- > A Trust can ensure that family assets are retained within the family
- > A Trust can protect against the financial hardship that can arise upon the disability or death of a family member
- > A Trust entirely avoids the public, costly and time consuming legal formalities associated with the transfer of wealth upon the death of the Settlor
- > A Trust can allow for the transmission of wealth in a manner other than which may be prescribed in some countries (i.e. avoiding forced heirship)
- > A Trust can be of assistance in planning for the legitimate minimisation of taxation, particularly for those with international wealth
- > A Trust can provide protection against the repatriation or seizure of assets
- > A Trust can protect the financial future of spendthrift or irresponsible family members

Jersey is an ideal location for the establishment of an international asset holding Trust. There are no capital taxes in Jersey such as gift, capital gains, wealth or estate taxes and for Trusts which have no Jersey resident Beneficiaries there are no income taxes. As a result it is possible to grow the capital and for income to accumulate within the Trust free of all Jersey taxation. Whilst this briefing note concentrates on discretionary Trusts we are also able to offer alternative Trust structures and would be happy to discuss individual client requirements.

If you would like to find out more about our Trust services and how we can help please contact us at helm@helm.je

Companies | A basic guide

The purpose of this short guide is to describe the main elements of Companies and to detail some of the advantages of establishing a Company registered or administered in Jersey. We would also be happy to discuss the establishment and ongoing administration of Companies in a number of alternative jurisdictions.

A Company is an institution recognised by law and created by persons united in pursuit of a common interest. A Company is usually established for business purposes or as an asset holding vehicle.

A Company, wherever incorporated, is operationally controlled by its Directors or their equivalent, who are appointed by the Company's Shareholders. The Directors are legally responsible to those Shareholders.

Each Company has a Memorandum of Association or equivalent which sets out the Company's name, the location of its registered office and what it will do (its objects). The object of the Company may simply be to carry on a business. Each Company also has Articles of Association or equivalent. The Articles set out the rules for running the Company's internal affairs.

The registered office is the address within the jurisdiction of incorporation to which most official communications and legal documentation will be sent. Day to day correspondence however is done from the administrative office address of the Company.

The Company Secretary (which may be an individual or a corporate entity) is responsible for ensuring that the Company meets its statutory obligations.

Shareholders may sometimes wish to appoint Nominees to hold their shares. Such Nominee Shareholders are guided by the instructions of the true Beneficial Owners.

A Nominee Shareholder is appointed:

- > to avoid disclosing the true Beneficial Ownership in a public registry; and
- > to ensure that Nominees within the jurisdiction can act immediately without the need for certificates and / or documentation to be executed by overseas based Beneficial Owners. This is especially important where time is of the essence

Whilst Companies incorporated in different jurisdictions are subject to different formalities, laws and requirements, the basic rules are similar.

Companies are extremely flexible vehicles for managing wealth.

The key advantages of utilising a Company are:

- > A Company can have limited liability, thus the trading activity in one Company does not put at risk asset holding activities of another
- > A Company has the ability to hold virtually any asset class located globally
- > A Company has perpetual existence
- > A Company has significant value for international tax planning and can be transferred to other jurisdictions if required
- > A Company provides confidentiality. For example the ownership of a Jersey Company must be disclosed to the Jersey Registry on a confidential basis but is not a matter of public record when Nominee Shareholders are utilised
- > A Company provides a legally recognised vehicle for business and asset holding purposes with the ability to sue (or be sued) or to enter into contracts in their own right
- > A Company provides a vehicle for joint ownership in situations where persons wish to pursue a common interest

Used together with appropriate Trust or Foundation structures, the asset protection and wealth generation qualities of international Companies can be very significant indeed.

If you would like to find out more about our Company services and how we can help please contact us at helm@helm.je

"Art is the most intense mode of individualism that the world has known."

Oscar Wilde

Original artwork by Katie Macon,
Hautlieu School, Jersey, Channel Islands





"Painting is just another way
of keeping a diary."

Pablo Picasso

Original artwork by Kieran Lester,
Hautlieu School, Jersey, Channel Islands

Foundations | A basic guide

The purpose of this short guide is to describe the main elements of Foundations and to detail some of the advantages of establishing a Foundation registered or administered in Jersey. We would also be happy to discuss the establishment and ongoing administration of Foundations in a number of alternative jurisdictions.

A Foundation is an incorporated entity which has its own legal personality and is able to transact, hold assets and to sue (or be sued) in its own name. A Foundation acts through its Foundation Council, the body charged with the administration of the Foundation's assets and the attainment of its objects.

The terms of reference for a Foundation are detailed in its Charter and Regulations. These set out the objects for which a Foundation is established and detail how the Foundation Council Members should manage the assets held by the Foundation.

Foundations may be established in a number of prominent jurisdictions worldwide. The Foundations (Jersey) Law 2009 came into force on 17 July 2009 allowing for the incorporation of Foundations in Jersey.

Subject only to the qualifications that a Foundation cannot directly acquire, hold or dispose of immovable property in Jersey, nor engage in commercial trading that is not incidental to the attainment of its objects, a Jersey Foundation is able to exercise all the functions of an incorporated Company.

Jersey Foundations are not identical to Foundations seen in other jurisdictions and a key feature of a Jersey Foundation is its flexibility, allowing focus to be placed on those aspects which enable a Foundation to look more like a Trust, or conversely more like a Company, as appropriate in the light of the client's particular structuring requirements.

A Foundation (like a Company but unlike a Trust) comes into existence following the completion of an incorporation process. An entry is made by the registrar of companies in the Register of Foundations which is a matter of public record and is conclusive evidence of its incorporation.

There are various advantages of a Foundation and these include:

- > A Foundation's roots are in civil law and it is therefore a structure with which clients based in locations such as the Middle East and Europe are more familiar
- > A Foundation is very flexible and can be established for charitable or non-charitable purposes or a combination of both
- > A Foundation is for an unlimited duration
- > The Regulations of a Foundation do not need to be registered with the public registry
- > A Foundation can be established with the sole object of holding a particular asset and as there is no fiduciary duty imposed on the Foundation Council it may be an appropriate vehicle for certain family assets or businesses
- > A Foundation can be utilised as an appropriate vehicle for asset planning in the context of the possibility of a future divorce due to the limited rights of Beneficiaries to certain information
- > It is possible to reserve rights and therefore a certain degree of control can be retained by the Founder or Guardian which can be an alternative to settlor-reserved Trusts
- > A Foundation can contract and transact business in its own name similar to a Corporation
- > A Foundation may be migrated to a different jurisdiction if required

Helm has the appropriate regulatory license to act as Council Member for Jersey Foundations. Foundations are of particular interest to clients wishing to take advantage of its flexibility and offer an additional choice of vehicle for private wealth management purposes. Whilst this briefing note concentrates on Jersey Foundations we are also able to offer Foundations in alternative jurisdictions and would be happy to discuss individual client requirements.

If you would like to find out more about our Foundation services and how we can help please contact us at helm@helm.je

Contact us

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"Every artist dips his brush in his
own soul, and paints his own
nature into his pictures."

Henry Ward Beecher

