KEY FACTS

The Panama foundation has emerged in recent years as a viable civil law based legal structure for international private wealth and corporate planning. The Panama Foundations Law, enacted in 1995, builds on the experience of the foundations laws of a number of European civil law jurisdictions. Given its competitive cost structure and the wide use of English among local professionals, use of Panama foundations has broadened beyond civil law based advisors, to include an increasing number of professional intermediaries operating in common law jurisdictions.

ESTABLISHMENT

- A Standard foundation Charter can be used.
- Optional use of Standard foundation Regulations.
- Charter and Regulations can be tailored to client's requirements.
- Minimum Assets to be transferred to the foundation to satisfy statutory requirements is US$10,000.
- Establishment by registration of the Foundation Charter with the Panama Public Registry.
- On establishment a separate legal persona comes into existence.

PURPOSE

The foundation cannot be used for commercial purposes but it can hold shares in a company which itself is engaged in a commercial activity.

GOVERNANCE

- A Foundation Council is responsible for the management of the foundation.
- The Council consists of a minimum of three individuals. A company also can act as the sole member of the Foundation Council.
- The Foundation Council is responsible for preparing financial statements if required by the Charter or Regulations.

FOUNDER RIGHTS

- Disclosure in the Charter of the Founder's identity is required. Nominee Founders can be employed.
- The Founder can retain a right of revocation or assign that right to the Foundation Council.
- The foundation can be irrevocable.

PROTECTORS

- Foundation law recognises the office of Protector to supervise and if necessary intervene in the conduct of the Foundation Council.
- Protector can also be given veto rights over Foundation Council decisions.

KEY FACTS

FORCED HEIRSHIP

Rights of forced heirship are not recognised with regard to assets held by the foundation.

ASSET PROTECTION

Foundations can be employed for asset protection planning. A transfer of assets to the foundation can be set aside within a three year period following the transfer on the grounds that the transfer was made with intention to de-fraud creditors.

FILINGS

- The foundation Charter is filed with the Public Registry and is available for public inspection.
- The names of the Founder and Foundation Council members are also filed with the Public Registry and are available for public inspection.

TAXATION

- Foundations are exempt from all Panama taxes on assets held by the foundation outside of Panama and on all income earned from non-Panamanian sources.
- The foundation pays a licence fee of US$250 on establishment and from the second year an annual licence fee of US$300.

COMPLIANCE

- The foundations law expressly makes all foundations subject to the Anti-Money Laundering Regime of Panama.
- A statutorily imposed confidentiality requirement is imposed on all persons dealing with a foundation and unapproved disclosure is punishable by monetary penalties.

ADMINISTRATIVE FLEXIBILITY

- Administration of a foundation can take place anywhere in the world.
- The Foundation Council can be located outside of Panama.
- The Protector can be located outside of Panama.

REGISTERED AGENT

- Each foundation is required to have a Registered Agent in Panama at the time of its establishment and on an ongoing basis.
- TT & Asociados is the Registered Agent for all foundations established through Trident Trust (Panama) S.A.

Please contact any Trident Trust office worldwide for further information about our services and fees. Office contact details are included on the following page.

Trident Trust (Panama) S.A.
Calles 50 y Aquilino de la Guardia
Plaza Banco General, Piso 14
Apartado Postal 0823-05789
Panama, Republic of Panama
Tel +507-302-7494
Fax +507-302-7497
panama@tridenttrust.com

TRIDENT TRUST

OFFICES

EUROPE

GUERNSEY
Trident Trust Company (Guernsey) Ltd
Tel +44-1481-727571
Fax +44-1481-723162
guernsey@tridenttrust.com

ISLE OF MAN
Trident Trust Company (IOM) Ltd
Tel +44-1624-646700
Fax +44-1624-620588
iom@tridenttrust.com

JERSEY
Trident Trust Company Ltd
Tel +44-1534-733401
Fax +44-1534-727195
jersey@tridenttrust.com

LUXEMBOURG
Trident Trust Company (Luxembourg) Sàrl
Tel +352-26-30-28-48
Fax +352-26-30-28-49
luxembourg@tridenttrust.com

Trident Corporate Services (Luxembourg) Sàrl
Tel +352-26-30-27-81
Fax +352-26-30-27-82
corporate.luxembourg@tridenttrust.com

MALTA
Trident Trust Company(Malta) Ltd
Tel +356 21 434 525
Fax +356 21 434 595
malta@tridenttrust.com

SWITZERLAND
Trident Corporate Services AG
Tel +41-44-396-1080
Fax +41-44-396-1081
switzerland@tridenttrust.com

UNITED KINGDOM
Trident Trust Company (UK) Ltd
Tel +44-20-7935-1503
Fax +44-20-7935-7242
uk@tridenttrust.com

Trident Company Services (UK) Ltd
Tel +44-20-7487-0460
Fax +44-20-7487-0461
corpservices@tridenttrust.com

THE AMERICAS/ CARIBBEAN

BAHAMAS
Trident Corporate Services (Bahamas) Ltd
Tel +1-242-322-6154
Fax +1-242-328-1064
bahamas@tridenttrust.com

BARBADOS
Trident Corporate Services (Barbados) Ltd
Tel +1-246-431-0760
Fax +1-246-431-0591
barbados@tridenttrust.com

BRITISH VIRGIN ISLANDS
Trident Trust Company (BVI) Ltd
Tel +1-284-494-2434
Fax +1-284-494-3754
bvi@tridenttrust.com

CAYMAN ISLANDS
Trident Trust Company (Cayman) Ltd
Tel +1-345-949-0880
Fax +1-345-949-0881
cayman@tridenttrust.com

NEVIS
Meridian Trust Company Ltd
Tel +1-869-469-1333
Fax +1-869-469-0968
nevis@tridenttrust.com

PANAMA
Trident Trust (Panama) S.A.
Tel +507-302-7494
Fax +507-302-7497
panama@tridenttrust.com

UNITED STATES
New York
Trident Corporate Services, Inc
Tel +1-212-840-8280
Fax +1-212-944-5923
nyc@tridenttrust.com

Atlanta
Trident Corporate Services, Inc
Tel +1-404-233-5275
Fax +1-404-233-9629
usa@tridenttrust.com

US VIRGIN ISLANDS
Trident Trust Company (VI) Ltd
Tel +1-340-774-7322
Fax +1-340-776-0651
usvi@tridenttrust.com

ASIA/PACIFIC

HONG KONG
Trident Corporate Services (Asia) Ltd
Tel +852-2805-2000
Fax +852-2850-4090
hongkong@tridenttrust.com

NEW ZEALAND
Trident Trust Company (NZ) Ltd
Tel +64-9-300-6067
Fax +64-9-366-1482
nz@tridenttrust.com

SINGAPORE
Trident Trust Company (Singapore) Pte Ltd
Tel +65-6304 3288
Fax +65-6491 1231
singapore@tridenttrust.com

MIDDLE EAST/ AFRICA

CYPRUS
Trident Trust Company (Cyprus) Ltd
Tel +357-258-20-650
Fax +357-253-61-857
cyprus@tridenttrust.com

Trident Fiduciaries (Middle East) Ltd
Tel +357-253-53-520
Fax +357-258-18-808
fiduciariesme@tridenttrust.com

DUBAI
Trident Trust Company (UAE) Ltd
Dubai Branch
Tel +971-4-321-2444
Fax +971-4-321-9044
dubai@tridenttrust.com

MAURITIUS
Trident Trust Company (Mauritius) Ltd
Tel +230-210-9770
Fax +230-210-1266
mauritius@tridenttrust.com

SEYCHELLES
Trident Trust Company (Seychelles) Ltd
Tel +248-4-422-000
Fax +248-4-422-010
seychelles@tridenttrust.com

providing confidence through performance

WWW.TRIDENTTRUST.COM

© 2011, Trident Trust. All rights reserved. 3.11