

2<sup>nd</sup>

Applicable toward CPD Requirement

May 21 & 22, 2013, Toronto

# Cross-Border Personal Tax Planning

Cover all your bases and avoid excess taxation

Workshop Included: Tax planning for snowbirds retiring in the U.S.



**Course Leader**  
Greg Papinko,  
Pricewater-  
houseCoopers  
LLP



**Course Leader**  
Joël  
Campagna,  
Manulife  
Financial



Ron Choudhury,  
Aird and Berlis  
LLP



Glenn M. Davis,  
Glenn M. Davis  
Insurance and  
Estate  
Consulting



Alpesh Joshi,  
Alpesh Joshi  
CA Professional  
Corporation



Todd A. Miller,  
McMillan LLP



Michael Pereira,  
KPMG LLP



Martin J.  
Rochweg,  
Miller Thomson  
LLP



Kristina Soutar,  
Thorsteinssons  
LLP



David P. Ste-  
vens, Gowling  
Lafleur Hender-  
son LLP

## participating organizations

Aird and Berlis LLP  
Alpesh Joshi CA Professional Corporation  
Glenn M. Davis Insurance and Estate Consulting  
Gowling Lafleur Henderson LLP  
Keel Cottrelle LLP  
KPMG LLP  
Manulife Financial  
McMillan LLP  
Miller Thomson LLP  
PricewaterhouseCoopers LLP  
Thorsteinssons LLP

## who should attend

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

## 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

## Two-Day Event!

*"Lots of good information  
that I can use."*

*"Very practical  
suggestions."*

Christine Perry,  
Keel Cottrelle  
LLP

# FACULTY

## COURSE LEADERS

### GREG PAPINKO

Greg Papinko is an Associate Partner in the Tax Services practice of **PricewaterhouseCoopers LLP**. He assists clients with US corporate & international tax matters, acquisitions & divestitures, developing & implementing worldwide tax planning strategies.

### JOËL CAMPAGNA

Joël Campagna is Assistant Vice-President, Tax & Estate Planning at **Manulife Financial**. He has over 17 years of taxation experience including personal, corporate and international tax.

### GLENN M. DAVIS

Glenn M. Davis is Trust and Estate Planning Consultant at **Glenn M. Davis Insurance and Estate Consulting**. He works primarily to address human capital risk management issues.

### ALPESH JOSHI

Alpesh Joshi is Managing Director at **Alpesh Joshi CA Professional Corporation**. With over 10 years of experience in private and public practice, his practice focusses on providing accounting, audit and tax services.

### TODD A. MILLER

Todd A. Miller is a Partner at **McMillan LLP**. His practice focuses on income tax, with an emphasis on domestic and cross-border financing transactions, transfer pricing and international tax treaty matters, securities offerings, M&As and business divestitures.

### MICHAEL PEREIRA

Michael Pereira is a Partner, International Executive Services Group at **KPMG LLP**.

### CHRISTINE PERRY

Christine Perry is Counsel at **Keel Cottrelle LLP**. Her practice focuses on cross-border tax and estate planning solutions.

### MARTIN J. ROCHWERG

Martin Rochweg is a Senior Tax Partner at **Miller Thomson LLP**'s Tax and Private Client Services group. He provides advice on personal tax planning, estate planning, succession to family business, wills and trusts.

### KRISTINA SOUTAR

Kristina Soutar is a Partner with **Thorsteins-sons LLP**. Her practice includes domestic and international corporate and personal tax planning, private corporations and trusts.

### DAVID P. STEVENS

David Stevens practices in the tax area at **Gowling Lafleur Henderson LLP**, concentrating on personal tax planning, business succession planning, non-profits and charities, trusts and corporate tax.

## CO-LECTURERS

### RON CHOUDHURY

Ron Choudhury is a 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.

# 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 2013
- 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

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

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 including 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.

# AV Proceedings

Audio/video segments clickable slide by slide  
Papers and overheads also included  
Print any of the material for your own use

- *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*

# COURSE PROGRAM

## 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 to this planning, 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

## 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 ensure 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

## THE U.S.-CANADA TAX TREATY PROTOCOL

Since being signed in 1980, the Canada-US Tax Convention has been revised a number of times. The Fifth Protocol included important changes that 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 tax planning opportunities.

- Rules dealing with residence: U.S. residency issues, snowbirds and treaty provisions
- Tax planning opportunities in light of the changes
- Impact on foreign tax credit rules & withholding taxes
- Tax consequences of migration
- Exemption of certain income

## TRUSTS & ESTATE PLANNING FOR U.S. BENEFICIARIES

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: trusts for children and grandchildren trusts

## CANADIAN & U.S. EXPATRIATION RULES

Seeing that expatriating can be used as a method to reduce personal taxation, Canada and U.S. tax law includes sanctions for citizens who have expatriated. This session will examine Canadian and U.S. expatriation rules and income and estate tax planning techniques for individuals who are considering expatriating.

- How to become an expatriate
- Deemed disposition of all property: calculating your capital gains or losses
- Exceptions of deemed dispositions: types of properties
- Deferring the tax owing on a deemed disposition
- U.S. Mark to Market Tax

## INSURANCE CHOICES & TAX IMPLICATIONS

Estate and personal tax plans typically do not contemplate the life insurance needs of business owners or high net-worth individuals. This discussion will focus on the design and tax treatment of more innovative insurance programs that can be used in cross-border personal tax planning purposes.

- Shared insurance arrangements
- Leveraged insurance programs
- Business succession insurance
- Donation of insurance

## WORKSHOP

### TAX PLANNING FOR SNOWBIRDS RETIRING IN THE 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.

- Departing Canada
- Residency Issues
- Tax and 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
- FBAR Foreign Bank and Financial Accounts
- Owning US Vacation home

# MULTIMEDIA

Your registration includes an interactive multimedia CD-ROM comprising the following presentations from recent Federated Press courses and conferences. They are presented in their entirety with complete audio and accompanying slides.

For an additional \$175 to the registration fee, you can receive the multimedia proceedings of the course on CD-ROM, containing all presentations given at event. If not registered for the event, the cost of this CD-ROM, which also includes the presentations described below, is \$599.

## Insurance Choices and Their Tax Implications

Joel Cuperfain, B.A., LL.B., LL.M., CLU, TEP  
*RBC DS Financial Services Inc.*

## Charitable Gift Planning

M. Elena Hoffstein  
*Fasken Martineau DuMoulin LLP*

## Tax-Efficient Use of Life Insurance

Robin D. Goodman  
*RBC Financial Group*

## International Wealth and Tax Planning

Shona N. Stone  
*UBS Bank (Canada)*

## Cross-Border Estate Planning

Marina Panourgias  
*Deloitte & Touche LLP*

## Wills: Litigation

Brian E. Cohen  
*Borden Ladner Gervais LLP*

## Succession planning in the Family Law context

Clare A. Sullivan  
*Aird & Berlis LLP*

## The Use of Trusts in Estate Planning

Corina Weigl  
*Fasken Martineau DuMoulin LLP*

## Post-Mortem Tax Planning Strategies

Rachel Blumenfeld  
*Miller Thomson LLP*

## Succession and Tax Planning for Owner-Managers

James W. Kraft, , CA, CFP®, CLU, TEP  
*BMO Life Assurance Company*

## Recent Developments in US Tax & Compliance Matters

Terry Ritchie  
*Transition Financial Advisors Group*

## Estate Planning for Spouses/Couples

Jennifer Lamb  
*Borden Ladner Gervais LLP*

## Wills: Avoiding Excess Taxation

Clarke Barnes  
*Fasken Martineau DuMoulin LLP*

## International Wealth and Tax Planning

Peter C. Myers  
*PricewaterhouseCoopers LLP*

## Advanced Income Tax Planning for Maximizing Asset Protection

William J. Fowles  
*Miller Thomson LLP - Calgary*

## The Unique Role of Life Insurance in Succession planning

Malcolm Scarratt  
*Scarratt Estate & Succession Planning, Inc.*

## Owner-Manager Tax Planning

Kate S. Marples  
*Legacy Tax + Trust Lawyers*

## Taxation of Investment & Retirement Income (TFSAs)

Fred Purkey  
*Davies Ward Phillips & Vineberg LLP*

## Use of discretionary Trusts for Tax Planning and Creditor Proofing

David W. Ross  
*Burnet Duckworth & Palmer LLP*

## U.S. Income Tax Planning: Recent Developments

Janette Zive  
*PricewaterhouseCoopers LLP*

## Exposure to the U.S. Gift and Estate Tax Regime

Peter Megoudis, BCL, LL.B., LL.M.  
*Deloitte & Touche LLP*

## Creating Offshore Structures

Peter C. Myers  
*PricewaterhouseCoopers LLP*

## Minimizing Departure Tax: Deemed Dispositions of Property

David P. Stevens  
*Gowling Lafleur Henderson LLP*

## Canadian and US Repatriation Strategies - Returning to Canada

Leah C Shinh  
*Ernst & Young LLP*

## The U.S. - Canada Tax Treaty Protocol: Impacts and Planning Opportunities

Michael W. Domanski  
*Honigman Miller Schwartz and Cohn 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 May 7, 2013. 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 May 14, 2013

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: \_\_\_\_\_

WHEN CALLING, PLEASE MENTION PRIORITY CODE:

CBPT1305/E

MAIL COMPLETED FORM WITH PAYMENT TO:  
Federated Press P.O. Box 4005, Station "A"  
Toronto, Ontario M5W 2Z8

## 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 30 days  
after the course takes place  
Enclose your cheque payable to  
Federated Press in the amount of:  
  
GST Reg. # R101755163  
PBN#101755163PG0001  
For additional delegates please duplicate this form  
and follow the normal registration process