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OFFSHORE

Offshore Company Law

By **E. EDWARD SIEMENS**

An up-to-date book

for the users of

offshore companies

and their advisers

Bahamas

Belize

Bermuda

British Virgin Islands

Cayman Islands

Guernsey

Jersey

Isle of Man

Gibraltar

Cook Islands

Samoa

Vanuatu

Mauritius

Seychelles

Panama

Switzerland

Dubai

Labuan

Delaware

Hong Kong

Foreword by Philip Marcovici

“The ‘offshore’ world is clearly under attack.
... The reality, however, is that there are almost infinite compliant uses of both offshore financial centres and offshore companies.
... The use of ‘offshore’ companies is something that is part of the planning toolbox and for many will continue to be a key component of their corporate and personal investment and business structures.
... Professor Siemens has succeeded in his efforts to provide a modern approach to a review of offshore company law”.

PHILIP MARCOVICI, Partner, Baker & McKenzie, Zurich

Periodic updates and commentaries by Prof. Siemens to the OCL book may be obtained online by subscription at www.offshorecompanylaw.com and e-mail alerts as to the website postings will be provided by the publishers.

Professor Siemens' book will be a handy source of information for those working in both the onshore and offshore world and who need to really **understand the differences between jurisdictions** competing in the provision of offshore companies. Through his coverage of the specifics in each country, including corporate legislation, issues relevant to stakeholders, tax and related matters, Professor Siemens has provided **an up-to-date book of real importance to the users of offshore companies and their advisers.**

Professor Siemens has also provided a good **overview of the different**

forms of companies that are available which forms can, of course, be of extreme importance in determining the right type and location of offshore company to be established. His analysis includes **protected cell companies, companies limited by guarantee** as well as **hybrid entities**, all three of which are contained in the **“modern” planning toolbox.**

The important area of **corporate governance** is reviewed together with issues relevant to the question of **directors' liability** and **directors' and officers' liability insurance** and how it operates.



Prof. E. Edward Siemens is a professor of Business Law at Educatis University, Altdorf, Switzerland, and has held several visiting professorships in Riga, Latvia, Vilnius, Lithuania and St. Petersburg, Russia, and most recently at the University of the South Pacific, Suva, Fiji, and Apia, Samoa. He is the founder of u-e-lectures.com which presents accredited law e-lectures online for academic and continuing professional education to subscribers worldwide and for continuing legal education in the United States. He is the author of law publications on Corporate Governance in Canada, the United States and Australia.

He did his undergraduate studies at the University of British Columbia, Vancouver, Canada, his graduate studies at Osgoode Hall Law School, Toronto, Canada, and his post-graduate studies at the London School of Economics, London, England.

SUMMARY

Foreword by Philip Marcovici

I - OFFSHORE CONSIDERATIONS

Selected major offshore jurisdictions
International legal environment
Offshore corporate forms
Enhanced offshore incorporation requirements
Management and control
Duties and liabilities of offshore directors
Onshore tax & revenue authorities
Asset protection provisions
Criminal liabilities
Duties of directors of investment funds
Internet liabilities

Capital; Directors; Filings; Company administration; Shareholders; Confidentiality; Service providers

Detailed view of major jurisdictions

Bahamas; Belize; Bermuda; British Virgin Islands; Cayman Islands; Guernsey; Jersey; Isle of Man; Gibraltar; Cook Islands; Samoa; Vanuatu; Mauritius; Panama; Switzerland; Dubai; Labuan; Delaware; Hong Kong.

Legislation; Legislative changes
Types of companies; Registered office & registered agent; Capital; Shareholders; Directors; Reports and annual returns; Taxation; Asset protection; Service providers; Banking and exchange controls; Criminal liabilities

II - CHOOSING A JURISDICTION Considerations

Geographical location; Reputation; Taxation; Practicalities; Banking; Communications; Costs; Legal and accounting infrastructure; Social and economic stability; Political situation; History; Foreign policy; Currency and exchange controls; World Trade Organisation; Dos and Don'ts; Legal environment; Types of companies; Company names;

III - REDUCING LIABILITY RISKS

Avoiding liability
Indemnification
Directors & officers liability insurance
Corporate governance

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