

Trusts: Can they be trusted and can they be a force for good?

Thursday 11 January 2024 | 08:45 to 10:00 CET (registration & welcome breakfast at 08:30) | CEPS premises

Trusts are well-known and defined in common law countries and are legally recognised under the 1985 Hague Convention. Trust structures are commonly found and associated with pension and retirement funds, wealth management, as well as charitable organisations and even sports clubs. In Europe, we also find many trust-like structures, including foundations, fiducies, treuhand, fideicomiso, svěřenský fond, as well as investment funds.

Whilst in principle a very simple concept – the transfer of assets from the owner to another to hold and manage the assets on their behalf and for their benefit – trusts are frequently misunderstood. This is no doubt in part due to different legal traditions across jurisdictions, but also the confidential nature of a trust which often gives rise to a perceived lack of transparency and a potential for misuse for money laundering.

Much work has been done by the EU in recent years to increase the transparency of trusts, as well as with the revision of the Financial Action Task Force (FATF) recommendations to improve the surrounding regulation and supervision. The work being undertaken in relation to the proposed AMLD6 Package (currently under negotiation) also attempts to tackle these issues and to ensure that trusts are not misused for illicit purposes.

This event aims to facilitate discussion on what exactly trusts are, their merits, and how regulation mitigates their potential misuse to ensure they retain their beneficial purpose.

During the seminar, we'll be seeking answers to questions such as:

- What is the history and intended purpose of trusts?
- How do trusts function across different jurisdictions, and how do they compare with other legal entities already present in the EU?



- How have trusts been used for money laundering and how can this be prevented?
- What is the role of trust and company services providers (TCSPs) and how can they mitigate risks?
- What are the main challenges faced by regulators and the financial industry in supervising trusts and ensuring they are not used for illicit purposes?

AGENDA

08:30 – 08:45 Registration & breakfast

08:45 – 09:45 Panel Discussion

- **Paolo Panico**, Chair, Society of Trust and Estate Practitioners (STEP) Europe; and Board Member, STEP Worldwide
- **Petra Camilleri**, Deputy Head, Trustees and Company Service Providers Supervision, Malta Financial Services Authority (MFSA)
- **Mary Balfe**, Senior Regulatory Investigator, Anti-Money Laundering Compliance Unit, Department of Justice, Ireland
- **Irit Samet**, Professor of Law, Dickson Poon School of Law, King's College London

09:45 – 10:00 Q&A

Moderated by **Karel Lannoo**, CEO, CEPS; and General Manager, ECMI

REQUIREMENTS

Registration to this seminar is by invitation only.

Contact person: **Laura Nicolás** (laura.nicolas@ceps.eu)