



# UNTITLED

TRUSTEES

NEW ZEALAND

**LEGAL FRAMEWORK  
FOR NEW ZEALAND  
TRUSTS**

# INTRODUCTION

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New Zealand provides an ideal platform for international tax planning to clients who have no connection with the jurisdiction.

In a nutshell, current tax and trust laws in New Zealand make it possible for individuals to establish NZ resident trusts which are exempt from NZ tax. This is because trusts are taxable in accordance with the residence of the settlor, rather than that of the trustee.

In practice, this means that where a non-NZ settlor gifts non-NZ assets to a NZ trust, for the benefit of non-NZ beneficiaries, the structure will not be subject to any of the following taxes:

- Income Tax (provided there is no NZ source income).
- Capital Gains Tax (there is no Capital Gains Tax in NZ).
- Inheritance Tax (there are no inheritance taxes in NZ).

In other words, a New Zealand Trust, operated by a New Zealand resident trustee, such as **Untitled Trustees (N.Z.) Ltd.**, that receives income from any place in the world, other than New Zealand, receives tax on tax-exempt income (in New Zealand).

In addition, New Zealand has a well-developed and flexible trust legislation based on the English common law, it is not featured on any anti-tax avoidance blacklist, it is not considered to be a tax haven, it is a member of the OECD and has a vast network of Double Taxation Treaties in force with its main trading and investment partners, including Chile, Mexico, and Spain.

Untitled has been active in New Zealand for more than a decade now.

## CREATION AND ADMINISTRATION

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- Wide availability of names.
- Documents must be drafted in English.
- Prompt creation procedure and simple ongoing administration.

- The Trustee is limited to perform on behalf of the Trust according to the instructions set on the trust deed and letter of wishes by the Settlor.

## RESIDENCY REQUIREMENTS

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Settlor(s): NO / Beneficiaries: NO / Registered Office: YES / Trustee: YES

## ENTRIES IN THE REGISTRY

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Registration of the Trust: YES / Mortgages and Liens Register: OPTIONAL  
Settlers and beneficiaries: YES / Powers of Attorney: OPTIONAL / Financial Statements or Annual Reports: YES

## THE TRUSTEE

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Unless instructed otherwise, we will appoint **Untitled Trustees (N.Z.) Limited** (formerly known as Pistis Trustees (N.Z.) Limited) as the trustee for your New Zealand trusts.

Untitled Trustees (N.Z.) Limited is a New Zealand based privately owned trust company which provides trust and fiduciary services mainly to ultra-high net worth and/or institutional Latin American families who seek for the benefits of employing independent trustees, experienced

directors and professional administration of their wealth and estate planning vehicles.

Untitled Trustees (N.Z.) Limited is a truly independent trust company as it is neither affiliated to a bank nor to any other type of financial institution. This independence is highly appreciated by our clients as it provides them with an extra degree of comfort.





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