



ENSafrica private clients

ENSafrica's private client team advises on a wide range of estate planning, immigration planning and trust matters

Chambers High Net Worth 2018





ENSafrica's dedicated private clients team understands that your business and your personal life are intricately interwoven.

We therefore specialise in providing tax, exchange control and succession planning advice together with administration and compliance services for high net worth individuals and their families, in order to achieve optimal investment structures. This includes estate administration / probate services, coordinating affairs with offshore trustees and assisting with tax filing for individuals and trusts.

We understand that you have investments in various jurisdictions through a variety of vehicles such as trusts, foundations and companies, and we therefore offer you our expertise to enable you to use these structures optimally and in a compliant manner.

Our key differentiator is that we have the unique advantage, as part of Africa's largest law firm, of being able to harness the expertise of more than 600 practitioners throughout the continent. ENSafrica has a significant breadth and depth of experience and specialist expertise that spans all commercial areas of law, tax, forensics and IP.



>200 YEARS
experience



12

OFFICES
IN 7 COUNTRIES



We aim to provide a personalised service experience and expert advice which is straightforward and practical.

Our highly experienced private client lawyers work closely with various other departments within the firm and across jurisdictions in implementing the proposed advice, drafting all contracts, setting up the necessary vehicles in the relevant jurisdictions and ensuring that the advice is properly implemented.

Our advice is flexible enough to provide financially for your family when you are no longer able to do so yourself, and to assist your family in navigating the administration of your estate. We are also able to advise you regarding leaving a legacy through the establishment of a charitable institution, should you wish to do so.

We are able to assist you wherever you choose to do business on the African continent or beyond. For those of our high net worth clients who have interests in Mauritius, we are able to offer a unique combination of tax and commercial lawyers based in Mauritius, together with a fiduciary service offering. This includes advising on structuring, implementing the advice and handling all ongoing administration aspects.



We act for private individuals, commercial organisations and charitable institutions, advising on a wide array of requirements and issues in relation to the following:

legal and administration services

- administration of deceased estates: we have the expertise to ensure that your estate is administered swiftly by finding solutions to issues that may arise and to ensure that the executor remains professional, impartial and acts in the best interests of the heirs in the estate
- advisory and formulation of wills for various jurisdictions
- charities and public benefit organisations: advising on charitable bequests and succession planning, and registration of public benefit organisations
- comprehensive estate and succession planning, both onshore and offshore: we have the expertise to advise and propose structures to maintain, maximise and transfer one's wealth
- consultancy services: we provide advice and render legal opinions to organisations, executors, trustees, claimants and beneficiaries
- curatorship applications and administration: this involves an application to the High Court of South Africa where a person is no longer able to manage their own financial affairs or make informed decisions
- dispute resolution: a large component of the practice involves resolving estate and trust-related disputes and the provision of litigation and alternative dispute resolution support
- formation of local trusts and review of existing trust deeds: we offer cost-effective drafting and review of trust deeds according to your specific requirements. We are skilled in the administration of trusts and stay abreast of applicable case law, legislation and regulations
- formation of offshore trusts: we assist with the establishment and implementation of offshore trust structures in conjunction with offshore trustees
- international probate services: we have expertise in legal matters where cross-border assets are involved. "Probate" is the legal and financial process of distributing a person's worldly assets and a "Grant of Probate" is the legal authority to act for the estate of the deceased and distribute it in accordance with a will or rules of intestate succession
- residence permits: residence applications, applications for waiver of regulatory requirements and civic affairs matters (including citizenship status determination, resumption of citizenship status and naturalisation)
- reviewing of existing trust deeds and assisting with tax advice for beneficiaries resident in foreign tax jurisdictions

tax and related services

- advice on the implementation of the Common Reporting Standards and Automatic Exchange of Information
- emigration and immigration: planning for tax and exchange control purposes, including approvals from authorities and setting up structures from a local and a foreign tax law perspective
- exchange control assistance: remittances of income and capital abroad arising from trust distributions, inheritances and the use of single discretionary allowance and foreign investment allowance, obtaining approvals and consent, assisting with emigration applications, tax clearance certificates and regularising previously undisclosed funds
- tax advice to private clients in country of residence and jurisdiction of offshore trusts or assets
- tax compliance services: the full spectrum of compliance-related tax services for individuals, estates, trusts, heirs in estates and beneficiaries of trusts, and disclosure of previously undisclosed funds to the revenue authorities



the lawyers at the firm also regularly assist clients with charitable giving, tax compliance and South African exchange controls


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they are knowledgeable and client-friendly, says an interviewee, adding: on top of that, they are local ... but also provide international legal expertise

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heavyweight firm with a highly acclaimed tax practice. Has a deep bench of practitioners capable of tackling major, high-value instructions spanning the full spectrum of tax

Chambers Global 2018

A black and white photograph of a desk. In the foreground, a black fountain pen with silver accents lies diagonally across a white sheet of paper. The paper has some faint, illegible text and a signature. To the left, there is a stack of papers, some of which are slightly crumpled. The background is dark and out of focus.

ENSafrica has a giant and versatile team, covering key areas of speciality across the tax spectrum

Legal 500 2018



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