



Trust Factsheet

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About AcuFin

AcuFin Corporate Limited ('AcuFin') is a licensed offshore management company by the Financial Services Commission of Mauritius. The company is made up of seasoned qualified professionals experienced in different areas in which we operate. We assist clients based worldwide in advisory, tax optimisation matters, company set up in various jurisdictions, corporate administration, secretarial services, compliance solutions, accounting services, relocation services to Mauritius, legal and banking solutions, fund accounting/ administration and compliance services, among others. We are headquartered in Mauritius, but have representative offices in Dubai, Saudi Arabia, Cape Town and Johannesburg.

AcuFin prides itself on its strength as a modern, client focused company operating in a state of art technological environment. With a proactive, experienced and high calibre personnel, AcuFin ensures to provide tailor made solutions to its clients rapidly but efficiently. We are assisted by professional stakeholders, like banks, audit firms, legal firms, tax specialists and real estate firms, among which we have established relationships.

AcuFin operates as a niche management company and service clients mainly in the financial services industry. We thought of defining our client focus very closely as AcuFin's vision and mission is to work together with the client in helping them achieving their goals, understanding the requirements and being able to bring value added to our clients instead of providing for typical mechanical services. You may wish to visit our website on www.acufin.global



About Mauritius

Nestled in the turquoise waters of the Indian Ocean, Mauritius is a gem of an island nation known not only for its stunning landscapes and vibrant culture but also for its strategic importance as a business hub. With its unique blend of natural beauty, a stable political environment, and a thriving economy, Mauritius has emerged as an ideal destination for business and a serene residential haven.



A Strategic Location

Mauritius is strategically located between Africa and Asia, making it an ideal gateway for businesses looking to expand their reach in both regions. Its proximity to major markets such as India, South Africa, and the Middle East allows for easy access to trade routes, offering businesses a significant advantage in logistics and connectivity.

Business-Friendly Environment

The government of Mauritius has established a robust and transparent legal framework that supports foreign investment. With policies designed to attract and facilitate international businesses, Mauritius boasts a low corporate tax rate, no capital gains tax, and various incentives for specific sectors, such as technology and financial services. The ease of doing business is further enhanced by a well-developed infrastructure, including modern ports, airports, and telecommunications systems.

Furthermore, Mauritius has positioned itself as a hub for financial services, offering a range of services, including banking, insurance, and investment management. The country has also established itself as a favorable jurisdiction for offshore companies, providing a secure and confidential environment for international business operations.

A Diverse and Skilled Workforce

The island is home to a multilingual and highly educated workforce, fluent in English, French, and Creole. This diversity enhances communication and collaboration in international business settings. The local education system, coupled with vocational training programs, ensures a steady supply of skilled professionals across various sectors, from technology to hospitality.



Quality of Life

Aside from its business advantages, Mauritius offers an unparalleled quality of life. The island is renowned for its breathtaking landscapes, including pristine beaches, lush mountains, and vibrant coral reefs. Residents can enjoy a wide range of recreational activities, from water sports to hiking in nature reserves. The rich cultural tapestry of the island, influenced by African, Asian, and European traditions, creates a unique and vibrant community life.

The healthcare system in Mauritius is well-developed, providing residents with access to quality medical services. Additionally, the island boasts a low crime rate, making it a safe place to live and raise a family.

A Melting Pot of Culture and Community

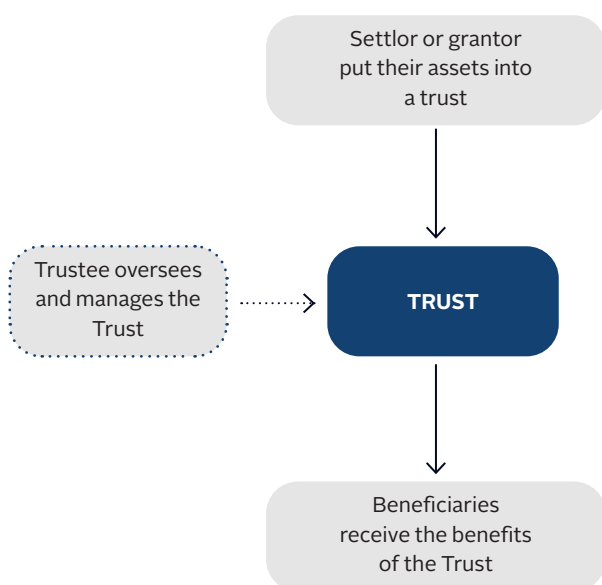
Mauritius is a multicultural society that celebrates diversity. Festivals and traditions from various cultures coexist harmoniously, offering residents a rich tapestry of experiences. This cultural vibrancy fosters a sense of community and belonging, making it an inviting place for expatriates and locals alike.

In summary, Mauritius stands out as an ideal business hub and residential paradise. Its strategic location, business-friendly policies, skilled workforce, and unparalleled quality of life make it an attractive destination for entrepreneurs and families seeking new opportunities. Whether you are looking to establish a business or seeking a tranquil place to call home, Mauritius promises a bright future filled with potential and beauty. Embrace the island lifestyle and explore the endless possibilities that await in this tropical haven!

THE MAURITIUS TRUST

A Trust is often considered by non-citizen individuals when buying property in Mauritius. There are many reasons why one would set up a trust, including: confidentiality and asset protection; protection against political uncertainty; pre-emigration planning; flexible inheritance planning; separation of personal and business assets; inheritance planning; providing financial maintenance for an infirm dependent and for philanthropic reasons.

In Mauritius, Trusts are legal arrangements governed by the Trusts Act 2001 and generally involves three parties: The settlor who creates the trusts and is the original owner of the assets. The latter commits to formally gifting certain assets into the trust (For example, a non-resident Settlor will set up a Mauritius Trust. Incomes from dividends and interests will be paid to this Trust and distributed to its Beneficiaries). The trustees are mandated to managing and overseeing the trust assets for the benefit of the current and often future beneficiaries. The trustees have a fiduciary relationship with the beneficiaries (i.e. they are obliged to put the beneficiaries' interests above their own).



The Settlor

The settlor may be a beneficiary, a protector or an enforcer, but cannot be the sole beneficiary to the trust of which he is the settlor.

Beneficiaries

Beneficiaries must be identified by name or ascertainable by reference to a class or relationship to another person

Trustee

A Trust must have, at all times, at least one qualified trustee (a management company licenced by the Financial Services Commission). The Trustee will handle all the administrative procedures, the registration and also apply for residence permits for the settlor and the family if applicable. Usually, the Mauritius property will be used for holiday or renting purposes and AcuFin as trustee will look into renting the property, ensuring a regular income is generated and ascertain that all maintenance charges are met and tax returns are filed on time.

Taxation and Financial Reporting

Under the Income Tax Act, a trust established as from 1 July 2021 in Mauritius shall be deemed to be tax resident in Mauritius if:

- The trust is administered in Mauritius and a majority of the trustees are resident in Mauritius;
- The settlor of the trust was resident in Mauritius at the time the instrument creating the trust was executed or at such time as the settlor adds new property to the trust; and
- A majority of beneficiaries or class of beneficiaries appointed under the terms of the trust are resident in Mauritius

Those trusts established on or before 30 June 2021 may file a declaration of non-residence to avail of tax filing requirements in Mauritius, subject to (a) the settlor being non-resident in Mauritius or holding a Global Business Licence (GBL) and (b) all beneficiaries being non-resident in Mauritius or holding GBLs, or the trust is a purpose trust whose purpose is carried out outside Mauritius. However, this will be applicable for their income years ending up to 31 December 2024, post which the definition of tax residency for trusts established as from 1 July 2021 will apply.

Trusts that are considered to be resident in accordance with the above definition of residence will be liable to tax in Mauritius on their worldwide income. However, income of charitable Trusts that are resident and approved by the Mauritius Revenue Authority (MRA) are exempt from taxation in Mauritius.

A trust that throughout an income year is non-tax resident in Mauritius shall be liable to tax only on its chargeable income attributable to its Mauritian source income (if any).

The applicable headline rate on taxable income is 15%. Foreign tax credit and partial exemption on certain income is available.

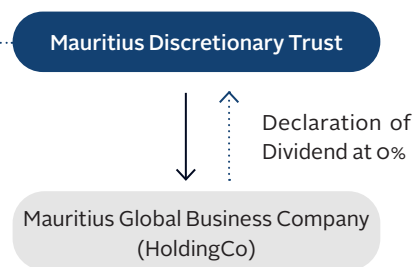
A trust shall, on an annual basis, submit an annual return of income to the Mauritius Revenue Authority six month after the financial year end.

A trust can opt to hold a GBL under the Financial Services Act 2007.

This trust can be used to hold any investment (property, shares, stocks, bonds - globally) and in a confidential manner.

Why Trust?

- Risk Perspective
- Confidentiality
- For succession planning
- Tax planning



Mauritian trusts are considered to be irrevocable by the settlor unless the trust instrument contains provision allowing for revocability. A trust may be declared void where it is established with the intent to defraud persons who are creditors of the settlor at the time when the trust property was vested in the trustee. Mauritian courts will not recognise the validity of any judgement to any claim against trust property made by another jurisdiction in respect of personal proprietary consequences of marriage, succession rights or the claim of creditors in an insolvency.

Key Features

1. It can be formed by a resident or non-resident of Mauritius
2. There is no requirement to register the Trust thereby maintaining confidentiality.
3. It is a very flexible vehicle and can be formed as a life interest trust, a discretionary trust, a purpose trust, a charitable trust or an Employee benefit trust.
4. It may have a Protector and a Purpose Trust must have an Enforcer.
5. It can have a managing trustee in Mauritius and a custodian trustee in another jurisdiction.
6. The forced heirship rules of other states will not be enforced by Courts in Mauritius

Tyes of trusts available on mauritius

According to Mauritius Trusts Act 2001, there are different types of Trusts in Mauritius:

1. Life Interest / Contingent Interest Trust

Under a Life Interest Trust, the principal beneficiaries will receive interest income from the Trust throughout their lifetime. Upon their death, either the assets will be passed on to the other beneficiaries listed in the Trust or income earned from the assets in the Trust will be distributed based on the amount and conditions stipulated in the Trust Deed.

2. Employee Benefit Trust

An Employee Benefit Trust usually takes the form of a discretionary trust whose main purpose is to benefit the employees of a particular company. Typically, the Settlor is the company, and the Beneficiaries are the employees.

3. Charitable Trust

A Charitable Trust is considered a purpose Trust that is formed for charitable purposes. These includes poverty relief, improvement of education quality, conservation of the environment and any other purposes that benefit the general public. The charitable activities are not restricted to Mauritius or Mauritius locals. A Charitable Trust has an indefinite lifespan.

4. Discretionary Trust

Under a Discretionary Trust, the Trustee has greater discretion to decide the time and amount of income to be distributed to the Beneficiaries. The Trustee can also decide which Beneficiaries will receive the income. A Discretionary Trust is helpful for Beneficiaries with creditors or with poor money-management skills.

5. Purpose Trust

A Purpose Trust is formed for a non-charitable purpose and has no Beneficiaries. However, a Purpose Trust is required to have an Enforcer. A Purpose Trust has a maximum lifespan of 25 years in Mauritius.

6. Sharia Compliant Trust

A Trust that is compliant with Islamic law (Sharia) must observe Sharia principles, in particular restrictions on investment and rules of inheritance.

Duration of a Trust

A Mauritian trust, other than a purpose trust, is limited to 99 years in duration. A purpose trust, whether charitable or not, may be of perpetual duration.

Protector

The terms of the trust may provide for the office of protector of a trust whose function shall be to advise the trustee. Subject to the terms of the trust, the protector may exercise the following specific powers:

- Remove a trustee and appoint a new or additional trustee
- Determine which jurisdiction's law shall be the proper law of the trust
- Change the forum of administration of the trust
- Withhold consent of specific actions of the trustee either conditionally or unconditionally
- The protector may also be a settlor or beneficiary of the trust.

Enforcer

The role of an enforcer is connected to a purpose trust. His duty shall be to enforce the trust in accordance with its terms and purposes. No person shall at any time act as both trustee and enforcer of the same trust. An appointment as enforcer shall be effective when the appointment has been accepted by the enforcer. An enforcer may resign from his office by the delivery of a notice in writing to the trustee.

Letter of Wishes

A settlor, a beneficiary, or a member of a class of beneficiaries may give to the trustee a letter that sets out their wishes on the exercise of any functions conferred on the trustee by the terms of the trust

Migration of Trust

Trusts established in other jurisdictions can be migrated to Mauritius by ensuring that the majority of trustees are resident in Mauritius and that the trust is administered in Mauritius. Depending on the terms of the original trust, the proper law of the trust can be changed to that of Mauritius by a simple declaration by the trustees in the deed of retirement and appointment.

GENERAL INFORMATION

Registration

- i. None Required

Creation of a Trust

- i. By a disposition of property inter vivos or by will, and can be created only by an instrument in writing

Duration

- i. Except for a purpose trust, may not exceed 99 years
- ii. A purpose trust, whether charitable or not, may be perpetual

Trustee

- i. The trust must have at least one “qualified trustee” at all times

Qualified Trustee

- i. A management company (like AcuFin Corporate Limited), or such other
- ii. person resident in Mauritius as authorised by the Financial Services Commission

Settlor

- i. Cannot be the sole beneficiary of the trust of which he is a settlor
- ii. May be any person who has the legal capacity to contract

Property

- i. Cannot consist of any immovable property situated in Mauritius if beneficiaries of the trust are not citizens of Mauritius unless prior approval is received from the prime minister’s office

Letter of Wishes

- i. May be provided, but a trustee is not bound by same

Taxation

- i. Trusts considered resident will be liable to tax in Mauritius on their worldwide income
- ii. A trust shall be deemed non-resident if its central management and control occur outside Mauritius

Disclosure

- i. No disclosure is allowed except to the settlor, the protector or the beneficiaries (if the trust deed terms permit), or by court order

Beneficiaries

- i. Must be identified by name or by reference to a class
- ii. Settlers may also be beneficiaries
- iii. No settlor can be the sole beneficiary

AcuFin's focus is to provide the best quality service to its clients by maintaining a close relationship with its clients, by ensuring provision of high-quality service and by ensuring compliance with all relevant rules and regulations.

During the tenure of the client, AcuFin also understands the business of its clients and tries to assist the client in growing the business and benefit from cost reductions such as favorable bank charges, fx rates, among others.

Our website can be consulted on www.acufin.global

If you are interested for our team to assist you in a seamless manner, we shall be glad to hear from you, please contact us on the following details:



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