

General Information

STEP (Society of Trusts and Estate Practitioners) is an international body with in excess of 10,000 members worldwide. The Irish branch of STEP was formed in October 1998.

The objects of the Society include

- To provide a forum for individuals concerned with the planning, creation, management of and accounting for trusts and estates, executorship, administration and related issues.
- To discuss aspects of tax, accounting and administration, statute and case law which are of general concern.
- To organise and hold conferences and meetings to advance knowledge and learning in respect of trusts, estates and allied subjects.

The annual conference of STEP in Ireland promises to be a day of great interest to all individuals involved in the area of trusts, estates and advising private clients.

Committee details for 2011/2012 are

Chairperson - Nora Lillis

Vice Chairperson - Catherine Duggan

Treasurer - Edmond O'Regan

Secretary - Sarah Cox

Membership and Education Secretaries -
John Gill and Cian O'Sullivan

Seminars Officer - Beryl Power

Diploma Officers -
Cormac Brennan and Shane MacNamara

Website Administrators -
Sinead Kelly and Karl Dowling

Student Liaison Officer - Karl Dowling

Committee Members -
Nuala Casey, Barry Kennelly and Mary Condell

Visit our website at www.step.ie

REGISTRATION

- Please complete the form overleaf and forward with the appropriate fees before 11th May 2012.
- Cancellations must be received in writing before 16th May 2012 and will be subject to an administration fee of €30.
- It is regretted that cancellations received after this time, and those not put in writing, will not be accepted and the delegate will be liable for the full conference fee.
- Substitutions may be made at any time provided the organisers are notified prior to the start of the conference.
- If a non-STEP member attends in the place of a STEP member, a charge will be made for the difference in fees.

SPEAKERS

It may be necessary for reasons beyond the control of STEP Ireland to change the content and timing of the program, the speakers or the venue.

STEP
Ireland

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Ireland

Annual Conference 2012

Friday 18th May 2012

Radisson SAS St. Helen's Hotel,
Stillorgan Road, Dublin 4



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Smith & Williamson

To Trust or to Litigate?

5 CPD hours apply

Biographies of Speakers

Vinog Faughnan S.C. Litigation Update

Vinog Faughnan S.C. practices as a Senior Counsel specialising in probate and trust law and has extensive litigation experience in these areas. Vinog previously spent ten years working as a Court Clerk in the High Court Probate Office Dublin and since joining the Bar in 1996 has lectured on many Probate matters to various bodies and associations over the years including STEP, the Law Society, and various Solicitors associations throughout the Country.

Summary of Talk:

- Review of recent judgments on the construction of wills, the admissibility of extrinsic evidence in S.90 suits; Marren-v- Masonic Havens Ltd & Ors, High Court, Murphy J.11/11/2011 and O' Donohue-v O' Donohue, [2011] IEHC 511.
- Claims for monies owing; quantum meruit/quantum valebat based claims against Estates; significance of contractual evidence and proceeding in its absence. Coleman-v-Mullen, [2011] IEHC 179.
- The revocation of Wills by a subsequent marriage. Does the evidence establish that when the Will was made the testator had, or must have had, a marriage to a particular person in contemplation? In the Matter of the Estate of Noel O'Brien Deceased, [2011] IEHC 327.

David Moran The Taxation of Trusts

David Moran is a Director of Twomey Moran. He started his career with Ernst & Young in Galway and subsequently worked with Bank of Ireland Private Banking and Kennelly & Twomey. David has a wealth of experience in the private client area and provides advice to a broad range of domestic and international private clients. David's expertise covers all personal taxes and over the years he has built up substantial Revenue experience. David is an AITI Tax Consultant, he has worked with the Irish Tax Institute's Education Committee as a moderator of the AITI examinations and has lectured on various private client tax issues.

Summary of Talk:

- Trusts in the current economic climate for private clients.
- Capital taxes and Finance Act 2012.
- A review of significant tax issues.

Cormac Brennan Advising clients in relation to acting as executor or trustee

Cormac Brennan is a Partner in O'Connell Brennan Solicitors, Dublin, which he established with Susan O'Connell in February 2012. Prior to that Cormac was a senior associate solicitor in the Private Client department of McCann FitzGerald Solicitors. Cormac specialises in personal estate and tax planning and advising charities and not-for-profit entities. His expertise includes wills, estate planning, estate and trust administration and charitable giving. His clients include a wide range of individuals and institutions, including executives, entrepreneurs, families, executors and trustees.

Summary of Talk:

- The nature of executorship and trusteeship revisited.
- Key advice to clients before taking on either role.
- Solicitors as executors and trustees.
- Examples of where the roles can lead to difficult or complex issues.
- Tips and common traps to avoid.

Kevin Maguire B.L. Joint Property: Taxation Issues

Kevin Maguire is a practicing barrister with specialisation in tax, probate, succession and trust law. He is an Associate of the Irish Taxation Institute and Chartered Tax Adviser (CTA). He is a Registered Trust and Estate Practitioner and holder of the STEP Advanced Certificate in Trust Disputes. He is a long standing lecturer in Capital Acquisitions Tax on the Probate and Taxation Module of the Law Society of Ireland's Professional Practice Course and tutors there on the taxation of trusts and property transactions. From 2001 to 2011 he held the position of Law Moderator with the Institute of Certified Public Accountants in Ireland.

Summary of Talk:

Capital Acquisitions Tax:

- Valuation Date
- Sections 7 & 13
- Section 32 Law & Conveyancing Law Reform Act 2009
- Bank Accounts
- Resulting Trusts

Capital Gains Tax:

- Deed of Family Arrangement
- Gift vs Inheritance
- Husband and Wife
- Constructive Trusts

Stamp Duty:

- Young Trained Farmer
- Section 30

Mary Griffin John C. Walsh & Company, Solicitors.

Mary Griffin is a partner in John C. Walsh & Company Solicitors. Mary practises in the area of Family Law. She is a Former Chairperson of the Family Lawyers Association. Mary Lectures on the Law Society Diploma in Family Law Course. She is a Qualified and Practising Mediator and a Qualified Practitioner in Collaborative Law.

Summary of Talk:

Family Home and whether the Family Home Protection Act is still relevant

- Analysis of the various provisions in the Family Home Protection Act and the practical application of same.
- The difficulties faced by Separating / Divorced Spouses in their attempts to resolve the issue of the Family Home.
- Why the Family Home Protection Act is still relevant.
- Room for Improvement ?
- Recent Case Law Developments.

Teresa Pilkington B.L. Legal Issues Relating to Joint Property

Teresa Pilkington is a leading Junior Counsel in the area of Probate, Trusts and Estates including contentious and non-contentious probate work, claims pursuant to section 117 of the Succession Act, 1965, Property and Conveyancing and Landlord and Tenant law. She also regularly lectures in these areas.

Summary of Talk:

Legal issues relating to joint property, including considerations arising from the Land and Conveyancing Law Reform Act 2009 and *Cawley Et Ors. v Lillis* [2011] IEHC 515. Joint property in the form of joint deposit accounts including consideration of *O'Meara v Bank of Scotland PLC* [2011] IEHC 402.

STEP Annual Conference Programme

Time	Speaker / Subject
9.30 – 9.45	The Hon. Mr Justice Murphy Opening Remarks
9.45 – 10.30	Vinog Faughnan SC Litigation Update
10.30 – 11.15	David Moran Taxation of Trusts
11.15 – 11.45	Coffee
11:45 – 12:00	Smith and Williamson (short address)
12:00 – 12:45	Cormac Brennan Advising Clients in relation to acting as Executor or Trustee
12:45 – 13:00	Q & A
13:00 – 14:00	Lunch Short address by Michael Young
14:00 – 14:30	Kevin Maguire BL Tax issues and other pitfalls of joint ownership
14:30 – 15:15	Mary Griffin The significance of the Family Home Protection Act in light of recent legislative and litigation developments
15:15 – 16:00	Teresa Pilkington BL Legal issues relating to joint property, including considerations arising from the Land and Conveyancing Law Reform Act and joint deposit accounts including recent developments.



REGISTRATION FORM

See notes overleaf.

This form may be photocopied for additional delegates.
Please print in block capitals.

First Name

Last Name

Firm/Organisation

Address

Telephone

Facsimile

E-Mail

Conference Fee

STEP Member: €250

Non-STEP Member: €330

Please send cheque or draft payable to STEP Ireland and completed registration form to:

Lorraine Markey,
Matheson Ormsby Prentice,
70 Sir John Rogerson's Quay, Dublin 2.

D: +353 (1) 232 2159

T: +353 (1) 232 2000

F: +353 (1) 232 3333

E: lorraine.markey@mop.ie

Places will be limited to 100, so early booking is advised. Details of attendees received after 11th May 2012 will not be included with the papers circulated at the conference.