

Immigration to New Zealand Estate Planning

IMMIGRATION TO NEW ZEALAND – ESTATE PLANNING

So you are thinking of coming to New Zealand.

Before you arrive there are a few estate planning matters you may wish to consider:

1. What existing estate planning do you have in place?

1.1 Trusts

- Have you settled trust(s) in your home jurisdiction/other jurisdictions?
- What sort of trust(s) are they?
- Can the trust(s) migrate to New Zealand with you?
- What happens to the trust(s) when you arrive in New Zealand?
- Are you currently undertaking a gifting programme to transfer assets from your personal name?

1.2 Will

- Will your current will be adequate?
- Will you need to complete a new will in New Zealand?
- Do you have statutory obligations to provide for members of your family?
- Can your estate be administered across two jurisdictions?
- Do you need to complete fresh powers of attorney/living wills?

2. Relationship Arrangements

- Do you have a pre-nuptial agreement?
- Does this cover your world wide assets?
- Will this agreement be affected by your proposed move?
- Will this agreement be valid in New Zealand?
- What do you know about New Zealand Relationship Law?

3. Estate Tax

- What arrangements do you have in place to minimise estate tax?
- What happens to these when you leave?



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- How will these arrangements be treated in New Zealand?
- Will you continue to be assessed for Estate Tax when you leave and for how long?
- How will your estate be treated in New Zealand for Estate Tax?

4. **Superannuation/Insurance**

- What happens to your existing policies?
- Can these be transferred to New Zealand?
- Can you be paid your superannuation from home to New Zealand?
- How will these existing policies be treated in New Zealand?

5. **Asset Acquisition**

- What structures can you use in New Zealand to own assets?
- How do trusts operate in New Zealand?
- Can you settle assets on a trust in New Zealand?
- Will you be assessed for gift duty in New Zealand?
- What company structures are available?
- What about partnerships?

Have you consulted your legal, accounting and tax advisors about the proposed move and what effect this will have on your current estate planning?

If you require further information about New Zealand estate planning please contact us.

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