

The Business Protector

Protect the Crown Jewels of
any Business

This webinar will commence at 12.00pm ADST.

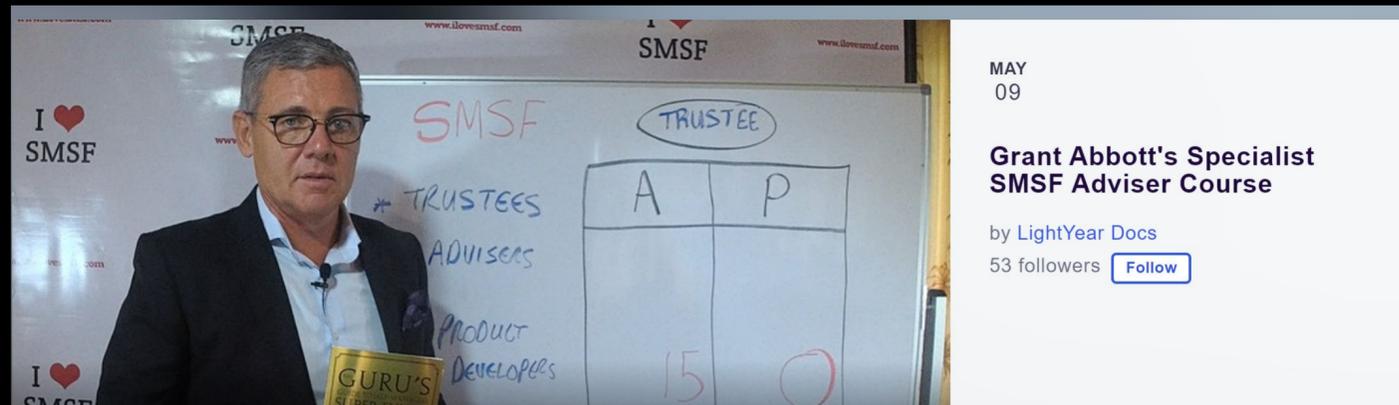
Please use the chat feature to ask any questions throughout the webinar.



8 March 2022

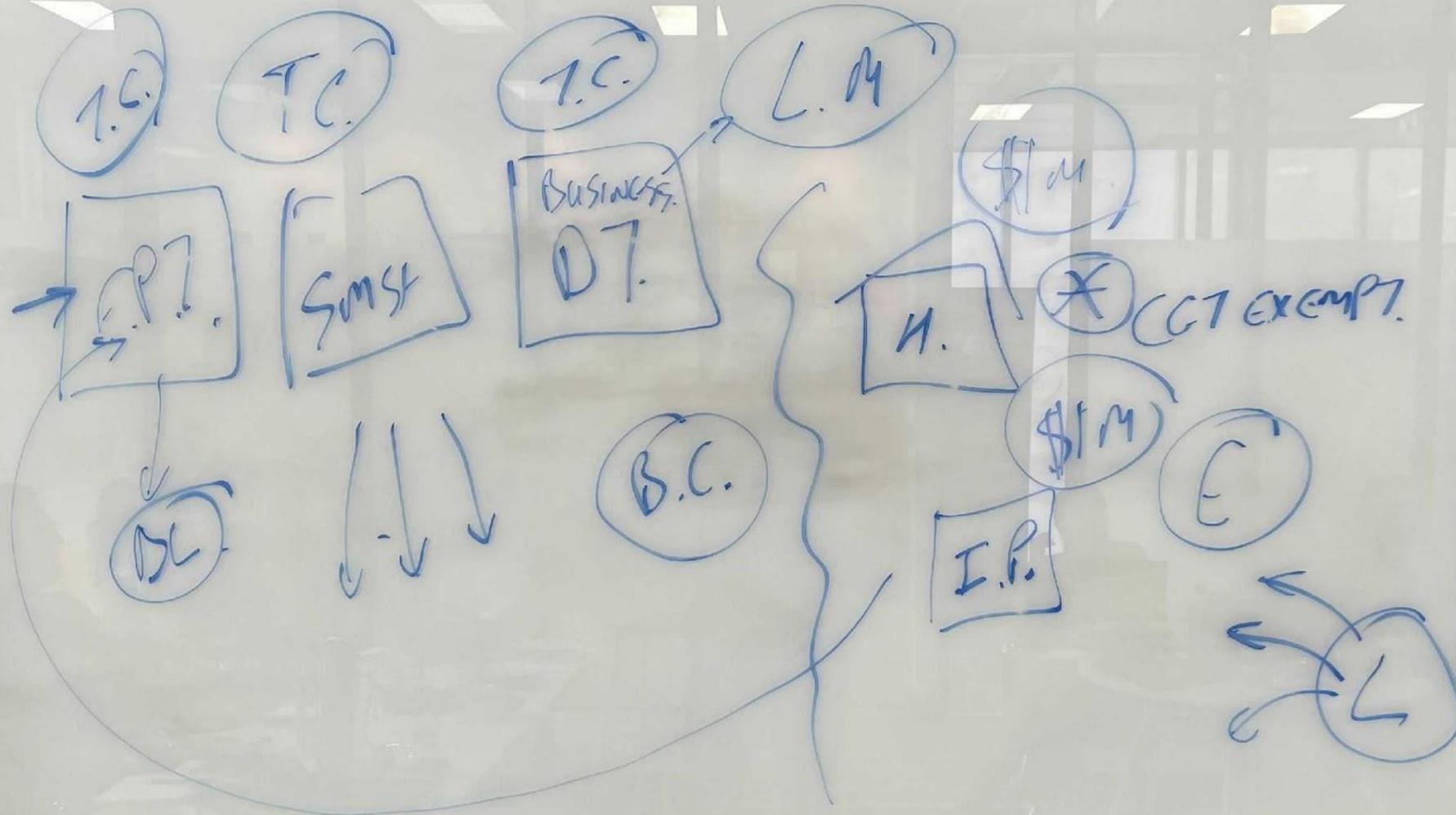
Some things coming up

- The old LightYear Docs platform ceases on 25 March 2022 so grab your PDFs – contact support to make it easy
- 13 – 15 March 2022 at the Gold Coast Change GPS conference
- 4 – 6 April Succession, Asset Protection and Estate Planning Adviser Course





Protecting Family Business with succession, asset protection and bloodline planning



- Post-it
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The Ideal Business Structure

Why business assets are at risk

- Business assets sitting with sole traders, partnerships, trading companies and trusts are vulnerable
- Vulnerability comes from business litigation, divorce and death – family provisions claims
- Your clients know that and with Australian having the highest number of lawyers per capita it is a huge business issue

Accountant's businesses are at risk

- The Trust Rulings are creating havoc and anxiety
- Commissioner is threatening to refer tax agents who have engaged in reimbursement agreements to the TPB
- And if the accountant has been promoting it then there is a potential \$5,500,000 fine
- This is only the start so protection is crucial

The Solution – The Business Protector

- Every business holds key assets including goodwill, databases, business processes, trade marks, logos and other property which may be put at risk from litigation of any form
- The Business Protector enables these assets to be transferred from a business entity to a separate company or trust for protection
- The assets can then be licensed for use back to the trading entity

THE BUSINESS PROTECTOR

FPA Co
Trustee

SMSF Co
Trustee

TRANSFER ASSETS

FPT OR
LEADING
MEMBER
TRUST

LEADING
MEMBER
SMSF

BUSINESS
PROPERTY

GIFT EQUITY



TRADING
COMPANY

ASSETS = \$1M



HOUSE EQUITY
= \$750,000

But Watch Out

- If you transfer for nil consideration then opens up for CGT market value consideration between related parties
- If you transfer for less than market value consideration then the four year bankruptcy claw back applies but if for market value consideration then only voided if the intent was to defeat creditors
- Transfer can be by way of loan agreement which is paid down by way of licence fees

But Watch Out

- Need to set up a Protection entity such as a Leading Member discretionary trust or a Family Protection Trust
- For the transfer as noted it can be by way of a loan agreement
- If small business then can use the CGT small business concessions
- Would it work for a SMSF?

But Can You

- Use the small business CGT concessions – \$2M turnover rule
- Main concessions are:
- Held the business for 15 years and over 55
- An additional 50% concession
- \$500,000 CGT exempt amount if rolled into a SMSF

Make your Choice

	Lite	Best Practice	Strategist
Cost per month	PAYG	\$330	\$795
Documents	Unlimited	Capped 200 / year	Unlimited
Excluded Categories	No Estate Planning Category No Strategist Category	No Estate Planning Category No Strategist Category	Full Access
Support Site	Public Access	Public Access	Full Access (Including locked sections)
Document Support	Basic	Basic	Priority
Technical / Strategy Support	None	Basic	Priority
Legal Support	None	None	Abbott & Mourly
Webinar Access	Public Webinar Only	Public and Invite Only	Full Access
CPD	1 per Month	1 per Month	4 per month

lightyear docs