

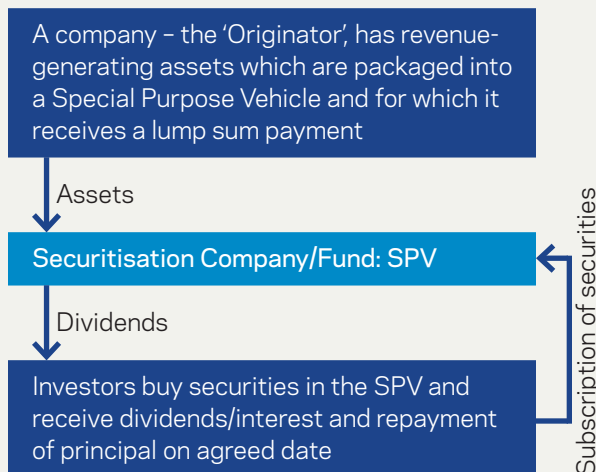
Key Facts

Fund Services – Securitisations

Securitisation is the process of taking assets that deliver a revenue stream and their associated risks, packaging them in a special purpose vehicle (SPV) and then selling securities in the SPV to interested investors who receive dividends/interest and repayment of the principal amount on an agreed date.

Securitisation is frequently used to monetise illiquid assets or to repackage financial assets and diversify risk.

Basic securitisation structure



Luxembourg’s Securitisation Framework

Luxembourg’s 2004 Securitisation Law offers promoters of securitisation structures two clear advantages:

- Lower costs
 - Luxembourg’s existing civil law framework cuts down on the amount of specific drafting for offering documents, lowering

legal fees and making it cheaper to set up a securitisation vehicle in Luxembourg than in many other jurisdictions.

- A comprehensive legal framework
 - Securitisation SPVs can be set-up either as a company or as a fund.
 - No regulation or supervision of securitisation SPVs from the financial regulator is required unless specific conditions are met.
 - The principles of bankruptcy remoteness apply through Limited Recourse and Non-Petition clauses – i.e., the assets in the securitisation vehicle are wholly separated from their origin.
 - Both ‘true sale’ and ‘synthetic’ securitisation are possible.
 - Securitised assets can be ring-fenced within sub-funds of the securitisation vehicle.
 - The law enables tax transparency (for funds) or tax neutrality (for companies).
 - Robust investor protections are in place.

Features of a Luxembourg Securitisation Vehicle

- It is possible to securitise a broad range of underlying assets from trade receivables through to mortgage-backed loans, real estate, intellectual property rights and rental receipts from yachts.
- A range of securities, such as shares, notes or structured or hybrid products, can be issued.

Key Facts

Fund Services – Securitisations

- Issued securities can be offered through private placement or through public offering (under conditions) and could be listed in Luxembourg or on another stock market.
- The structure is subject to Corporate Tax if the securitisation SPV is set-up as a company but benefits from the tax neutrality regime.
- Tax transparency is ensured if the Securitisation SPV is set-up as a fund.
- Dividends or interest paid to investors are tax deductible.
- There is potential for access to double tax treaties.

Example uses of Luxembourg securitisation vehicles:

- A financial institution repackages bonds issued by a listed company and securitises them using a Luxembourg vehicle to re-sell them to investors.
- A company uses a Luxembourg vehicle to transfer non-performing loans to the market in order to 'clean' its balance sheet.
- An institution looking to monetise a large portfolio of real estate assets, securitises the rental income from them using a Luxembourg vehicle, with the future cash flow generated by the assets transferred to investors.

Offices

The Americas/Caribbean

Bahamas

Trident Corporate Services
(Bahamas) Ltd
T: +1 242 322 6154
bahamas@tridenttrust.com

Barbados

Trident Corporate Services
(Barbados) Ltd
T: +1 246 621 0760
barbados@tridenttrust.com

British Virgin Islands

Trident Trust Company (BVI) Ltd
T: +1 284 494 2434
bvi@tridenttrust.com

Cayman Islands

Trident Trust Company
(Cayman) Ltd
T: +1 345 949 0880
cayman@tridenttrust.com

Nevis

Morning Star Holdings Ltd
T: +1 869 469 1817
nevis@tridenttrust.com

Meridian Trust Company Ltd

T: +1 869 469 1333
nevis@tridenttrust.com

Panama

Trident Trust (Panama) S.A.
T: +507 302 7494
panama@tridenttrust.com

United States Atlanta

Trident Corporate Services, Inc
T: +1 404 233 5275
usa@tridenttrust.com

Miami

Trident Fund Services
T: +1 305 405 9006
miami@tridenttrust.com

New York

Trident Corporate Services, Inc
T: +1 212 840 8280
nyc@tridenttrust.com

Sioux Falls

Trident Trust Company
(South Dakota) Inc
T: +1 605 679 4355
sd@tridenttrust.com

US Virgin Islands

Trident Trust Company (VI) Ltd
T: +1 340 774 7322
usvi@tridenttrust.com

Asia

Hong Kong

Trident Corporate Services (Asia) Ltd
and Trident Trust Company (HK) Ltd
T: +852 2805 2000
hongkong@tridenttrust.com

New Zealand

Trident Trust Company (NZ) Ltd
T: +64 9 300 6067
nz@tridenttrust.com

Singapore

Trident Trust Company
(Singapore) Pte Ltd
T: +65 6653 1800
singapore@tridenttrust.com

EMEA

Cyprus

Trident Trust Company (Cyprus) Ltd
T: +357 258 20 650
cyprus@tridenttrust.com

Trident Fiduciaries (Middle East) Ltd

T: +357 253 53 520
fiduciariesme@tridenttrust.com

Dubai

Trident Trust Company (UAE) Ltd
DMCC Branch
T: +971 4 423 9988
dubai@tridenttrust.com

Guernsey

Trident Trust Company
(Guernsey) Ltd
T: +44 1481 727571
guernsey@tridenttrust.com

Isle of Man

Trident Trust Company (IOM) Ltd
T: +44 1624 646700
iom@tridenttrust.com

Jersey

Trident Trust Company Ltd
T: +44 1534 733401
jersey@tridenttrust.com

Luxembourg

Trident Trust Company
(Luxembourg) S.A.
T: +352 26 30 28 48
luxembourg@tridenttrust.com

Malta

Trident Trust Company (Malta) Ltd
T: +356 21 434 525
malta@tridenttrust.com

Mauritius

Trident Trust Company
(Mauritius) Ltd
T: +230 210 9770
mauritius@tridenttrust.com

Seychelles

Trident Trust Company
(Seychelles) Ltd
T: +248 4 422 000
seychelles@tridenttrust.com

Switzerland

Trident Corporate Services AG
T: +41 44 396 1080
switzerland@tridenttrust.com

United Kingdom

Trident Trust Company (UK) Ltd
T: +44 20 7935 1503
uk@tridenttrust.com

Trident Company

Services (UK) Ltd
T: +44 20 7487 0460
corpsservices@tridenttrust.com