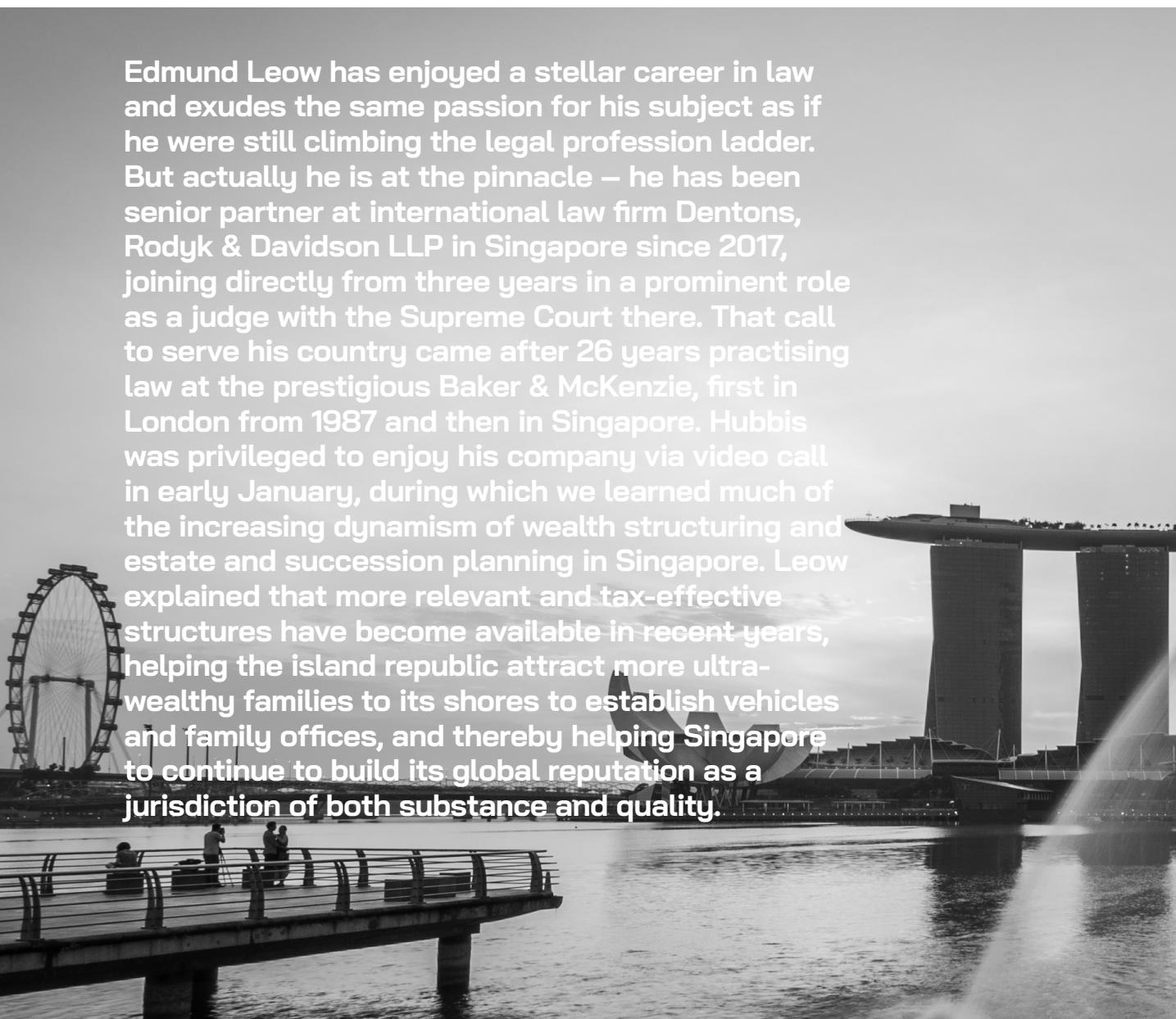


# Dentons' Senior Partner Edmund Leow on Substance, Structures, Service and Singapore

Edmund Leow has enjoyed a stellar career in law and exudes the same passion for his subject as if he were still climbing the legal profession ladder. But actually he is at the pinnacle – he has been senior partner at international law firm Dentons, Rodyk & Davidson LLP in Singapore since 2017, joining directly from three years in a prominent role as a judge with the Supreme Court there. That call to serve his country came after 26 years practising law at the prestigious Baker & McKenzie, first in London from 1987 and then in Singapore. Hubbis was privileged to enjoy his company via video call in early January, during which we learned much of the increasing dynamism of wealth structuring and estate and succession planning in Singapore. Leow explained that more relevant and tax-effective structures have become available in recent years, helping the island republic attract more ultra-wealthy families to its shores to establish vehicles and family offices, and thereby helping Singapore to continue to build its global reputation as a jurisdiction of both substance and quality.



**Leow opens the** dialogue by observing how robust the family office space is currently in Singapore, and remarking that it had continued to grow, even throughout the pandemic thus far.

"People have not been deterred," he reports, "and in fact, Singapore is even more popular than before, with people setting up all types of structures, from trusts to holding companies, family offices and so forth. With the tax exemption on the income

structures to Singapore from the some of the more exotic or traditional offshore centres, following increased pressure from the OECD, from the EU and from other quarters."

He explains that economic substance is a major factor as well, and that people can no longer afford to ignore this. And he remarks that in addition to shifting the structure, the individuals or families can also shift themselves, as Singapore

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and gains from family office funds managed by a Singapore fund management company, there are obvious attractions for wealthy families from the world over, especially from countries within Asia."

With many, perhaps most countries around the world getting more aggressive in the enforcement of their taxes, people either pay the tax or move out, but there are not that many jurisdictions available that offer anywhere the range and quality of what Singapore offers today.

### Many appeals

Moreover," he reports, "Singapore is benefitting from these investors also shifting their

has great incentives and attractions for wealthy families moving both assets and their families. "And to top it all off," he reports, "Singapore is considered very safe in terms of lifestyle and health, with great transparency and efficiency, as well as being politically stable."

Sadly, Leow reports, the pandemic has further exaggerated the differences between the rich and the poor, not just in Singapore but globally. And as these wealthy people have more time on their hands, they can focus on key issues on which they might have procrastinated before, such as their wills, setting up the right structures, organising their affairs properly,



**EDMUND LEOW**

Dentons

and so forth. "Governance issues and succession planning have become far more visible as well," he explains, "as the patriarchs and matriarchs focus their minds on these matters."

### A vehicle for incentives

Leow defines the family office in the context of Singapore as a vehicle through which to qualify for specific tax incentives. "When people say they are establishing a family office here, what they actually mean is they are applying for the set of tax incentives, and need the structure that will qualify, which is at least two entities," he comments. "One entity, a fund entity, holds the family assets. The other entity is the management company, which manages the assets, and that is the entity that will house the family office, the employees and so forth."

For those clients that want themselves to also reside in Singapore, the family members will often work in the family office and manage the assets themselves, although they can still obtain residence if they hire external professionals.

### Substance matters

He says the firm sees a lot of Mainland Chinese and Indonesians moving there, and that as Singapore has always been a substance jurisdiction and if they follow the correct procedures, this can be readily accomplished, even throughout the pandemic. "And people will not be able to then accuse these entities of lacking substance because the main employee of these entities is the owner himself, it's the patriarch himself, and it's the patriarch's family, and family members, in short

"We are also seeing organisations such as the Wealth Management Institute, the Institute of Banking and Finance, and other trade bodies building their presence, helping with education and training here, and generally building out the proposition," he reports. "In fact, the new programmes are going well beyond teaching people how to manage money; they are focusing more now on some of the more intangible skills such as dealing with family relationships, family succession issues, governance, and other key areas."

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people who are central to these assets and who make decisions," he observes. "Actually, Singapore had always encouraged substance even before offshore centres were asked to require substance, so this all fits very well with the image Singapore has sought to build over many years."

### A robust and expanding ecosystem

Leow also observes that the ecosystem in Singapore has grown to the stage where it is robust and working very well, with the right service and advisory providers from the lawyers, accountants, trustees, company secretaries and others available and offering the right levels of expertise.

### Quality and quantity

Leow draws this part of the discussion to a close by remarking that all this means that Singapore is therefore attracting higher quality and new participants in the broader financial and services landscape.

"We see more trust specialists, more law firms, more accountants moving in, and others, as they see the scale of the opportunity and extrapolate forward," he reports. "As President of the Trustees Association in Singapore, I can state that we are also seeing the industry grow and mature. There is growing dynamism, professionalism and opportunity. I can genuinely say I am pleased with the progress we are making in this profession and for Singapore as a whole." ■

## Getting Personal with Edmund Leow

Leow is a senior partner heading up both the Tax Practice and the Trust, Estates and Wealth Preservation Practice at Dentons, Rodyk & Davidson LLP in Singapore. He has amassed more than three decades of experience in advising multinational organisations on cross-border tax planning, transfer pricing and tax disputes. He also advises on international trade issues such as customs, WTO and free-trade agreements. And in his role leading the Trust, Estates and Wealth Preservation Practice, he advises high net worth individuals and families, private banks and trust companies in personal tax, as well as in trust and estate planning matters.

Leow has an impressive resume. He was invited by the government to serve as a Judicial Commissioner at the Supreme Court and served from 2013 to 2016. On stepping down, he was appointed Senior Counsel in 2017, making him the first and only Tax and Trust lawyer to be given this accolade nationwide.

Prior to his appointment to the Singapore judiciary in 2013, Leow was named a Tier 1 lawyer by The Legal 500 Asia Pacific for Tax in 2012. His views on tax and wealth management were widely sought and publicised in the media, such as Bloomberg, BBC, Channel NewsAsia, Reuters, The Financial Times and The Straits Times. He was also a founding partner of a Singapore law firm that was associated with Baker & McKenzie, where he headed up the Tax and Wealth Management practices in Singapore.

He is also President and an honorary member of the Singapore Trustees Association (STA). He is a co-founder of the STA, and previously served as its President from 2004 to 2008, then as Vice President from 2008 to 2013. The STA represents the interests of trust companies in Singapore.

In addition, he has been appointed Deputy Chairman of the Income Tax Board of Review, which is a statutory tribunal which hears income tax disputes between the Inland Revenue Authority of Singapore and taxpayers.

His immense wealth of experience includes key legal advisory roles in many corporate and other transactions, mergers and acquisitions across a wide variety of industry sectors, from financial services to real estate, retail, medical, healthcare, to name but a few.

A Singaporean by birth, he studied all the way locally through high school and then won a place to study Law at Cambridge University, after which he began work in London at Baker McKenzie, later becoming managing partner of Baker's Singapore office, after which the government asked him to serve as a judge.

"That was a wonderful opportunity," he recalls, "and a chance to give back to our society. It was a humbling and a great experience to serve as a judge of the High Court for some three years."

He then decided to return to private practice in 2017, starting what was essentially a new trust and tax practice for Dentons. "We have been growing this team steadily since," he reports, "with seven people now in different areas of tax and trusts. I can say that our growth here mirrors the growth in Singapore in these areas, so it has been very encouraging."

Leow is married, and the couple's two children are in their 20s and both lawyers. "Neither seems to have been sufficiently deterred by seeing their father practice law," he quips, jovially.

Leisure time in the past often involved travel, but that is, of course on hold. "Singapore is a small place to be stuck in these circuit breakers," he says, "but a great place to be nevertheless at this time for many reasons. And as both children still live with us at home, we have managed to enjoy a lot of close family time since March. Normally, they would be off here and there and travelling themselves, so this enforced situation has had some major positives in the time we can spend together."

When conditions permit, Leow and his wife enjoy weekend trips within Asia and further afield when time permits. "We are fortunate to be healthy and working, and now we can but enjoy what we have today and look forward to a resumption of our former lives, sooner or later," he says, on closing the conversation.