

The 12 golden rules of asset protection



- 1 Do not trade in your personal name or as a partner in your name – companies and trusts are available to provide protection
- 2 Identify who are 'safe' individuals as opposed to those who are 'at risk'. Ensure that 'safe' people do not hold any directorships
- 3 Major assets are not to be owned by a business operator or a director - these are at risk people
- 4 Do not own assets in your personal name – unless the tax benefits outweigh the asset protection risks
- 5 Hold each asset in a separate entity (might cost more – but gives you protection and options)
- 6 Ensure where appropriate there are single directors and those directors hold minimal personal assets that could be exposed to creditors or business failure
- 7 Limit personal guarantees — especially by asset holding or 'safe' individuals.
- 8 Maximise the asset protection afforded by the use of superannuation and trusts - trusts give maximum flexibility for tax as well
- 9 Protect your family home. Do not own it in a director's name - consider gifting strategies as an option
- 10 Where possible, use separate lenders to avoid cross guarantees
- 11 Ensure that you have all appropriate insurances
- 12 Make sure all trusts to have separate corporate trustees

Should you have any questions or require any assistance, contact our **Business & Entrepreneurial Support** division today.

