

**USE OF ALTERNATIVE LEGAL  
STRUCTURES FOR SETTLEMENT WITH  
FOREIGN PARTIES AND INVESTMENT**



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# THE USE OF ALTERNATIVE LEGAL STRUCTURES

for mutual settlements with foreign counterparties and investments



## SETTLEMENTS:

- 1) Agency agreement



## INVESTMENT:

- 2) A controlled foreign company with a founder the Russian mutual fund
- 3) Foreign trust funds





## AGENCY AGREEMENT AS A TOOL FOR SETTLEMENT

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**Agency agreement with a foreign company located in a friendly jurisdiction (for example, Kazakhstan or Armenia) to carry out such actions as:**

- Search for contractors to conclude contracts for the supply of goods/provision of services,
- Conducting negotiations, agreeing on terms and concluding contracts,
- Interaction with contractors on the execution of concluded contracts, including making payments for goods or services purchased by the principal, on their own behalf, but at the expense of the principal and on his instructions.

***Agency's commission: % of processed payments***

**Agency company**

Agency agreement

Money

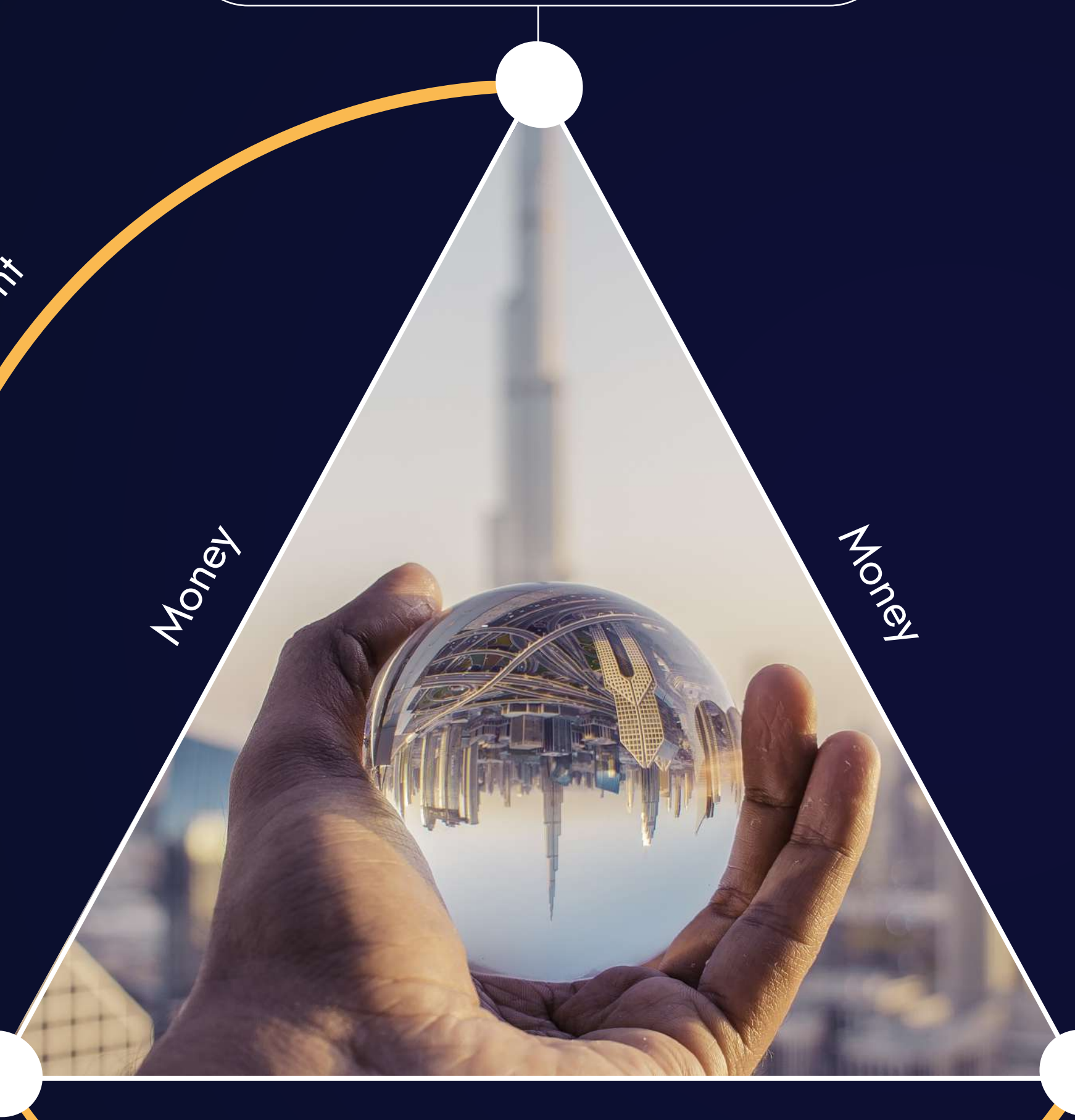
Money

**Russian company**

Goods/services

**Foreign counterparty**

Contract + additional agreement

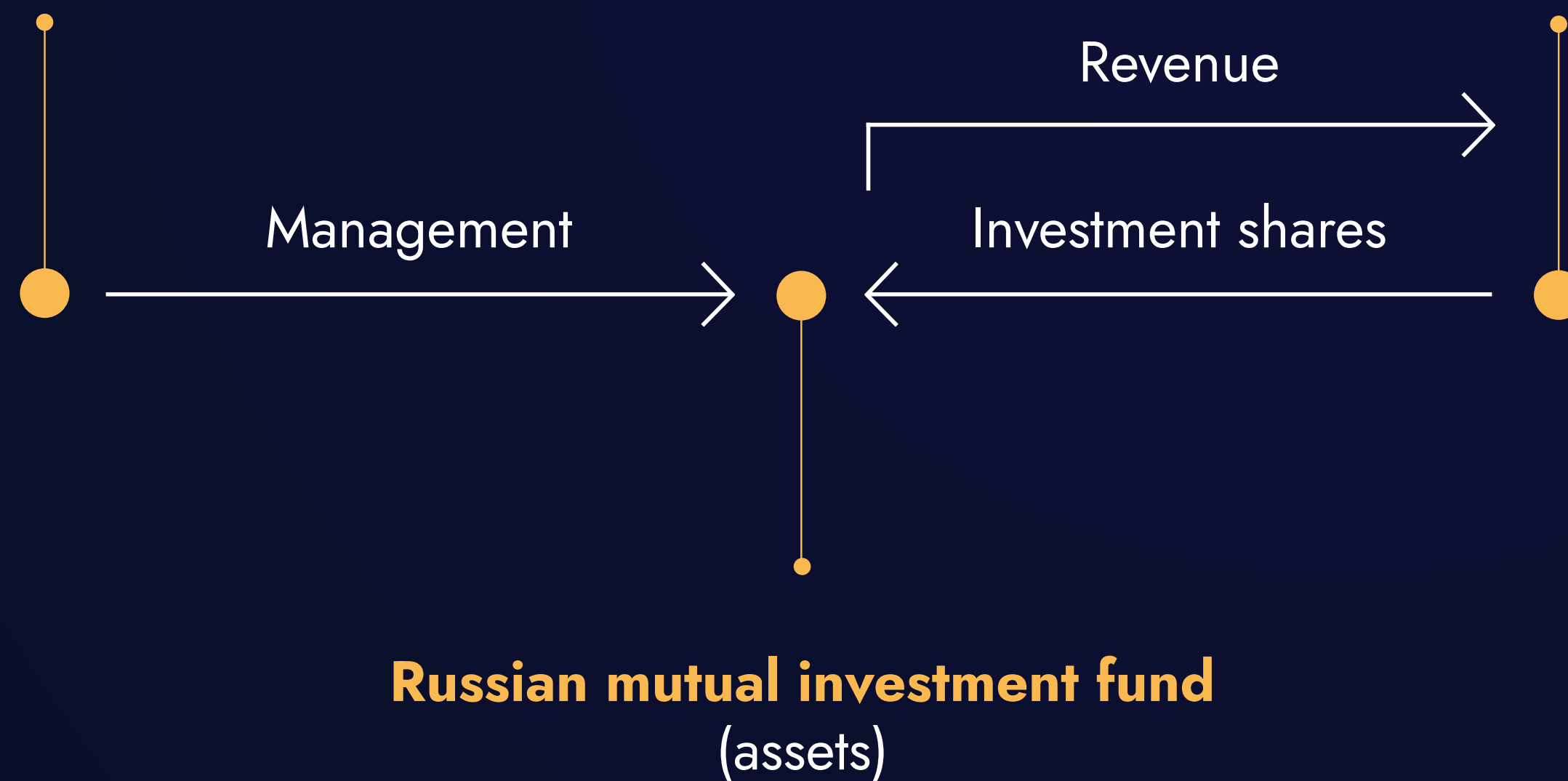


# CREATION OF A FOREIGN COMPANY

with participation in the share capital of the Russian mutual fund as a way of collective investment

**Management company**  
(administrative function)

**Shareholders**  
(the owners of the fund's assets)



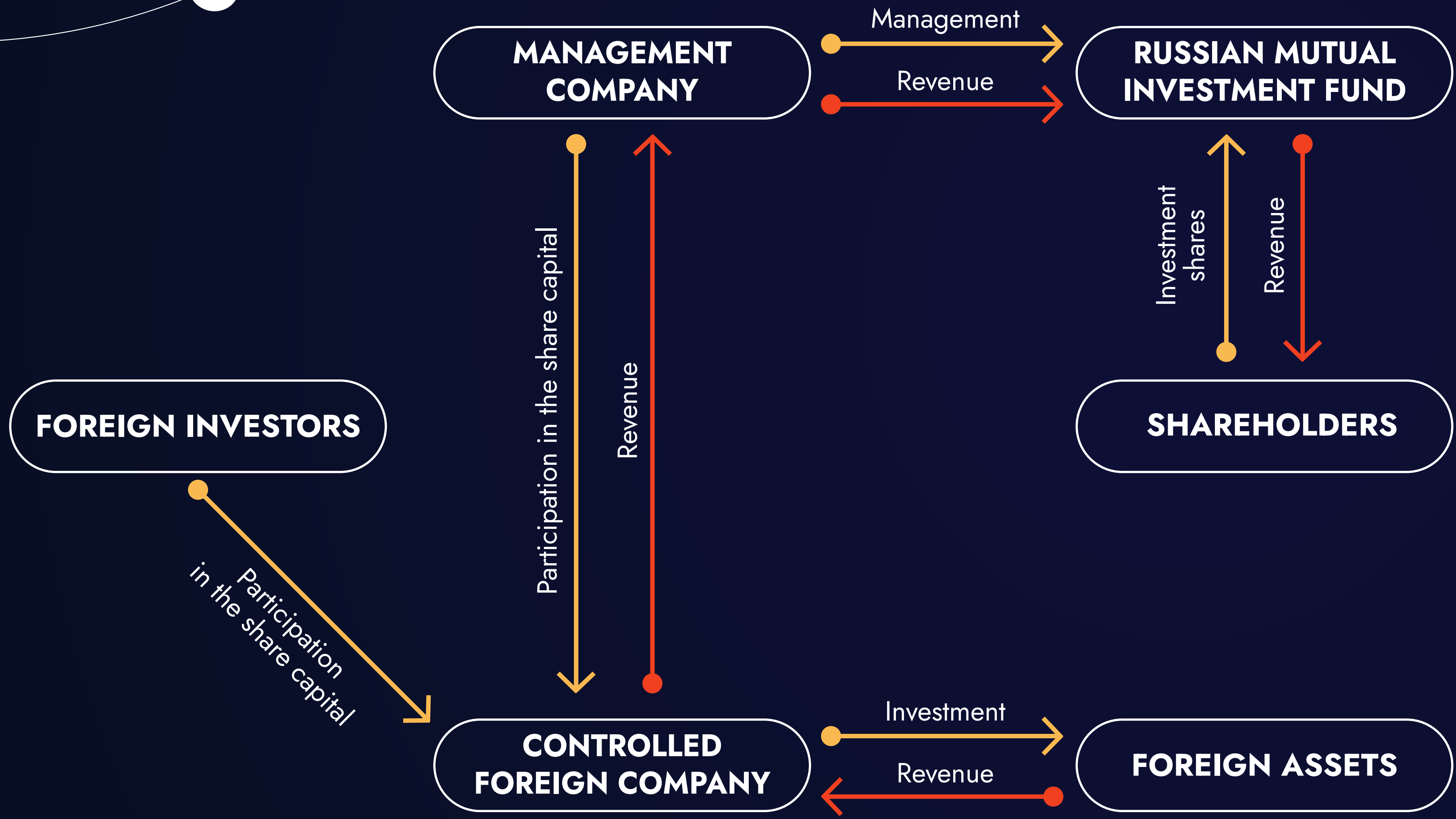
**Russian mutual investment fund**  
(assets)

# RUSSIAN MUTUAL FUND

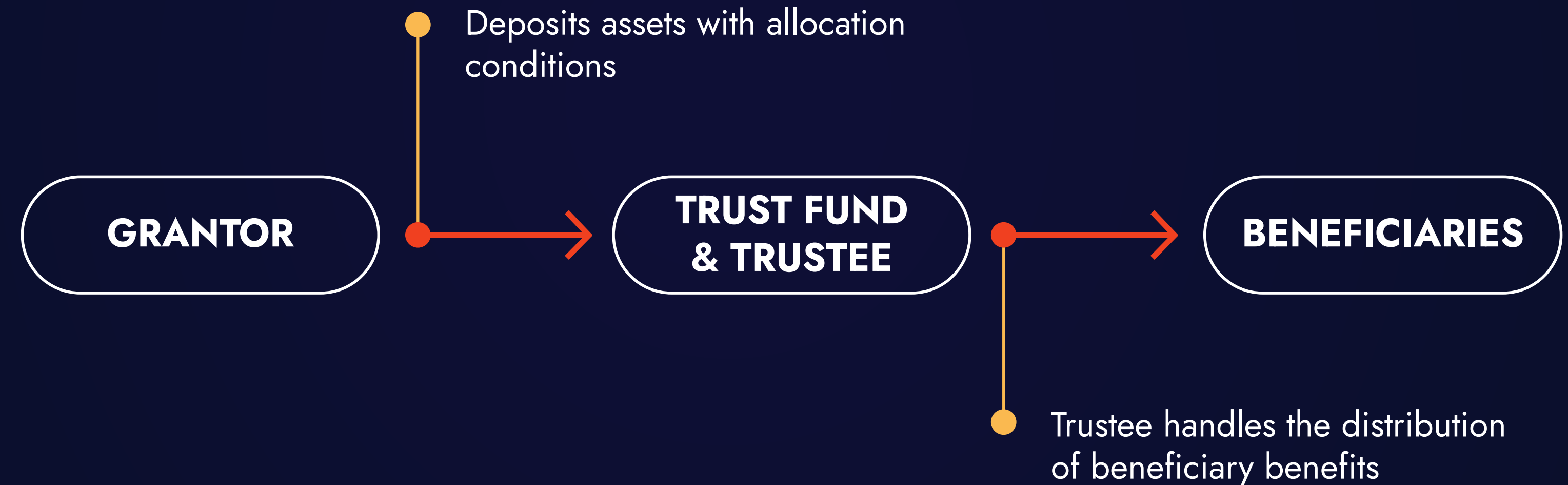


## Challenges:

- 1) Constraints on withdrawing funds for acquiring foreign assets;
- 2) Complications regarding the transfer of dividends to Russian mutual funds accounts;
- 3) Restrictions imposed by many countries on transferring assets to Russian legal entities and individuals subject to sanctions, etc.



# FOREIGN TRUST FUNDS AS A TOOL FOR PRESERVING AND INCREASING FOREIGN ASSETS



## **UK (including the Crown Dependencies and Overseas Territories):**

the trust services sanctions for “persons connected with Russia” were adopted by the OFSI and came into effect on 16 December 2022.



# TRUST IN UAE

## 1) ARAB TRUST:

- certified in the court of Dubai
- based on the United Arab Emirates commercial law and Sharia principles

## 2) TRUST IN FREE ZONE:

DIFC (Dubai International Financial Centre) in the Dubai

ADGM (Abu Dhabi Global Market) in the Abu-Dhabi

- regulation in accordance with Free Zone rules
- based on English common law





## CONTACT

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