



NEVIS MULTIFORM FOUNDATION FACT SHEET

OVERVIEW

A Nevis Multi-Form Foundation is a flexible legal entity established under the Nevis Multiform Foundations Ordinance, designed to combine features of trusts, foundations, and corporate entities within a single statutory framework. The legislation draws on established foundation regimes, including concepts influenced by the Cook Islands asset protection model, while incorporating additional procedural deterrents to creditor claims.

Nevis Multi-Form Foundations are commonly used for asset protection, wealth structuring, and succession planning where adaptability, cost efficiency, and a separate legal personality are important considerations.

PURPOSE AND USE

Nevis Multi-Form Foundations are commonly used for:

- Asset protection and creditor deterrence
- Long-term wealth preservation and succession planning
- Holding private wealth, investment assets, and operating entities
- Family governance and multigenerational planning
- Structuring wealth using a foundation that can replicate trust-like or corporate features

ASSET PROTECTION

- **Exclusive application of Nevis law, foreign judgments not enforceable:** Only Nevis law governs matters relating to the foundation and transfers of assets to it. Foreign court judgments are not enforceable and creditors must commence proceedings in the Nevis High Court.
- **1-year statutory limitation period:** Claims challenging transfers to a Nevis foundation must be commenced within one year of the transfer. After this window, the transfer is final and cannot be challenged.
- **High burden of proof on creditors:** Creditors must establish fraudulent intent to a high evidential standard.
- **Mandatory creditor bond:** Creditors are required to post a US\$100,000 bond before commencing proceedings, acting as a significant deterrent.

KEY CHARACTERISTICS

- Established under the Nevis Multiform Foundations Ordinance
- A separate legal entity, distinct from the founder and any beneficiaries
- Formed by a founder (individual or corporate) through an initial endowment
- No shareholders; may have beneficiaries and/or defined purposes
- Managed by a council, with flexible governance arrangements
- Founder may reserve certain powers, subject to proper structuring
- No local taxation on non-Nevis sourced foundation income
- Stable and well-established offshore legal environment
- **Multi-form structure**, allowing the foundation to operate in a trust-like, foundation-style, or corporate-style form within a single legal entity
- **Confidentiality:** There is no public register of foundation governing documents, and disclosure of information is restricted, subject to applicable regulatory, legal, and court-ordered requirements.

WHAT MULTI-FORM MEANS?

- A Nevis Multi-Form Foundation can be structured to operate in different legal forms within a single statutory entity.
- Depending on its governing documents, the foundation may function in a manner similar to:
 - a traditional foundation,
 - a trust-style structure with discretionary features, or
 - a corporate-style entity with defined governance and control mechanisms.
- This flexibility allows the foundation's operation to be adapted over time to suit changing asset protection, governance, tax, or succession objectives, without the need to establish a new structure.
- **Example:** a foundation may initially operate in a trust-like form while assets are being accumulated, then later transition to a more corporate-style governance model for family succession or investment management, simply by amending its governing documents, subject to applicable law.
- Throughout any change in form, the foundation remains the same legal entity and continues to benefit from Nevis asset protection legislation.