

# Luther.



## Family businesses - entrepreneurial families

# Succession planning – transferring assets to the next generation

Transferring business and non-business assets to the next generation, whether by transferring assets inter vivos or by way of succession planning, is a complicated process that requires an advisor who not only is an expert in legal and tax matters, but who also understands the personal interests of the parties involved.

Luther Rechtsanwaltsgesellschaft has a special practice group “business succession and private clients” which comprises experts who have many years’ experience in private and succession planning. This type of advice requires above-average interdisciplinary knowledge, especially in company, (international) inheritance, family, and tax law. Succession planning is particularly relevant to any families who own medium-sized businesses, as well as large family-run companies.

Our advisory skills and competencies in all areas of entrepreneurial activity allow us to comprehend the overall situation and understand the motives of those involved. This puts us in an excellent position to find the best possible succession solutions in collaboration with our clients. Succession plans do not come “ready-made”, but have to be specifically tailored to meet our clients’ needs. Every company or family is unique and, as such, requires a unique solution.

Even if you think there is still plenty of time – a prudent business owner should start thinking about succession planning at an early stage. It should be part of the long-term business plan and strategy and should also include provisions for unforeseen circumstances. A competent advisor at your side who focuses not only on the right tax-optimal (re)structuring and subsequent transfer of your assets, but can also play an important role in avoiding and resolving conflicts with a view to keeping the peace in your family can prove invaluable for a well-organised transfer.

Securing assets, retaining value – we can help you!



## Our advisory services

### Finding the right company structure to achieve succession planning

- Devising well-balanced solutions for shareholders who may or may not be involved in the business operations
- Examining, presenting and, as the case may be, working out alternatives for succession within the family
- Drafting succession clauses which take into account the various interests involved
- Developing measures to protect against influences from outside the family
- Carrying out restructurings in preparation for a generation change

### Inheritance law advice prior to and upon succession

- Devising and drafting agreements regarding succession matters
- Devising testamentary dispositions and accompanying measures
- Preparing contractual agreements in anticipation of succession
- Assisting with the severance of estates owned jointly by coheirs
- Mediating probate disputes
- Assisting with the execution of wills
- Drafting and developing measures for the implementation of testamentary dispositions abroad

### Assisting with the implementation of accompanying measures under family law

- Drafting prenuptial agreements, particularly matrimonial property agreements
- Determining claims for compensation arising from the equalisation of accrued gains
- Integrating minors in organisational concepts

### Tax advice

- Drafting and developing tax-optimal arrangements for succession inter vivos or upon death
- Preparing tax burden comparisons
- Assisting with the completion of tax disclosures
- Advising on legal remedies and legal actions in inheritance tax matters
- Advising on how to prevent or minimise adverse income tax effects in the event of succession
- Developing concepts for the tax-minimisation of asset distribution relating to estates
- Advising on international inheritance tax law

## Our clients

- Business owners and family-run businesses
- Wealthy private individuals
- Individuals with foreign assets
- Family-owned companies
- Communities of heirs
- Owners of charitable institutions

## Professional advice

- A multidisciplinary team of lawyers and tax advisors is prepared to assist you with any problems that may arise in connection with a business succession
- All the solutions that are provided by the practice groups involved are tailor-made and adapted to suit your needs

Luther Rechtsanwaltsgesellschaft mbH advises in all areas of business law. Our clients include medium-sized companies and large corporations, as well as the public sector.

Berlin, Brussels, Cologne, Dusseldorf, Essen, Frankfurt a. M., Hamburg, Hanover, Leipzig,  
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