



# White Fox & Jones

Lawyers

DECEMBER 2011

## 2011—What a year

What a year for all of us in Canterbury, particularly Christchurch. We have passed the first anniversary of the 4 September earthquake, and the city is still struggling with the recovery, and will do for a considerable time.

White Fox & Jones were very fortunate to have moved offices two years prior to the September earthquake and as a result suffered very little interruption.

We have not had to deal with inaccessible equipment, deeds or files, nor have we had to find temporary or permanent premises, but we have had a number of our people who have had to deal with very difficult circumstances, without exception and despite their personal situations, everyone at White Fox & Jones has worked hard for our clients.

We have had a number of changes at the firm during 2011. Aimee Edwards left in April and has joined Mackintosh Bradley & Price. Gail Fletcher also left in April but has returned to Level 3 of White Fox & Jones House

working this time for our subtenant David Stock. More recently two of our partners, Brian Nathan and Tom Evatt left the firm, Brian, his wife Jacqui and daughter Zoe have moved to Nelson. Tom, his wife Gabrielle, and children, Matilda, Will and Henrietta are moving to mid Canterbury. Tish Donald moved to Brisbane in October with her husband and two daughters. Jenny Russell-Grieve, one of our receptionists left to work in her husband's business, Lee McIlroy has joined us in her place.



The earthquakes contributed to all these decisions to leave White Fox & Jones.

We wish all of those mentioned well in the future.

Most important for our clients is that we are committed to serving your needs in the same manner we have in the past, Ken Jones, Hugh Matthews, James Leggat, Hugo Mulligan and Geoff Kean remain as partners in the firm, Jacqui Lowe and John Goodwin as consultants. They are ably assisted by Lauraine Frampton, Chris Sheard, Jackie Frampton, Bevan Coombes and the rest of the team in our Christchurch and Ashburton offices.

We are mindful of the very hard times that many of our clients have suffered and that will face them in the future. We will strive to assist clients in any way we can.

We are also excited at the prospects facing Christchurch and White Fox & Jones in the next few years, and our position in having a significant impact on the City's rebuild through our many influential clients.



## *Seasons Greetings*

Partners and staff wish everyone a very merry Christmas and a safe and prosperous 2012

## Abolition of Gift Duty

Gift duty has been abolished as of 1 October 2011. This means gifts of more than \$27,000 can be made or debts owed by a family trust can be forgiven without incurring gift duty. In most circumstances we believe it will be advisable to forgive debts owed by a trust as there are many advantages in having your assets completely transferred to a trust.

There are however some situations when completing a gifting program may not be advisable. One example relates to rest home care subsidies. Gifts of greater than \$27,000 per couple may be included in calculating your assets at the time you are assessed for eligibility for a rest home care subsidy. It is impossible to predict what rest home care subsidy rules will apply in the future. If however you are approaching an age where you need to consider your

eligibility for rest home care subsidies (say within the next 10 years) then it is important to discuss this issue in more detail.



If you are contemplating making a gift there are still many laws to consider other than gift duty. For example it is still necessary to have natural love and affection for the people to whom the gift is being made otherwise the gift may be deemed income under the Financial Arrangement laws. Gifts to employees will be caught by the fringe benefit laws and gifts from companies will probably be treated as a deemed dividend. In most cases we consider that the change of law

should be taken advantage of and if you have a gifting program in place this should be completed by way of a one off gift. However there will be circumstances where this is not advisable and it is important to consider your personal circumstances before making a gift. It is also important to properly document the gifts and it may also be necessary to assess a value for the gift being made. If you have a gifting program in place or want to make a gift please contact us to discuss your particular circumstances.

### Digital Newsletter

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