

# Foundations

Legal

Charitable foundations make an important contribution to society, with almost 13,000 such organizations enriching Switzerland's cultural, social and science scene. Liberal legal and fiscal conditions make Switzerland a model location for foundations in Europe and recent decades have seen a steady process of professionalization in the foundation sector. In turn, the requirements of foundation board members and employees have also increased.

Foundations today face wide-ranging tax and legal challenges as well as governance questions. Regulatory pressure is intensifying as society and the media increasingly demand transparency on foundations' costs, efficiency and the impact of their tax-exempt activities. At the same time, topics such as board member liability and compensation have become the subject of public debate in recent years.

KPMG has close links to the foundation sector and is highly familiar with its challenges. We keep pace with developments and trends in the non-profit sector and follow the activities of relevant stakeholder groups.

As part of a multidisciplinary and international network, KPMG's specialists have vast sector expertise and many years' experience in advising foundations and their beneficiaries.

### **Taylor-made support**

We work directly with foundations' beneficiaries, board members, managers and employees. Offering comprehensive, tailored services, we support you from conception to incorporation and are on hand to advise as topics emerge over the lifecycle of your foundation.

### **Get your idea off the ground**

We advise you on the process of selecting the appropriate (legal) form (foundation, association, donation, umbrella foundation, etc.) to realize your philanthropic aims and inform you on the different ways of designing a foundation (for example in the form of an asset-consuming foundation).

We can also show you the different options available for incorporating the foundation in your family's estate and succession planning.

### **Set up your foundation**

We support you in drafting the documents (foundation deed, investment regulations, other regulations) required to set up your foundation, taking into account the legal and tax requirements for charitable status. We can also help you negotiate with the tax and supervisory authorities, obtain rulings and take care of formalities with the commercial register.

### **Manage your organization**

We advise you on ongoing administration of your foundation and help you keep on top of the complexities of daily business. Besides our advisory expertise in foundation law, we offer qualified advice in all legal areas, including, but not limited, to contract,

employment, real estate, data protection, inheritance and tax law.

### **Amend your bylaws and/or regulations**

You may on occasion need to amend your bylaws and/or regulations to reflect changes to the law or your organizational structure. We can advise you in making these changes. We will also present them to the supervisory authorities for preliminary assessment.

### **Reorganize your foundation**

We can advise and support you if you are planning to change the purpose and/or organization of your foundation, or if you are thinking of merging or liquidate your foundation.

---

## **Contacts**

### **KPMG AG**

Räffelstrasse 28  
PO Box  
8045 Zurich

[kpmg.ch](http://kpmg.ch)

### **Jeannette Heiniger**

Senior Manager  
Head Private Clients

+41 58 249 35 70

[jheiniger@kpmg.com](mailto:jheiniger@kpmg.com)

### **Nadine Trachsler**

Senior Manager,  
Attorney-at-Law, Basel

+41 58 249 71 34

[ntrachsler@kpmg.com](mailto:ntrachsler@kpmg.com)

---

The information contained herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received, or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation. The scope of any potential collaboration with audit clients is defined by regulatory requirements governing auditor independence. If you would like to know more about how KPMG AG processes personal data, please read our Privacy Policy, which you can find on our homepage at [www.kpmg.ch](http://www.kpmg.ch).

© 2021 KPMG AG, a Swiss corporation, is a subsidiary of KPMG Holding AG, which is a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved.