

Taxation Of Hedge Fund And Private Equity Managers

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Taxation of Hedge Fund and Private Equity Managers Mark Jickling, Donald Marples, 2009 This report provides background on hedge funds and private equity and summarizes the tax issues.

Taxation of Hedge Fund and Private Equity Managers, 2007 First, to the extent that they invest their own capital in the funds, they share in the appreciation of fund assets. [...] The best-known form of transaction is the leveraged buyout (LBO), in which private equity investors use the proceeds of debt issued by the target company to acquire all the outstanding shares of a public company, which then becomes private. [...] The LBO deal can be very lucrative for the private equity investors: they receive a premium above the going market price for their stake in the target, and at the end of the transaction they own the entire target company, even though they have sold their shares. [...] An increasingly common practice is to issue debt and use the proceeds to pay a special dividend to the shareholders - who are the private equity investors themselves.¹ [...] The general partners often invest their own capital in the funds, but this is usually a small share of the total.³ Hedge funds typically establish multiple funds to accommodate the tax planning preferences of different investors.

Taxation of U.S. Investment Partnerships and Hedge Funds Navendu P. Vasavada, 2010-07-13 A new, lucid approach to the formulation of accounting policies for tax reporting Unraveling the layers of complexity surrounding the formulation of accounting policies for tax reporting, *Taxation of US Investment Partnerships and Hedge Funds: Accounting Policies, Tax Allocations and Performance Presentation* enables your corporation to implement sound up-front accounting and tax policies in order to reduce the overall cost of CFO and legal functions within a U.S. Investment partnership. Understand the pitfalls and optimize across legitimate policies that are consistent with the IRS regulations Presents a clear roadmap for accounting, tax policies, tax filing and performance presentation for US investment partnerships and hedge funds Providing tremendous understanding to a complex topic, *Taxation of US Investment Partnerships and Hedge Funds* is guaranteed to demystify the inner workings of the formulation of accounting policies for tax reporting.

Wealth Planning with Hedge Fund and Private Equity Fund Interests and Related Section 2701 Issues N. Todd Angkatavanich, David A. Stein, Andrew Haave, ... offers an overview of the fundamentals of estate planning with carried interests and a discussion of cutting-edge issues in this area. The Portfolio first provides the reader with a general overview on private equity funds, hedge funds, carried interests, fund structures, and securities law. The Portfolio explores the various

estate planning reasons for making transfers of carried interests, and the tax consequences that could result from such transfers. Specifically, the Portfolio closely examines potential pitfalls that could arise under [section] 2701, and details planning approaches to avoid [section] 2701 tax consequences. The Portfolio discusses other transfer tax issues and describes general estate planning techniques in the context of these funds, as well. Finally, the Portfolio addresses special topics in the context of funds, including: buy-sell agreements, deferred compensation planning, international planning considerations, and income tax considerations--P. (iii).

Taxation of Hedge Fund and Private Equity Managers, July 8, 2008 Jickling,

Measuring the Tax Subsidy in Private Equity and Hedge Fund Compensation Karl Okamoto, 2008 A debate is raging over the taxation of private equity and hedge fund managers. It is being played out in the headlines, in Congress and among legal scholars. This paper offers a new analysis of the subject. We provide an analytical model that allows us to compare the relative risk-reward benefit enjoyed by private equity and hedge fund managers and other managerial types such as corporate executives and entrepreneurs. We look to relative benefits in order to determine the extent to which the current state of the world favors the services of a private equity or hedge fund manager over these other workers. Our conclusion is that private equity and hedge fund managers do outperform other workers on a risk-adjusted, after-tax basis. In the case of hedge fund managers, this superiority persists even after the preferential tax treatment is eliminated, suggesting that taxes alone do not provide a complete explanation. We assume that over time compensation of private equity and hedge fund managers should approach equilibrium on a risk-adjusted basis with other comparable compensation opportunities. In the meantime, however, our model suggests that differences in tax account for a substantial portion of the disjuncture that exists at the moment. It also quantifies the significant excess returns to private fund managers that must be taken into account by arguments in support of their current tax treatment by analogy to entrepreneurs and corporate executives. This analysis is important for two reasons. It provides a perspective on the current issue that has so far been ignored by answering the question of how taxation may affect behavior in the market for allocating human capital. It also provides quantitative precision to the current debate which relies significantly on loosely drawn analogies between fund managers on the one hand and entrepreneurs and corporate executives on the other. This paper provides the mathematics that these comparisons imply.

Funds Matthew Hudson, 2014-03-31 Investment funds are the driving force behind much global private economic development, and yet the world of investment funds can be complex and confusing. *Funds: Private Equity, Hedge and All Core Structures* is a practical introductory guide to the legal and commercial context in which funds are raised and invest their money, with examinations of the tax and regulatory background, and an analysis of the key themes and trends that the funds industry face following the financial crisis. The book looks at asset classes, investor return models, the commercial and

legal pressures driving different structures and key global jurisdictions for both fund establishment and making investments. It also contains a comprehensive analysis of fund managers, from remuneration, best practice through to regulation. The book is written for readers from all backgrounds, from students or newcomers to the industry to experienced investors looking to branch out into alternative asset classes, or existing asset managers and their advisers wanting to know more about the structures elsewhere within the industry.

Hedge Fund Course Stuart A. McCrary, 2004-12-03 A self-study course that reviews the technical and quantitative knowledge necessary to properly manage a hedge fund Today, traditional asset managers are looking to develop their own hedge funds as alternative offerings to their clients. Hedge Fund Course presents all the technical and quantitative knowledge necessary to run a leveraged investment company, and complements the less-technical information presented in the popular, *How to Create and Manage a Hedge Fund* (0-471-22488-X). Filled with in-depth insight and expert advice, this book represents an executive-level educational program for money managers exploring the launch of alternative investment strategies or entering the hedge fund industry for the first time. Stuart A. McCrary (Winnetka, IL) is a partner with Chicago Partners LLC and specializes in options, mortgage-backed securities, derivatives, and hedge funds. As president of Frontier Asset Management, McCrary managed and ran his own hedge fund before joining Chicago Partners. He received his BA and MBA from Northwestern University.

The Other Eighty Percent Omri Y. Marian, 2017 The taxation of private equity managers' share of funds' profits -- the twenty percent "carried interest" -- received much attention in academic literature and popular discourse. Much has been said and written about the fact that fund managers' profits are taxed at preferred rates. But what about the other eighty percent of funds' profits? This Article theorizes that the bulk of such profits are never taxed. This is a result of a combination of three factors: First, private equity, venture capital, and hedge funds (collectively, Private Investment Funds, or "PIFs") are major actors in cross-border investment activity. This enables PIFs to take advantage of international taxation planning schemes not available in a purely domestic context. Second, PIFs are aggressive tax-planners. The Article summarizes some existing evidence that suggests that PIF-controlled multinational enterprises ("MNEs") are more likely to engage in aggressive international tax behavior when compared with MNEs that are not PIF-controlled. The result is that PIF-controlled entities are uniquely situated to avoid tax at the source jurisdiction. Lastly, PIFs are dominated by tax-exempt investors. This enables PIF profits, which escaped source taxation, to also escape taxation at the jurisdiction of residence. The result is that most private equity gains from cross-border investment activity are taxed nowhere. The Article concludes, therefore, that PIF-controlled entities should be a target of international tax policy making. However, such policymaking must be grounded in better understanding of PIFs' international tax behavior. This is a difficult task, since PIF operations are rarely subject to public disclosure requirements. The Article proposes opening PIF international tax planning to public

scrutiny through a revision of the country-by-country reporting (CBCR) standards adopted under Action 13 of the BEPS Project. It is hoped that information garnered from such increased reporting will assist in developing anti-tax-avoidance policies that are better targeted at PIF-controlled MNEs.

Present Law and Analysis Relating to Tax Treatment of Partnership Carried Interests United States. Congress. Senate. Committee on Finance,2007

Taxation of Private Equity and Hedge Fund Partnerships ,2007 First, to the extent that they contribute their capital in the funds, they share in the appreciation of the assets. [...] In the United States, debate on the appropriate characterization of carried interest has been brought to the forefront by both proposed legislation and a series of congressional hearings on carried interest. [...] In addition, the Senate Finance Committee and the House Ways and Means Committee have held a series of hearings on carried interest.⁵ Debate concerning the characterization of carried interest is not unique to the United States. [...] Analysts generally base their characterization of carried interest upon the degree to which the general partners' own assets are at risk and differences in the profit interest of the general and limited partners. [...] Others view the current characterization of carried interest as appropriate, because of the general partners' contribution of sweat equity to the fund.

Control Your Cash Greg McFarlane,Betty Kincaid,2010-06 A 14% credit card rate! What a deal! Where it says 'adjustable' here on my mortgage - that means 'fixed', right? Work until I retire, then collect Social Security. That's my wealth plan. If you've ever wondered how your money works, where it goes or how it grows, stop wondering. Control Your Cash: Making Money Make Sense deconstructs personal finance so that everyone but the hopelessly inept can understand it. Inside the book, you'll learn: [how to get your bank accounts, credit cards and other financial instruments to work for you, and not the other way around [the right way to buy a car (i.e. with the salesman cursing your name as you drive away) [where and how to invest, and what all those symbols, charts and graphs mean [how to turn expenses into income, and stop living paycheck-to-paycheck [whom the tax system is stacked against (hint: it's most of us) and how to use that to your advantage [the very key to wealth itself. In fact, the authors thought it was so important they put it on the cover so you can read it even if you're too cheap to buy the book: Buy assets, sell liabilities. Finally, a book that explains personal finance not only in layman's terms, but in detail. If you can read, and have any capacity for self-discipline, invest a few bucks in Control Your Cash now and reap big financial rewards for the rest of your life.

U.S. Regulation of Hedge Funds Douglas L. Hammer,2005 This authoritative resource surveys federal securities laws and rules applicable to the organization, capitalization and operations of private U.S. domestic investment partnerships that invest and trade mainly in the public securities markets. Includes a detailed index.

Private Equity Funds James M. Schell,Pamela Lawrence Endreny,Kristine M. Koren,2023-08-28 The best guide to private equity funds. Insight and explanations for both fund sponsors and investors. The gold standard. --Andrew Zalasin,

General Partner and CFO: RRE Ventures Best Practices for Organizing and Managing a Fund With nearly \$7 trillion invested in more than 20,000 funds, investor interest in the private equity industry has returned, despite the economic turmoil of recent years. Still, guidance about the organization and administration of these funds is tough to find. This 1,400+ page resource, will equip corporate lawyers, investment professionals, and tax practitioners and with best practices to manage these funds effectively. Private Equity Funds: Business Structure and Operations covers a wide range of important issues, such as: the key economic differences between various types of funds; structuring the private equity fund to meet economic expectations and investment goals; securing maximum tax benefits for the sponsor of the fund; duties of the fund's General Partner and Investment Advisor; the major regulatory issues affecting the private equity fund; and much more. Private Equity Funds: Business Structure and Operations reflects the aftermath of the financial crisis of 2007 to 2009. The authors also focus on cyber risk and the compliance obligations of investment advisers.

Taxation of Investment Funds ,2007

Taxation of Private Equity and Hedge Fund Partnerships Donald J. Marples,2007

Tax Law Developments Affecting Private Equity and Venture Capital ,2011-01-01 Tax Law Developments Affecting Private Equity and Venture Capital provides an authoritative, insider's perspective on the recent trends and proposed tax law changes impacting private equity and venture capital funds, investors, and advisors. Featuring partners from some of the nation's leading law firms, these experts guide the reader through the intricacies of tax law and the strategies lawyers can use to help their clients maintain a competitive edge while avoiding liability. From carried interest legislation to deferred consideration regulations, these leaders discuss both new and proposed tax law changes and the potential effects on the structuring and administration of funds and their portfolio companies. These top lawyers give tips on understanding compliance requirements, addressing clients' existing tax structures, and working with new IRS regulations. Additionally, these leaders discuss the influence of the turbulent economy on tax legislation and how to keep clients up-to-date. The different niches represented and the breadth of perspectives presented enable readers to get inside some of the great legal minds of today, as these expert attorneys provide key insights on success in this ever-changing area of law.

The Oxford Handbook of Hedge Funds Douglas Cumming,Sofia Johan,Geoffrey Wood,2021-10-26 The Oxford Handbook of Hedge Funds provides a comprehensive overview of the hedge fund industry from a global perspective, bringing together insights from theoretical and applied research. The book seeks to both introduce the industry and what it does to scholars and practitioners new to the area, and to provide more advanced insights to those with extensive expertise in the area. The handbook explains the main context in which hedge funds operate, how the raise capital, and their structure and governance. It evaluates the main factors that have affected the operation of hedge funds, including competition from mutual funds, the market environment, and financial regulation, explains key concepts such as hedge fund flows, and core issues of

practice, such as hedge fund manager fees. This volume provides insights into the principle head fund strategies and how these have changed over the years. The behavioural dimensions of hedge fund behaviour are evaluated, as are fintech's consequences. The volume evaluates the effects of hedge funds on the firms they invest in, in terms of internal governance, strategy and practice. Furthermore, it explores a range of ethical issues around the operation of hedge funds, how they fit within the wider political economy, and changes in hedge fund regulation and taxation strategies.

Tax Management Portfolios ,2005

Broader Issues in Taxing Hedge Fund Managers and Private Equity Partners ,2007 If we're going to have a club whose members pay fairly low individual tax rates, we need to determine who deserves membership on the basis of principles. Few argue that letting hedge fund managers and private equity partners in the club furthers either progressivity or efficiency principles. The one legitimate argument for these club members' special status is simplification?continuing to treat all types of income the same among members of partnerships. Hardly convincing at all is the related argument that we shouldn't pick on this particular set of partners when plenty of others (say, individuals who manage their own portfolios) get the same low tax rates.

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