



CHECKLIST

- Banks & Financial Services Providers
- Competition Law
- Construction & Real Estate Law
- Corporate & Commercial Law**
- Data Law
- Energy Law
- Financial Market Infrastructure Law
- Financing
- FinTech
- Information Technology Law
- Inheritance Law & Estate Planning**
- Intellectual Property Law
- Labor & Employment Law
- Litigation & Arbitration
- Media Law
- Mergers & Acquisitions
- Notarial Services
- Pharmaceutical & Health Law
- Restructuring & Insolvency
- Tax Law
- Venture Capital & Private Equity
- White-Collar Crime

Collecting Data: Establishment of a Foundation

1. Contact address:

Name: _____ First name: _____

Street: _____

ZIP/postal code: _____ City/town: _____

Telephone: _____ Email: _____

2. Name of the foundation:

Notes: To be clarified with the Federal Commercial Register

3. Seat of the foundation:

Notes: Municipality and Canton

4. Domicile:

Contact: _____

Notes: Own offices or c/o. In case of a c/o address, a declaration of acceptance of domicile is required. Assistance regarding domicile is possible.

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5. Purpose of the foundation:

Notes: Information to be provided regarding the following:

- Classic foundation or special form (family foundation, company-affiliated foundation, employee benefit foundation)
- Charitable or private-benefit foundation
- Revenue-generating foundation or asset-consuming foundation
- Grant-making foundation (pure allocation of funds) or operating foundation (independently operated, implementing its purpose by conducting its own projects or providing its own services)
- Geographic area of activity (regional, national, international)

6. Founders (at least one founder):

Name: _____ First name: _____

From*: _____ Date of birth: _____

Home address: _____

Additional founders:

Name: _____ First name: _____

From*: _____ Date of birth: _____

Home address: _____

Notes: For legal entities, the notary requires a certified (and apostilled) extract from the Commercial Register. If the founder(s) is/are not personally present, the notary requires a certified (and apostilled) power of attorney from the respective founder.

7. Tax exemption:

Notes: Charitable foundations may be fully or partially tax-exempt under certain conditions (the purpose of the foundation is in the general interest and is pursued altruistically, i.e. on an honorary basis).

8. Endowment of assets:

Notes: Description of endowed assets (e.g. amount of money in CHF / foreign currency, securities account, real estate, equity investment, works of art, etc.)

9. Amount of initial capital:

Notes: If there is no monetary amount, approximate value in CHF. At least CHF 50,000.00 or credible pledge of additional contributions.

10. Members of the foundation board (at least one member):

Name: _____ First name: _____

From*: _____ Date of birth: _____

Home address: _____ Power to sign: _____

Name: _____ First name: _____

From*: _____ Date of birth: _____

Home address: _____ Power to sign: _____

Name: _____ First name: _____

From*: _____ Date of birth: _____

Home address: _____ Power to sign: _____

Name: _____ First name: _____

From*: _____ Date of birth: _____

Home address: _____ Power to sign: _____

Name: _____ First name: _____

From*: _____ Date of birth: _____

Home address: _____ Power to sign: _____

Notes: According to established practice of the Swiss Federal Supervisory Authority for Foundations, at least one member of the foundation board with residence in Switzerland must have sole power to sign or two members of the foundation board with residence in Switzerland must have joint power to sign, respectively. If the foundation board has several members, the first named member is regarded as the president.

11. Auditor:

Company name: _____ Contact: _____

Address: _____

Telephone: _____ Email: _____

Notes: Any exemption from the audit requirement must be applied for with the supervisory authority and will be granted in exceptional cases only (balance sheet total under CHF 200,000.00; no public donation appeals.)

12. Capital contribution account:

Bank: _____

Contact: _____

Address: _____

Telephone: _____ Email: _____

Notes: Wenger & Vieli will be happy to provide assistance in opening a bank account, if required.

13. Authorized signatories:

Name: _____ First name: _____

From*: _____ Date of birth: _____ Function: _____

Home address: _____ Power to sign: _____

Name: _____ First name: _____

From*: _____ Date of birth: _____ Function: _____

Home address: _____ Power to sign: _____

Name: _____ First name: _____

From*: _____ Date of birth: _____ Function: _____

Home address: _____ Power to sign: _____

Notes: Functions may include: managing director / director, vice director, authorized representative ("Prokurist"), etc.

*Swiss citizens: place of origin;
foreigners: nationality

**ANDREAS HÜNERWADEL**

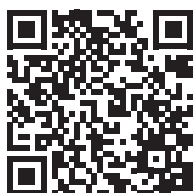
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**CHECKLIST AS PDF:**

<https://www.wengerviel.ch/en-us/publications?typ=checklist>

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14. Fiscal year:

Notes: Unless indicated otherwise, the calendar year is considered to be the fiscal year; the foundation board has the discretion to determine the fiscal year.

15. Special mentions:

Notes: For example, brand names, patents, domain names, etc., the foundation intends to use.

16. Other requested documents:

Notes: For example, organizational rules, engagement letter

I. Documents to be prepared:

- Public documents (including articles of association for the foundation)
- Powers of attorney (where required)
- Circular resolution of the foundation board
- Pledge of additional contributions (where required)
- Declaration of acceptance of appointment as member of the foundation board by all members (certified by a Swiss notary, or with apostille) and copies of passports
- Declaration of acceptance of engagement by the auditors
- Declaration of domicile holder (where required)
- Signature cards of all persons having power to sign (certified by a Swiss notary, or with apostille) and copies of passports
- Application for entry in the commercial register
- Brief description of activities for tax authorities (only in case of tax exemption)

II. The establishment step by step:

<i>What:</i>	<i>Who:</i>
1. Compilation of information according to this questionnaire	Client
2. Drafting of all documents	Wenger & Vieli
3. Preliminary examination of the foundation charter by the foundation supervisory authority (optional), the tax authorities (in case of tax exemption) as well as any required clarification with the Commercial Register Office	Wenger & Vieli
4. Notarization (foundation charter)	Client/Wenger & Vieli
5. Application to the Commercial Register Office to have the establishment of the foundation registered	Wenger & Vieli
6. Asset transfer (money transfer, registration in the land register, transfer of securities, etc.)	Client/Wenger & Vieli
7. Once the establishment is completed (where applicable): Submission to the supervisory authority (taking over of supervision) / Submission to the tax authorities (final determination on tax exemption status)	Client/Wenger & Vieli