

Table of contents

Acknowledgements	7
Part I: The challenges of surplus wealth	9
1. Introduction	11
2. Surplus wealth	12
3. The human face of wealth	18
3.1 Fairness vs meritocracy	18
3.2 Encouragement of virtue vs	19
punishment of waywardness	
3.3 Control and conditionality (or ‘ruling from	19
the grave’)	
3.4 Secrecy driven by fear of harm	20
3.5 Passing on nothing, giving it all away	20
4. Managing surplus wealth	21

Part II: The role of family governance in managing surplus wealth 23

- 1. Defining family governance** 25
 - 1.1 Open family communication 26
 - 1.2 Valuing family overall 27
 - 1.3 Competence in assigning responsibilities 28
 - 1.4 An effective succession plan 29
 - 1.5 Family conflict and management processes 30
 - 1.6 Maintenance of an effective family governance plan 31
- 2. Why do families with surplus wealth need family governance?** 31
 - 2.1 Complexity 31
 - 2.2 Family conflict 32
 - 2.3 Communication issues 32
- 3. Family governance and transition** 35
- 4. When and how family governance develops** 37
 - 4.1 Assessing a family’s natural governance 40
 - 4.2 Development of family governance 46
- 5. Summary** 63

Part III: Elements of family governance 65

- 1. Introduction** 67
- 2. Governance structures** 68
- 3. Family vision statement** 72
 - 3.1 Wealth ownership and continuity philosophy 73
 - 3.2 Purpose and objectives of the family’s wealth 75
 - 3.3 The needs of the family 75
 - 3.4 Benefits to society 76
 - 3.5 The primary focus and vision of the family business 76

3.6	The next generation(s).....	77
3.7	The family values.....	77
3.8	Summary.....	78
4.	Elements of a family governance framework.....	79
4.1	Introduction.....	79
4.2	Family council.....	79
4.3	Executive family council.....	90
4.4	Family assembly.....	93
4.5	Family branch assemblies.....	95
4.6	Family office.....	99
4.7	Family investment committee.....	119
4.8	Family education committee.....	125
4.9	Family philanthropy committee.....	136
4.10	Family arbitration committee.....	145
4.11	Family remuneration committee.....	152
4.12	Family employment committee.....	157
4.13	Audit and risk committee.....	166
4.14	Family code of conduct.....	171
5.	Corporate governance elements.....	178
5.1	Management board of the holding company.....	178
5.2	Shareholders' agreement.....	201
5.3	Valuation and discount.....	208
6.	Trust governance elements.....	212
6.1	Introduction.....	212
6.2	Purpose of the trust.....	216
6.3	Parties to a trust.....	220
6.4	Types of trustee.....	227
	A final word.....	233
	Notes.....	235
	About the author.....	237
	About Globe Law and Business.....	239