

Conyers is here to help. We can provide a full suite of services to make the process of setting up and running an office in Bermuda as smooth as possible, and can meet any other legal needs that arise during the lifetime of your company or trust.



# SETTING UP AN OFFICE

Now that you have incorporated in Bermuda or established your Bermuda trust, the next step is to set up an office on the island.

## Establishing your office

Over many decades we have helped thousands of businesses and individuals establish in Bermuda.

There are many factors to take into account, including:

- Employment considerations (immigration, contracts)
- Employer responsibilities (payroll tax, social insurance, pensions, health insurance)

- Premises and residential accommodation
- Moving family and household

You can benefit from our long experience in advising on all these matters.

## Employment considerations

**Immigration** | Non-Bermudians who are not married to a Bermudian require a work permit to be employed in Bermuda. Work permits will only be granted if there is no suitably qualified Bermudian for the job and positions must be advertised, however exceptions are made for CEO and other chief officer level positions. Work permits are granted for periods of one to five years. Three years is the norm, though five-year permits can be obtained for senior personnel.

**Employment Contracts** | The employer/employee relationship in Bermuda is principally governed by the Employment Act 2000. Employers are obliged to provide employees with written terms of employment and itemised pay statements. The act covers overtime, provision of time off and termination of contracts, including disciplinary measures, severance pay and remedies for unfair dismissal.

## Employer responsibilities

**Payroll Tax** | All employers and self-employed persons in Bermuda are subject to payroll tax at a rate that is based on their annual payroll and calculated as a percentage of total remuneration (including salaries and benefits paid in cash or in kind). The tax

is divided into employer and employee portions. The rates vary for different classes of tax payers and according to the amount of annual remuneration received. Employers are responsible for paying both portions, but may deduct the employee portion of payroll tax from their employees.

**Social Insurance** | Employers are required to pay social insurance contributions on behalf of each employee, half of which may be deducted from the employee's salary.

**Pensions** | A pension plan must be provided for every employee who is Bermudian or the spouse of a Bermudian, and in practice they are provided to all employees. A number of providers on the island offer pension plans. The act governing provision of pensions is detailed and specialist advice should be obtained for tailored pension plans.

**Health Insurance** | Health insurance is mandatory for every worker in Bermuda. Employers are required to have a contract with a licensed insurer, or the Government insurance scheme, providing the full standard of health benefit for every employee and their non-employed spouse. Payment of health insurance is the employer's responsibility but half of the premium may be deducted from the employee's salary.

**Premises and residential accommodation**  
Our Real Estate department can assist with the acquisition of business premises and residential accommodation, whether freehold or leasehold, including advice on financing and associated issues such as land tax.

Exempted companies are entitled to lease business premises in Bermuda for terms up to 50 years. Government consent is required for longer leases or to acquire a freehold interest in property for business premises. Exempted companies with a physical presence in Bermuda can also acquire certain residential properties for use by their employees, provided they are above a certain rental value, and with prior consent from Government.

Both individuals and exempted companies looking to purchase residential property should be aware that only certain properties in Bermuda, at the upper end of the real estate market, are available to non-Bermudians and a licence is required from the Bermuda Government to make such a purchase. Leasehold properties are more readily available to non-Bermudians. There is a large pool of residential rental accommodation. We can provide a list of real estate agents on request.

#### **Moving family and household**

There are many personal matters to consider when relocating, especially if you are moving with a spouse, children and/or pets. These may include schools, transport, hiring home help and customs duties on imported possessions. We can guide you to the best sources of information that will help make the move to Bermuda as easy and efficient as possible.



#### **CORPORATE SERVICES**

Provides registered office and company secretarial services, including the services of secretary and corporate director.

#### **TRUST SERVICES**

Undertakes a broad range of trust administration services for private clients, corporations and charitable entities.

#### **MANAGEMENT SERVICES**

Offers a full range of accounting, administrative and business advisory services, including the preparation of financial statements for client companies and trusts.

## Running your office

Once you are set up, Conyers can provide ongoing corporate, trust and management services via our affiliated Conyers Client Services group, as a cost-effective alternative to employing staff for these purposes in Bermuda. The close relationship between the law firm and our client services companies enhances the quality and efficiency of the services we deliver.

## Supporting your evolving business needs

We value long-term partnerships with our clients and hope that you will turn to us whenever you need legal advice. If you are looking to grow, our corporate department can assist. If you want to restructure a trust to extend its duration or improve tax efficiencies, our Private Clients attorneys can help. And in case of disputes, our Litigation department is the acknowledged leader on the Island.

**For further information or advice, please contact one of our lawyers or client services professionals listed on the back.**

## Benefits of a Bermuda Office

Whether you are looking to set up a corporate office or a family office, Bermuda provides many advantages:



Its mid-Atlantic location makes it convenient to travel to and work with both the US and Europe.



The jurisdiction's legal system is based on that of England, with final appeal to the Privy Council of the House of Lords in the UK. It also offers modern and flexible trust law based on the English model.



As a British overseas territory, the island is English-speaking. It is socially, economically and politically stable, with modern infrastructure and high standards of living.



There are no income, profit or capital gains taxes.



Immigration generally allows the transfer of key employees from overseas and the island has a deep pool of talent for support staff.



There are no exchange controls on exempt companies and non-Bermudian employees of exempt companies.



## Contacts

**Graham Collis**

Head of Bermuda Corporate  
graham.collis@conyers.com  
+1 441 299 4965

**Alec Anderson**

Global Head of Private Client & Trust  
alec.anderson@conyers.com  
+1 441 299 4945

**Justine Blakesley**

Global Head of Client Services  
justine.blakesley@conyers.com  
+1 441 279 5373

**Camille Goertzen**

Head of Conyers Management Services  
camille.goertzen@conyers.com  
+1 441 299 4994

**Belinda Wright**

Immigration Client Services Manager  
belinda.wright@conyers.com  
+1 441 298 7810

**CONYERS DILL & PEARMAN**

Clarendon House  
2 Church Street  
Hamilton HM 11  
Bermuda

T: +1 441 295 1422  
bermuda@conyers.com