

A woman in a red sequined dress is seen from behind, standing on a red carpet. The background is filled with out-of-focus lights, creating a bokeh effect. In the upper left, there are three concentric white circles. The overall atmosphere is glamorous and high-end.

IMAGE RIGHTS AS ASSETS

Guernsey's Advantage in Trust and Corporate Structuring

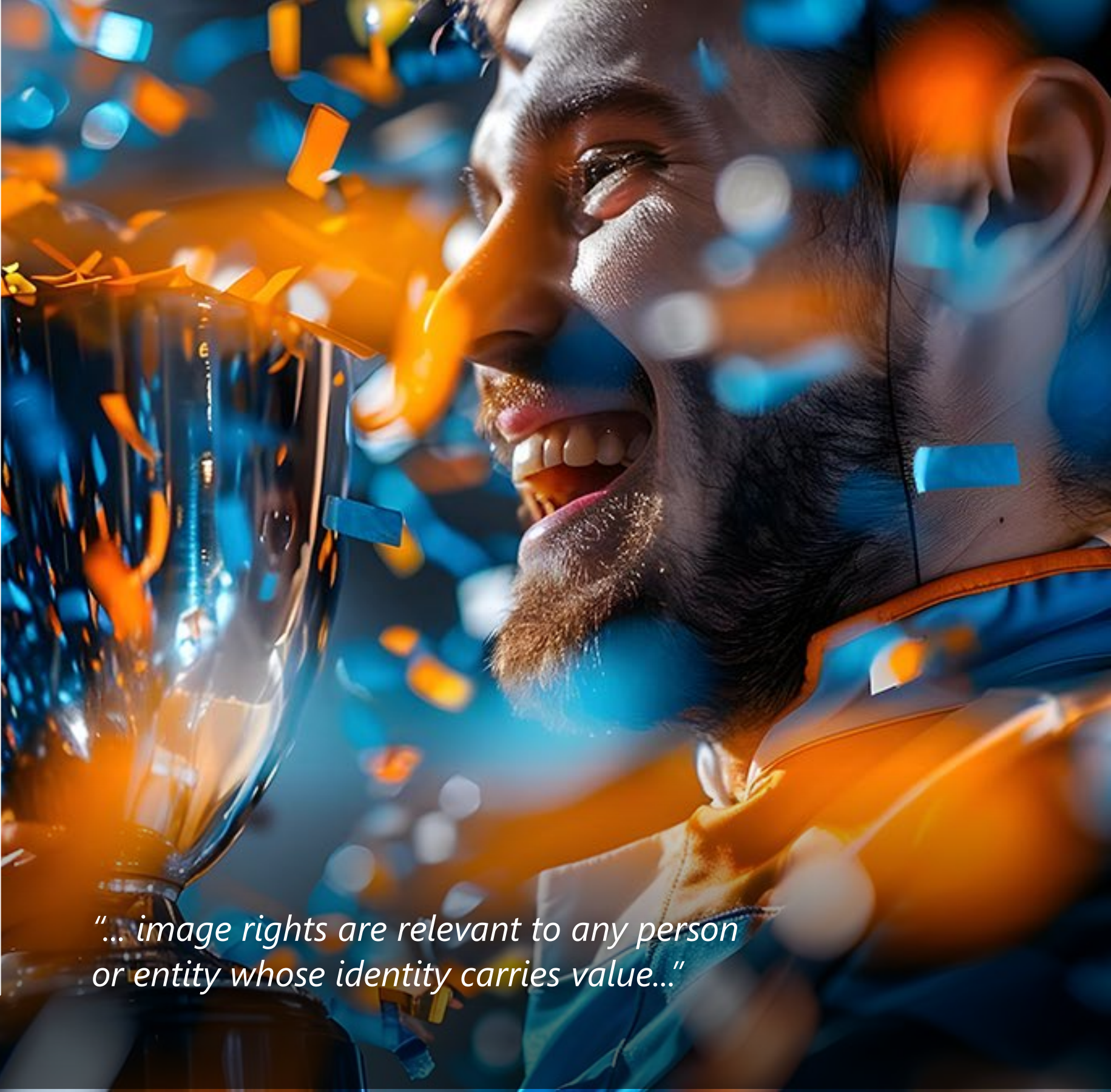
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Introduction

Image rights have become valuable commercial assets across a broad spectrum of activities. Sports personalities, entertainers, influencers, corporate leaders, fictional characters and even the estates of deceased individuals all derive measurable value from the exploitation of their identity and likeness. The ability to protect, structure and monetise these rights has never been more important. Guernsey is uniquely placed to provide the legal and fiduciary framework to achieve this, offering both innovation and credibility.

Guernsey remains the only jurisdiction to have created a statutory image right capable of registration. This gives clarity of ownership and facilitates licensing arrangements that are easily understood by counterparties. The right can be renewed indefinitely and can survive death, making it well suited to estate planning.

The jurisdiction's broader strengths reinforce this position: a tax neutral environment for non-residents, a stable legal system, a regulator experienced in fiduciary and corporate oversight, and a sophisticated professional services sector. Structures can be built around trusts, private trust companies, protected cell companies and incorporated cell companies, depending on the needs of the individual or organisation.



"... image rights are relevant to any person or entity whose identity carries value..."

Structuring Options

Trusts and PTCs:

Trusts are a natural vehicle for holding image rights. They are outside Guernsey's corporate economic substance rules, provide confidentiality and asset protection, and are highly effective in succession planning. A trust can continue to manage and monetise rights long after the original personality has passed away. Where greater influence over decisions is needed, a Guernsey private trust company can act as trustee, allowing advisers and family members to sit on the board while the rights and income remain within the trust structure.

Companies and Cell Companies:

Guernsey companies are widely used to hold and license image rights. They can contract directly with sponsors, advertisers and licensees. Where a company earns income from intellectual property it must comply with economic substance requirements. This means establishing genuine activity in Guernsey through local direction, decision making and administration. In practice, Guernsey and its regulated trust and corporate service providers have the depth of expertise and resources to demonstrate or procure substance efficiently and credibly. Clients can be confident that the necessary infrastructure is available.

Cell companies are particularly effective for managing multiple streams of income or portfolios of personalities. A protected cell company or incorporated cell company can house different revenue streams or individuals in separate cells, each legally ring fenced. This allows for efficient administration while keeping risk isolated.



Economic Substance

The international environment demands that companies which earn income from intellectual property demonstrate real substance where they are incorporated. In Guernsey this requires on-island decision making, appropriate people and premises, and contemporaneous records of commercial activity. Companies that fail to meet these standards risk penalties and strike off. Trusts that hold image rights directly are not within scope of the economic substance rules, although they should still be administered with independence and robust governance.

Importantly, Guernsey's regulated sector is well placed to help clients meet substance requirements. Fiduciary and corporate providers can supply experienced directors, office space and administrative support, ensuring that companies are run to a standard that meets both local regulations and international expectations. This capacity gives Guernsey a practical advantage over less developed jurisdictions.



Broader Application of Image Rights

The commercialisation of image rights is not confined to athletes or entertainers. Today, identity itself is a monetizable asset across a wide range of industries and contexts:

- **Influencers and digital creators.** Online personalities generate substantial income through advertising, product endorsements, brand collaborations and streaming revenue. Structuring these rights through Guernsey ensures that licensing agreements and brand partnerships are managed professionally, with the flexibility to segregate income streams where necessary.
- **Corporate executives and entrepreneurs.** Senior business leaders and founders increasingly monetise their profile through speaking engagements, publications, consultancy and media appearances. Holding their image rights in a Guernsey structure can provide a neutral and credible platform to manage this income alongside wider estate planning.
- **Fictional characters and brand mascots.** Companies invest heavily in characters that represent their brand, from animated figures to product icons. These carry significant goodwill and licensing value. A Guernsey company or cell can ring fence such rights, facilitate global licensing contracts, and ensure royalties are collected and managed securely.
- **Cultural and charitable figures.** Public figures associated with cultural institutions, charities or political movements may wish to manage their image carefully to ensure appropriate use aligned with their values. Guernsey structures allow for oversight and control, with trustees or directors empowered to enforce licensing terms.

- **Estates of deceased personalities.** The likeness of celebrities, authors, musicians and historical figures often generates revenue long after death. A Guernsey trust or company can hold those rights in perpetuity, ensuring that royalties benefit heirs or designated causes, with governance that endures beyond generations.

This breadth demonstrates that image rights are relevant to any person or entity whose identity carries value. Guernsey provides a framework that is adaptable across these varied applications, ensuring both protection and commercial efficiency.

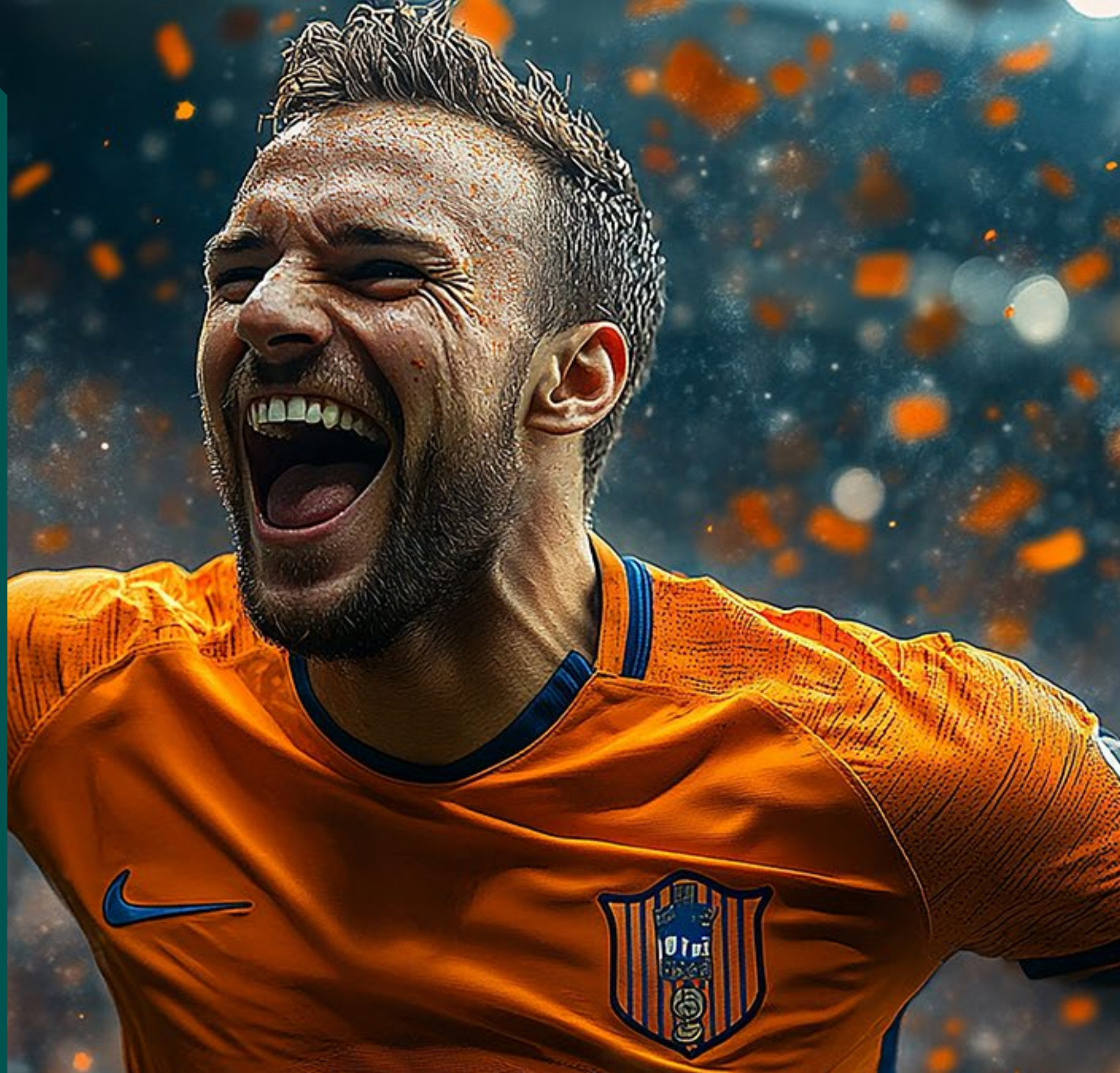


Tax Considerations

The effectiveness of any structure depends on the client's tax residence and the jurisdictions in which revenue is generated. Tax treatment of image rights and payments can vary widely between regions. Withholding taxes, controlled foreign company rules and anti-avoidance provisions must all be considered. Professional tax advice is essential to determine the optimal structuring for each individual case.

Conclusion

Guernsey offers a balanced jurisdiction for structuring image rights. Its statutory image right is unique, its fiduciary and corporate tools are mature, and its regulatory environment is credible. Crucially, the island's professional sector has the resources to deliver the level of substance and governance now demanded internationally. When implemented thoughtfully, Guernsey structures enable individuals and organisations to protect and manage identity as an asset, to professionalise licensing arrangements, and to secure value for the long term. As the importance of image rights continues to expand across industries, Guernsey's offering is well placed to remain at the forefront.



A photograph of a red carpet event at night. In the foreground, a man on the left and a woman on the right are seen from behind, holding large professional cameras with long lenses, aiming them towards the center of the red carpet. The carpet is a vibrant red and stretches into the distance. On the left side of the carpet, a line of photographers and their cameras is visible. In the center, a man in a dark suit is walking away from the camera. The background is filled with bright, warm lights that create a hazy, celebratory atmosphere. Large, illuminated posters or screens are visible in the background, showing what appears to be a movie scene. The overall scene is one of a high-profile film premiere or awards ceremony.

For more information

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