

*Considering Operations Overseas?*  
What Every Nonprofit Should Know before  
Crossing US Borders

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# Preliminary Considerations for Trade Activities Abroad

## Organizational Options

- Specific/ Isolated Event v. Ongoing Presence
  - Use of Association Management Company
  - Host a conference
  - Affiliation
  - Joint Venture
- In-country branch v. Independently incorporated affiliate
- Variations in treatment of non-profits under foreign local laws



# Preliminary Considerations for Trade Activities Abroad

## Contract Issues

- Dispute Resolution
- Governing Law
- IP Issues
- Termination Provisions
- Other – Always a country and fact-specific analysis



## Preliminary Considerations for Trade Activities Abroad

- Tax and Accounting considerations
  - Applicable Tax Treaty?
  
- Employment Issues
  - US v. foreign laws governing employment contracts and benefits
  - Visa requirements?
  
- Insurance Issues
  - What is the scope of your association's coverage?
  - Per-event?



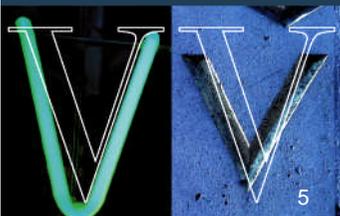
# Preliminary Considerations for Trade Activities Abroad

## ■ Intellectual Property

- Depending on target country, IP rights & protection may be a high risk issue
- Is your IP registered?

## ■ Other US Law Considerations

- US export controls and economic sanctions
- Entity and person-specific restrictions
- Applicability of US Foreign Corrupt Practices Act
  - Current “red flag” countries
- Other national and international anti-bribery laws (e.g., UK Bribery Act, OECD)



## contact information

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