Schweizerisches Bankkonto -
amerikanische Devisen- und Steuervorschriften

Amerikaner, die sich Bewegungsfreiheit gegen bestehende Vorschriften oder gegen erwartete neue Restriktionen verschaffen wollen, geraten auf ihrer Suche nach Lösungen oft an Mittelsmänner und Firmen, die auf die Möglichkeit des Vorgehens über die Schweiz hinweisen.

Die Tätigkeit der amerikanischen Mittelsmänner passt sich stets der Lage an: gegenwärtig sind die Sicherungsgeschäfte an erster Stelle. Der ganze Edelmetallhandel der amerikanischen Finanziers geht nach einem anonym gebliebenen Amerikaner, der beim Generalkonsulat telephonisch eine einfache Rechtsauskunft verlangte, heute über die Schweiz, weil man nur dort die erforderliche Garantie gegen mögliche Massnahmen der amerikanischen Regierung finde, die grundsätzlich auch andere Edelmetalle den heute für das Gold geltenden Regeln unterstellen könnte (Verbot für Amerikaner, Eigentümer von Gold zu sein oder zu werden).

Ein anderer New Yorker Financier rät allen seinen Kunden, durch ihn ein Bankkonto eröffnen zu lassen. Für ein Prozent Kommission arrangiert er, dass alle Spuren von amerikanischen Eigentümern des im schweizerischen Nummernkonto investierten Geldes verwischt werden: er nennt dies "pull out the plugs". Dies geschieht so, dass der Vermögens-eigentümer sein Geld ganz regulär von seiner amerikanischen auf eine Schweizer Bank transferiert, dem Mittelsmann dann den Betrag und die Telexnummer der Überweisung sowie die empfangende Bank in der Schweiz bekannt gibt, und ihm zugleich eine Vollmacht erteilt, über das Geld zu verfügen. Damit kann dieser das Nummernkonto auf
den Namen des Eigentümers eröffnen lassen, ihm die Bank, die Kontonummer oder den Decknamen seines Bankkontos mitteilen, und im übrigen alle Papiere über die Transaktion vernichten. Die einzige verbleibende Spur ist die bei der regulären Banküberweisung von Gesetzes wegen erstellte Photo der Bankurkunde, die im zentralen Archiv von amerikanischen Steuerbeamten jederzeit gefunden werden kann, der sich zufälligerweise oder in einer gezielten Aktion mit dem Inhaber des Schweizer Bankkontos auseinandersetzen sollte. Für diesen Fall wird der amerikanische Eigentümer des transferierten Vermögens die erforderlichen Erklärungen bereit halten müssen.

In systematischerer Weise befassen sich "Beraterfirmen" wie die beiden im Wall Street Artikel vom 23. Februar 1963 beschriebenen 'Economic Counselors in San Diego' und 'International Research Institute in Long Beach' mit der Ausnutzung der Unkenntnis des schweizerischen Bankwesens im amerikanischen Publikum. Sie arbeiten mit der Foreign Commerce Bank in Zürich zusammen, für die ein gewisser Nicolas Deak als Vertreter in den Vereinigten Staaten handelt. (Obwohl nicht mehr Direktor der Zürcher Bank seit 1963 wird hier allgemein vermutet, dass er weiterhin der Bank vorstehe; zugleich ist Deak Inhaber der zwei Devisen-Firmen Deak & Co. und Perera, die zu den größten der Vereinigten Staaten gehören; er gilt als gerissener Geschäftsmann, der sich stets aus Schwierigkeiten herauszuhalten verstanden habe). Die beiden amerikanischen Berater-Firmen, die mit Deak und der Foreign Commerce Bank in Zürich zusammen arbeiten, gehen so vor, dass sie Interessenten zu öffentlichen Investoren-Seminaren einladen. Allerdings können nur solche Personen teilnehmen, deren Identität genau überprüft worden ist und die im Be- sitz einer Einladung sind. Sie müssen sich auch verpflichten, das was ihnen gesagt wird, vertraulich zu behandeln. Zuhörer, die sich nicht zu den Transaktionen entschliessen können, die die Beraterfirmen anbieten, dürfen daher annehmen, dass die Behörden interessiert sein werden, Nüchternes zu vernehmen. Die Securities and Exchanges' Commission ist denn auch informiert worden. Sie überprüft gegenwärtig, ob nicht die zwei Beraterfirmen die Gesetzesvorschrift verletzen, die verbietet, Verträge über Investitionen abzuschliessen, ohne dafür die gehörende staatliche Lizenz zu besitzen.

Die Aeusserung eines der Vertreter der beiden Firmen, wonach man als Inhaber eines schweizerischen Bankkontos dann als Amerikaner natürlich die amerikanischen Steuern bezahlen müsse - die Firma übernehme aber keine Verantwortung hierfür - hat das Misstrauen der Steuerbehörde erweckt. Denn
unter den Argumenten, die in der gleichen Zusammenkunft verwendet worden sind, um die hohen Kommissionen der Beraterfirmen zu rechtfertigen (1% des überwiesenen Betrages und 10% der Wertvermehrung der über das Schweizerkonto gekauften Edelmetalle), war auch dasjenige über die Sicherheit, die man durch die Mitwirkung der Beraterfirma erhalte, bei Nichtversteuerung dieser Einkünfte aus der Schweiz nicht entdeckt zu werden. Damit benützte der Sprecher der Beraterfirma offensichtlich die Anspielung auf das schweizerische Bankgeheimnis dazu, unwissende Amerikaner zum Abschluss eines für sie sehr ungünstigen Geschäftes zu veranlassen. Man kann sich leicht vorstellen, dass ihnen dies nicht so leicht gelänge, wenn die amerikanische Presse ein den Tatsachen entsprechendes Bild über das Funktionieren des schweizerischen Bankwesens geben würde, das jedermann offen steht, um auf einfachste Weise direkt mit einer schweizerischen Bank verkehren zu können.


In Gesprächen mit New Yorker Bankiers bestätigt sich, dass die amerikanischen Unternehmen fürwährend um Rat fragen,
wie Einkünfte aus Exporten oder anderen Auslands-
transaktionen durch Teilzahlung auf eine Bank in
der Schweiz aus dem amerikanischen Bereich und der
diesen drohenden Devisenbewirtschaftsungsverlusten
werden konnten. Der Vertreter einer der hiesigen
Grossbanken, der als Vizepräsident mit den ost-
europäischen Geschäften der Bank betraut ist,
erklärte, dass er nach seinen persönlichen Schätzungen
mit einem täglichen Verlust von rund 10 Millionen
Dollars rechnen müsse, die auf alle möglichen Arten
aus dem normalen Aussenhandelskreislauf von der ameri-
kanischen Wirtschaft abgezweigt werden.

Der üblicherweise gut informierte S. J. Rudt
schreibt in seinem Wochenbericht vom 15. Februar 1968,
that die in nichtkommerziellen Transaktionen "von
Hand zu Hand New York-Zürich" die Vereinigten Staaten
verlassenden Dollar-Beträge nach konservativen Schätzungen
wöchentlich 10 Millionen Dollars ausmachen würden. Damit
sei der Anteil dieser nichtbankmäßigen Transaktionen,
der noch vor zwei bis drei Jahren 0,5% betragen habe,
auf 4% angestiegen.

Allgemein ist die schweizerische Währung neben
der deutschen üblicherweise die einzige, die in New
York genannt wird, wenn es darum geht, festzulegen, wohin
man sich aus dem Dollar "flüchten" könnte. Der französische
Franken ist beispielsweise vom Wall Street Journal am
16.2.1968 noch als die "am meisten überbewertete Währung"
unter den wichtigen Devisen der Welt bezeichnet worden.

F. Bohnert
Dr. F. Bohnert
Secret Silver
Two Enterprising Firms Urge Investors to Get Out of Stocks, Bonds
Clients Are Advised to Open Numbered Swiss Accounts, Buy Silver Bars Secretly

Sharing Profits With Friends

By Byron E. Calame
Staff Reporter of The Wall Street Journal

LOS ANGELES—Want a hot investment tip? Buy silver bullion through a numbered Swiss bank account. The price will soar. The dollar will be devalued. You’ll be rich.

And tell your friends. Their purchases will help push up the price of your bullion; moreover, you’ll get a slice of whatever profits your friends make on their silver bars.

That’s what two enterprising California firms are telling groups of prospective clients at closed-door "investment seminars" in Seattle, Phoenix, Omaha, Chicago, Philadelphia, New Orleans, Miami and a dozen other cities. And people seem to be listening.

In the past 14 months, the two investment counselling firms have arranged between $50 million and $40 million of silver bullion purchases for clients, estimates an official of one of the firms, Economic Research Counselors (ERC) in San Diego.

10% Fees and 8% Loans

ERC was started in January, 1967 by Jerome F. Smith, 40, and Frederick A. Covalt, 44. Last October Mr. Covalt left the firm and opened International Research Institute (IRI) in Long Beach. Not surprisingly, both firms operate in much the same manner.

An investor puts up $1,000 or more to buy silver bullion. The firm arranges for him to open a "secret" numbered account at the Foreign Commerce Bank in Zurich. The bank, on the investor’s instructions, then buys silver on the London metals market, stores the bullion in its vaults and credits the purchase to the numbered account.

The investor pays the bank a fee of 1% and pays the firm a fee of 1%, plus 10% of any appreciation in the value of his silver. (IRI collects its 10% quarterly; ERC collects its 10% annually.) Most investors can borrow up to two-thirds of the purchase price of their silver. The firm arranges the loans, at 8% interest, from the Foreign Commerce Bank.

"The great thing about this is that the dollar has to go to hell before you make any big money," asserts a Los Angeles airline pilot who invested $2,000 through IRI in November when the price in London was above $2.20. The closing price of silver in London was $2.03 yesterday. Despite the pilot’s views, silver prices have fluctuated widely lately while the dollar has remained stable. Closing silver prices on the London metals market have fluctuated between $1.13 and $2.25 in the past 18 months.

Silver Predictions

Representatives of ERC and IRI advise prospective investors that the dollar will indeed crumble and send the price of silver skyrocketing. "We look for devaluation of the British pound again within 90 days, followed immediately by devaluation of the dollar. This should cause the price of silver to double or triple overnight," Giles Kavanaugh, an IRI representative, told a group of about 50 potential clients at a seminar in Costa Mesa, Calif., 65 days ago.

During the two and a half hour meeting in Mr. Kavanaugh’s small, store-front office, he told the group: "The devaluation of the dollar will cause world-wide economic depression that will curl your hair. There will be roving bands of people in the streets searching for food."

At a recent ERC meeting in a San Diego motel, Mr. Smith told a score of prospective clients that the coming out of silver and soon will "stop selling silver to anyone." During the two-hour session, he displayed elaborate charts and statistical tables projecting worldwide silver scarcities, rising world-wide silver demands and soaring prices.

Both firms conduct their meetings in semisecrecy. They try to limit attendance to persons who have been referred by previous investors. Names are checked at the door and uninvited visitors are asked to leave. Persons attending ERC meetings are asked to sign statements pledging not to disclose details of the investment plan to outsiders. Those who won’t sign are told to leave. IRI clients aren’t told all the details until they sign similar pledges after a meeting and talk privately with IRI officials.

"An Exorbitant Price"

Some other investment specialists, however, say there is nothing unique about what ERC and IRI are recommending. Since 1967, for example, one Los Angeles coin dealer has been advising readers of his $10-a-year newsletter to buy silver bullion through Swiss banks. He arranges a Swiss bank account and the purchase of any amount of silver for a fee of 85c.

C. V. Myers, publisher of a widely circulated Canadian investment letter, says the counseling fees charged by ERC and IRI are "an exorbitant price for people to pay."

Pick, a private currency specialist in New York, declines to comment specifically on the operations of IRI and ERC. But he says, "people in the U.S. can easily buy silver bullion on margin in London through the U.S. representative of any London silver bullion dealer, without paying any commission."

Officials of ERC and IRI insist their counseling fees are justified because their clients are assured of "maximum privacy" and receive special services such as having 85% bank loans arranged for them.

The operations of ERC and IRI have aroused the interest of the Securities and Exchange Commission, the California Division of Corporations and the California Attorney General’s office. Investigators for the SEC and the Division of Corporations are interested in determining whether the agreements calling for IRI and ERC to share clients’ profits are, under securities laws, "investment contracts" that would require the firms to issue prospectuses and observe formal securities registration procedures.

Mr. Covalt says an official from the Division of Corporations did discuss certain mat-
ters with him. But Mr. Covall says he believes the division is no longer interested in IR.

A California state official confirms that an investigator from the state attorney general's office has been checking into the operations of both firms. Another official, Charles A. O'Brien, Chief Deputy Attorney General, says, "we are investigating IR for possible violations of state law. Our concern initially arose because of our continual interest in large-scale investment programs when current information is available concerning the method of investment. In this instance, we have been unable to verify how California funds are being used in Switzerland.'

There is a connection between IR and B. Douglas Fahy, a promoter of Americans Building Constitutionally (ABC), an Illinois concern that claims to be helping individuals use foundations and trusts to minimize their taxes. Mr. Fahy and another ABC promoter have been sentenced to jail for contempt of court by a California court for refusing to answer certain questions about ABC's operations. Mr. Fahy and his associate remain free, however, pending the outcome of an appeal to a state district court of appeal.

Mr. Fahy, a Long Beach resident, says IR pays him $100 a meeting for holding investment seminars around the country. He retracted to discuss his association with IR further. He told this reporter: "If you get ABC involved with IR in your story, I'll personally come over and kill you." Mr. Covall, IR's president, says Mr. Fahy also receives a share of the fees paid by persons who invest after attending his seminars.

Internal Revenue Service officials also have expressed interest in the two firms' operations. ERG's Mr. Smith told a recent meeting that the "Treasury could put special taxes on profits from silver investments" and having a secret Swiss bank account would "insulate the location and ownership of the silver bullion." He added that when it comes time to report profits on secretly held silver bars, "the tax collector must depend on you."

Mr. Kavanagh, the IR representative, told a recent seminar: "You can bring profit back and report it. Or, number two, you can bring it back and not tell anybody." He quickly added: "We don't recommend this, we simply mention it." But later, when a potential client asked why they should buy silver through IR, Mr. Kavanagh wagged his finger and said with a grin: "Remember number two, the one we didn't discuss."

Mr. Covall says Mr. Kavanagh's remarks don't represent the official policies of IR. "He was injecting his personal opinions into the presentation," says Mr. Covall. "It was the first time he had made a presentation all by himself."

Messrs. Smith and Covall say their firms' activities aren't violating any state or Federal laws. Both men specifically deny that they would help investors evade taxes.

ERG's seminars are held once a week in San Francisco, Los Angeles, San Diego, San Diego, ERG also schedules meetings in other cities whenever a representative or an investor can gather a group big enough to make a seminar worthwhile. (Clients of both ERG and IR try to bring in new investors. A person who refers a new client to IR gets from 10% to 50% of the fee the new client pays the firm on appreciation of his silver. A person who brings ERG a new client gets 10% of the fee ERG collects on appreciation.)

IR also mails intermittent "investment bulletins" to clients and prospects. One recent bulletin says: "Get out of the stock market. Get out of the bond market. Get your cash values out of life insurance policies. . . . Get your cash out of savings institutions and get into silver or Swiss francs."

Richard Cotten, a conservative commentator whose 15-minute weekday program, "Conservative Viewpoint," is carried by about 55 local radio stations around the U.S., has lately been urging listeners to invest in silver through numbered Swiss bank accounts. He tells listeners to write to him if they're interested in attending a silver investment seminar. He declines to discuss his financial arrangements with IR, but confirms that he gets a share of any investment fees paid by clients who broadcast his address.

IR's president, Mr. Covall, a glib, husky, former stockbroker in La Jolla, Calif., says he came by his knowledge of silver and Swiss banking practices by studying for several years with a La Jolla resident he identifies only as "a multimillionaire financier."

Mr. Smith, ERG's lean, soft-spoken president, was a purchasing agent for a San Diego electronics maker before he and Mr. Covall set up ERG. Mr. Smith says he learned about silver investments by studying the subject on his own over the past few years.

Mr. Smith says he and Mr. Covall first invested in silver bullion through numbered Swiss bank accounts more than a year ago, when it was selling in London for under $1.35 an ounce.
De Gaulle's Soft Spot

Foreign Competition

Hits Hard at France's

Unaggressive Industry

Italian Price-Cutters Wreck

Appliance Business; Deep

Tariff Slashes Due July 1

Is Franc 'Most Overvalued'?

BY RAY VICKER

Staff Reporter of the Wall Street Journal

PARIS—Citroen, the big auto maker, has a stock answer to queries as to why it spends almost nothing on domestic advertising.

"Everyone in France knows what we make, so what's the point?"

Strange as that attitude might seem to an American executive, it's not unusual of French industry. And it points up a problem that may force President de Gaulle to switch some of his attention from attacking the dollar in world markets to defending the franc.

The trouble: French business, long sheltered behind protectionist tariffs, has preserved an often inefficient corporate structure and an unaggressive, if not complacent, attitude toward business planning, research and marketing. So it is now in poor shape to fight the rugged international competition to which it is being ruthlessly exposed.

July 1 Tariff Cuts

That exposure will increase greatly at midyear. On July 1, France and its five partners in the European Common Market will abolish their last tariffs on each other's goods. Simultaneously, the EEC will make the first two series of tariff cuts on goods from the outside world specified in the Kennedy Round world trade agreements of 1967. (The U.S. and most other nations made their first Kennedy Round cuts Jan. 1, and will make their second Jan. 1, 1969.)

Since France's tariffs have been left relatively high by previous Common Market and world tariff cuts, its reductions will be especially severe. Germany has only a 2.5% tariff on French autos to remove July 1; France must wipe out a 4.5% duty on German cars. French tariffs on U.S. goods will drop an average of 33%, according to some sources.

Previous Common Market tariff-cutting has given France a foretaste of what may happen. Italian appliance makers, seizing on tariff cuts, have flooded France with enough low-priced refrigerators and washers in recent years to almost wipe out the French appliance industry. A decade ago France had 40 appliance makers. Only three survive today.

World-wide, the competitive situation appears little better. A few years ago France was regularly taking in over $1 billion more a year than it paid out in transactions with the rest of the world. But the latest estimates indicate that the balance-of-payments surplus disappeared last year—and that there would have been a deficit if foreign holders of sterling hadn't transferred $400 million of "hot money" to France just before Britain devalued the pound last November.

Tourist Troubles

Foreign industrial competition isn't the only reason for the worsening of the balance of payments: tourists, particularly Americans, have been scarce in Paris this winter. The Folies Bergere recently closed for a period, and sightseers are rare at the Eiffel Tower. The Tour D'Argent restaurant has been bucking the trend only because "everybody knows I'm pro-American," says owner Claude Terrail, a veteran of Gen. George Patton's forces in World War II.

The economy has other internal troubles, too. French industrial production rose only a relatively slight 2.7% last year, and unemployment increased 6% to 430,000 now from 320,000 a year ago, according to the finance ministry.

France no longer is accumulating enough dollars in trade with the rest of the world to buy U.S. gold, to which the value of the dollar is tied. Indeed, France's gold hoard, which had risen from $1.1 billion when Gen. de Gaulle came to power in 1958 to $6.2 billion in 1968, dropped a bit to $5.4 billion last year. But those reserves are still enormous in relation to the size of the French economy, and hardly anyone thinks the franc is in immediate trouble.

Still, franc-devaluation rumors raced through world markets just after British devaluation last fall. And a British business publication—which, of course, may not be entirely objective—recently declared that the franc may now be "the most overvalued of major currencies."

Government Stimulation

The de Gaulle government has moved to stimulate the economy. It has adopted a package of tax cuts, increases in family allowances and pension payments, and also instituted new tax rebates and credits to encourage housing construction plus investment aid to backward areas of France. The program is designed to pump an extra $600 million into the economy this year.

But French business won't really be in shape to compete effectively in a low-tariff world until it gets around to "shedding outdated and inferior notions, rigid structures, strictures, privileges of monopoly and the obsession with stability," says Octave Gellier, associate managing director of Coges, a Paris management consulting firm.

French industry is mostly made up of a host of small firms. Only three French companies—Renault, the auto maker; Rhone-Poulenc, a chemical concern; and Cie. Francaise des Petroles, an oil producer—enjoy sales of $1 billion a year or more. (Some 50 U.S. manufacturers do.)

The small companies do little research. The Organization for Economic Cooperation and Development, a group of 21 industrialized nations, ranks France near the bottom among its members in spending on research.

Business planning, too, is an undeveloped art, say critics. "The average French executive is so occupied with day-to-day problems he has no time for long-range planning," says Dimitris N. Chorafas, a management consultant.

An example of poor planning cited by critics: Les Halles, the wholesale food market for Paris, long has been housed in the city's center, where trucks arriving laden with vegeta-
buses create colossal traffic jams. So a new
market is being built near Orly Airport, the
busiest in France. And it has just dawned on
the builders that the new location could pro-
duce even worse traffic jams, as the market
traffic gets entangled with the airport traffic.

Skinny Profits

Not surprisingly, French Industry hardly
shows the vigor in searching for international
sales that its principal foreign competitors do.
In the last three years, 3,500 German compa-
nies have taken advantage of Common Market
tariff cuts to open sales offices in France. In
the same period, only 150 French companies have open sales offices in Germany.

Even internally, there are grounds other
than the relative stagnation in output and the
rise in unemployment for doubting that French
industry is doing very well. It appears to make
what an American executive would regard as
pretty skimpy profits.

Proving the point is almost impossible, as
French corporate reports are among the most
mystifying in Europe. That may change: a
government agency resembling the U.S. Secu-
rities and Exchange Commission came into
being Jan. 1, and it promises to force some
changes in company bookkeeping. But right
now, a random check of reports from 50 sizable
companies turns up only two that report any
consolidated profit figure at all.

"Analyzing the books of a French company
is like peeling an onion," says one American fi-
nancial source in Paris. "Each time you peel a
layer another lies underneath, and the further
you go the more you cry."

Investors, however, seem to believe that
profits are low and declining; stock prices on
the Paris Bourse recently have averaged about
45% below the 1962 peak. And the few profit
figures available are far from encouraging.
The state-owned Renault company reported a
1967 profit of only $9 million on its more than $1
billion in sales.

"Can you imagine the sort of shake-up you
would have at General Motors if the company
showed only $9 million profit for each billion
dollars of annual sales?" asks a management
consultant in Paris. (In 1967, GM earned over
$81 million on each $1 billion of sales.)

An "Old Boy" Network

Many French companies could use a man-
gagement shake-up, say critics who include
some French executives. The typical French
executive obtains his job through seniority and
probably through pull, they say. Many also
come to private industry after long careers in
government, where their work was not oriented
toward producing profits; the opposite situa-
tion of the executive going into government
service after a successful career in industry,
though common in the U.S., is rare in France.

There are changes, too, that an "old boy"
network operates to assure the best jobs in
French industry for graduates of certain
schools that have a reputation for putting
theory ahead of practical concepts. Among
France's 50 biggest companies, 32 have gradu-
ates of the Ecole Polytechnique in either their
No. 1 or No. 2 executive positions or in both.

"If an executive happens to have a degree
from the Ecole Polytechnique or the Ecole Na-
tionale des Mines, he looks down on
everybody else as he runs the business into the
red," says the president of a medium-sized
French company.

There are exceptions to this bleak picture,
of course. Some French companies, notably
aluminum-making Pechiney and Banque de
Paris et des Pays-Bas, have more than held
their own against stiff foreign competition. And
some French achievements, including the Car-
vavelle jet airliner, wines, specialized electronic
tubes and glass-making processes, have
brought France much income from abroad on
the strength of a world reputation for high
quality.

Even here, however, some critics find fault.
Former Premier Pierre Mendes-France, a left-
ist opponent of President de Gaulle, comments
sarcastically that "the French aircraft of
which we are so proud, including the Car-
vavelle, are equipped with American electronic
apparatus."