
EQUITY AND TRUSTS

LARGE GROUP 7

Student Guide

Running a trust: Giving beneficiaries access to trust funds, varying trusts, provision of information.

Context

There are a number of reasons why settlors and testators create trusts. A common aim is to protect their property against misuse by young or extravagant beneficiaries. This objective may be achieved, for example, by delaying the beneficiary's entitlement and in the meantime, entrusting the management of the property to carefully chosen trustees.

Consider a trust created in a deceased testator's will, 'for my son, Charles, if he attains 25'. Charles is 18 and is about to go to university. His mother has been short of money since the testator's death and will not be able to pay Charles's tuition fees and living expenses when he leaves home. Can the trustees give Charles some money from the trust now, even though he is not strictly entitled until he reaches the age of 25?

Trusts can only be drafted in the light of circumstances which exist at the time. When the trust has effect, possibly years later, the beneficiary's situation may be totally different. A trust may be drafted in a particular way to attract tax benefits but subsequent changes in the tax laws may mean that the terms of a trust are no longer advantageous. In these circumstances, beneficiaries will want to vary the unfavourable terms of the trust. Can they end the trust or rewrite its terms?

Turning to the management of the trust, beneficiaries may want to influence the trustees' decisions. Can the beneficiaries force the trustees to follow a particular course of action? It is important for both parties to know how far the beneficiaries can dictate to trustees. Beneficiaries who disagree with trustees' decisions may request an explanation. For example, one of the objects of a discretionary trust may ask, 'Why was I not chosen?', or 'Why was X chosen instead of me?' The beneficiaries may be looking for grounds to sue the trustees for breach of trust. Thus, it is important (for both trustees and beneficiaries) to know how much information beneficiaries are entitled to demand.

Outcomes

By the end of this large group you should be able to:

1. explain and apply the circumstances in which trustees may make capital and income available to beneficiaries during the running of the trust

Guide For Trust Beneficiaries

Lei Shi



Guide For Trust Beneficiaries:

Unveiling the Magic of Words: A Overview of "**Guide For Trust Beneficiaries**"

In some sort of defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their ability to kindle emotions, provoke contemplation, and ignite transformative change is truly awe-inspiring. Enter the realm of "**Guide For Trust Beneficiaries**," a mesmerizing literary masterpiece penned with a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve into the book is central themes, examine its distinctive writing style, and assess its profound impact on the souls of its readers.

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