

c	Life interest settlement for a disabled person complying with IHTA 1984, s 89B(1)(c) and vulnerable beneficiary regime and providing full capital gains tax annual exemption (reflecting FA 2013 changes)	C2/61
3	Marriage/civil partnership settlements	C3/1
a	Marriage/civil partnership settlement by the parties	C3/13
b	Marriage/civil partnership settlement by parents	C3/91
c	Deed of covenant in consideration of marriage/civil partnership	C3/161
4	Bare trusts	C4/1
a	Declaration of trust with indemnity (non-land)	C4/13
b	1 Gift (non-land) by way of declaration of trust—single donee	C4/91
2	Gift (non-land) by way of declaration of trust—multiple donees	C4/171
3	Gift (non-land) by way of declaration of trust—donees are trustees of a settlement	C4/211
D:	Insurance Trusts	D1/1
1	Life policy request	D1/15
2	Pension death benefit trust	D2/1
a	Single policy	D2/17
b	Multiple policies	D2/91
3	Declaration of trust with power of appointment	D3/1
4	Life policy settlement	D4/1
5	Declaration of trust over endowment policy with reverter to grantee	D5/1
6	Declaration of trust over life policy with critical illness benefit/accident cover	D6/1
E:	Subsidiary Documents	E1/1
Introduction		E1/7
1	Deeds of release	E1/19
a	Release of life interest	E1/31
b	Release of powers	E1/61
c	Deed of disclaimer	E1/101
2	Deeds of appointment	E2/1
a	Absolute appointment	E2/17
b	1 Life interest appointment with remainder over	E2/51
2	Appointment terminating life interest and creating new life interest with remainder over	E2/61
3	Appointment terminating life interest and creating parallel life interests with remainders over	E2/81
c	1 Appointment by life tenant of reversionary income interest to surviving spouse/civil partner	E2/101

Contents

How to use this book

Tables

Table of cases	Cases/1
Table of statutes	Statutes/1
Table of statutory instruments	SIs/1

Introduction

IN/1

A: Trusts for Children

A1/1

Introduction

A1/3

1	Bare trusts for minors/young adults	A1/15
a	Single beneficiary	A1/27
b	Multiple beneficiaries	A1/111
2	Contingent trusts	A2/1
a	Capital and income at [25]	A2/1
b	Engrafted interests in possession	A2/91
3	Maintenance and education trust	A3/1
4	Trust for provision of home during childhood on separation of parents	A4/1

B: Non-Interest in Possession Settlements

B1/1

Introduction

B1/3

1	Discretionary settlement	B1/15
a	Discretionary settlement	B1/25
b	Discretionary trust established by way of declaration	B1/111
2	Discretionary settlement with separate sub-funds	B2/1
3	Employee trusts	B3/1
a	Employee trust	B3/17
b	Employee share ownership trust	B3/91
4	Trusts for the disabled	B4/1
a	Complying with IHTA 1984, s 89 [for reference only]	B4/15
b	Complying with IHTA 1984, s 89 and vulnerable beneficiary regime [for reference only]	B4/91
c	By person expecting to become disabled complying with IHTA 1984, s 89A [for reference only]	B4/161

2	Appointment by life tenant of reversionary income interest to surviving spouse/civil partner (period terminable by trustees)	E2/121
3	Appointment by trustees of reversionary income interest to surviving spouse/civil partner	E2/141
d	Appointment of an unequal share	E2/161
e	Acceleration of life interest	E2/165
f	1 Appointment to a separate settlement out of discretionary settlement	E2/181
	2 Appointment to a separate settlement terminating life interest	E2/191
g	1 Appointment on existing trusts of settlement for a narrower class of beneficiaries (optional provisions excluding settlor and spouse/civil partner [and minor children] from benefit)	E2/195
	2 Appointment on existing trusts of settlement for a narrower class of beneficiaries (option to exclude US persons from all benefit) and adding a power to exclude beneficiaries	E2/200A
h	Appointment amending the beneficial class and adding requirement for protector's consent	E2/201
i	Revocation of existing appointment with new absolute appointment	E2/207
j	Revocation of existing appointment (no new appointment)	E2/213
k	Contingent appointment for minors enabling accumulation of income	E2/271
l	Appointment creating discretionary trusts	E2/301
3	Powers of advancement (and transfer)	E3/1
a	Absolute advance where property will be transferred immediately	E3/15
b	1 Absolute advance where legal title will be retained by the trustees	E3/41
	2 Absolute advance where legal title will be retained by the trustees on bare trusts for a minor beneficiary	E3/61
c	1 Advance to separate settlement	E3/71
	2 Advance to separate settlement—different sub-funds	E3/85
d	1 Advance by way of variation of existing settlement	E3/101
	2 Deed of advancement creating a transitional serial interest for surviving spouse/civil partner	E3/121
e	Advance to accelerate vesting date	E3/131
f	Deed of advancement terminating trust	E3/161
g	Deed of transfer to separate settlement	E3/191
4	Deed of partition	E4/1

d	Complying with IHTA 1984, s 89 and vulnerable beneficiary regime and providing full capital gains tax annual exemption (reflecting FA 2013 changes)	B4/231
e	By person expecting to become disabled complying with IHTA 1984, s 89A and vulnerable beneficiary regime and providing full capital gains tax annual exemption (reflecting FA 2013 changes)	B4/261
5	Marriage/civil partnership settlement	B5/1
C: Interest in Possession Settlements and Bare Trusts		C1/1
Introduction		C1/3
1	Life interest settlements	
a	1 Life interest settlement with overriding power exercisable at any stage and fixed trusts of capital in default appointment	C1/17
	2 Life interest settlement with overriding power exercisable when life tenant has an interest in possession	C1/91
	3 Life interest settlement with overriding power exercisable at any stage and discretionary trusts in default of appointment	C1/121
b	1 Life interest settlement with no overriding power	C1/161
	2 Life interest settlement with discretionary trust remainders and no overriding power of appointment	C1/191
c	1 Protective trust with no overriding power	C1/231
	2 Protective trust with overriding power of appointment	C1/311
d	Life interest settlement with general power of appointment	C1/381
e	Parallel life interest settlement	C1/461
f	Joint life interest settlement with overriding power of appointment	C1/711
2	Life interest settlements for disabled persons	
a	Life interest settlement for disabled person complying with IHTA 1984, s 89B(1)(d) (settlor who will become disabled) [for reference only]	C2/1
b	Life interest settlement by person expecting to become disabled complying with IHTA 1984, s 89B(1)(d) and vulnerable beneficiary regime and providing full capital gains tax annual exemption (reflecting FA 2013 changes)	C2/41

	c	Enlargement by beneficiaries	E10/71
11		Indemnity	E11/1
	a	Indemnity on distribution	E11/15
	b	1 Indemnity for breach of trust	E11/41
		2 Indemnity in connection with reimbursement of tax paid by settlor of offshore trust	E11/51
	c	1 Indemnity on change of trustees	E11/71
		2 Indemnity and release of covenant on appointment of new trustees	E11/101
		3 Indemnity and release by covenant on transfer of funds to beneficiary	E11/161
12		Trustee powers of attorney and delegation	E12/1
	a	1 Trustee power of attorney under Trustee Act 1925, s 25	E12/15
		2 Trustee power of attorney in the form set out in Trustee Act 1925, s 25(6)	E12/37
	b	Notice of grant of trustee power of attorney under Trustee Act 1925, s 25	E12/61
	c	Revocation of trustee power under Trustee Act 1925, s 25	E12/91
	d	Policy statement under Trustee Act 2000, s 15	E12/111
	e	Power of attorney under Powers of Attorney Act 1971, s 10 by beneficial owner of land	E12/141
	f	1 Statement by donee of a power granted by beneficial owner of land to be included in form of transfer or other deed dealing with land	E12/171
		2 Attestation clause for transfer or other deed dealing with land	E12/171
		3 Separate declaration if appropriate statement not included in transfer or other deed dealing with land	E12/173
	g	1 Revocation of enduring power of attorney	E12/281
		2 Notice to donee/s of revocation of enduring power of attorney	E12/283
	h	1 Revocation of Lasting Power of Attorney (Property and Financial Affairs or Health and Welfare)	E12/287
		2 Notice to Office of the Public Guardian of revocation of Lasting Power of Attorney (Property and Financial Affairs or Health and Welfare)	E12/291
		3 Notice to donee/s of revocation of Lasting Power of Attorney (Property and Financial Affairs or Health and Welfare)	E12/295
	i	Power of attorney under TLATA 1996, s 9	E12/311
	j	Revocation of power of attorney under TLATA 1996, s 9	E12/341

5		Assignment	E5/1
	a	1 Assignment of life interest	E5/13
		2 Notice of assignment	E5/41
	b	Assignment of reversionary interest	E5/71
	c	1 Assignment of life policy	E5/111
		2 Notice of assignment of life policy	E5/151
6		Appropriation	E6/1
	a	Appropriation to an absolute share	E6/1
	b	Appropriation to a fund	E6/25
7		Appointment of trustees	E7/1
	a	1 Appointment of additional trustees to act with existing trustees	E7/15
		2 Appointment by appointor of additional trustee to act with existing trustees	E7/41
		3 Appointment by attorney/trustee of additional trustee to permit dealing in land	E7/51
		4 Appointment by attorney of additional trustee to act with attorney in relation to land	E7/55
	b	1 Appointment of new trustees with simultaneous retirement	E7/71
		2 Appointment by appointor of new trustees with simultaneous retirement	E7/101
		3 Appointment of new trustees with simultaneous retirement—fewer trustees appointed than retiring	E7/111
		4 Appointment by appointor of new trustees with simultaneous retirement—fewer trustees appointed than retiring	E7/117
	c	1 Appointment of new trustee with retirement and continuation	E7/131
		2 Appointment by appointor of new trustee with retirement and continuation	E7/141
		3 Appointment of new trustees with retirement and continuation—fewer trustees appointed than retiring	E7/151
		4 Appointment by appointor of new trustees with retirement and continuation—fewer trustees appointed than retiring	E7/155
	d	1 Retirement with no new appointment	E7/161
		2 Retirement with no new appointment (consent of appointor)	E7/191
	e	1 Appointment by appointor of new trustees of separate fund	E7/221
		2 Appointment of trustees of more than one separate fund	E7/231
	f	Removal by appointor of trustees and replacement	E7/251
	g	Appointment of additional trustees of insurance policy trust	E7/281

k	Nominee custody agreement	E12/371
l	Irrevocable power of attorney given by way of security	E12/401
m	Deed of delegation made in exercise of express power in trust deed	E12/461
13	Addition/nomination/wishes	E13/1
a	Memorandum of addition	E13/1
b	Letter of addition	E13/31
c	Nomination of death in service benefit	E13/61
d	Letter of wishes	E13/101
14	Declarations of trust/joint settlors	E14/1
a	Discretionary settlement with joint settlors and one or more third party trustees who are not settlors	E14/13
b	Interest in possession trust established by way of declaration-third party trustees	E14/81
c	Discretionary trust established by way of declaration where the trustees are joint settlors	E14/141
15	Additional clauses	E15/1
a	Power to appoint trustees exceeding four in number	E15/13
b	1a Power of appointment [and removal] of trustees (by appointors)—simple version	E15/53
1b	Power of appointment and removal of trustees (by appointor)—extended version	E15/57
2	Power of appointment of new trustees- specified appointors for specified trustees	E15/71
3	Appointment of individual (senior) trustee	E15/75
c	Power of removal and appointment of trustees	E15/81
d	Restriction on trustees' powers	E15/121
e	Power to appoint alternate trustees—alternative form	E15/161
f	Exclusion of TLATA 1996, ss 19 and 20	E15/231
g	Exclusion of TLATA 1996, s 11	E15/301
h	Power for trustees to act by majority	E15/371
i	Power to add beneficiaries	E15/431
j	1 Definition of children and issue	E15/471
2	Definition of children and issue—recognition of illegitimate children by natural parent	E15/501
k	Retention or sale of trust fund (sale subject to consent in relation to specified property)	E15/511
l	Definition of charity—gifts to which will qualify for inheritance tax relief	E15/541
m	Power of amendment	E15/551
16	Documents relating to land	E16/1
a	Use of property	E16/13
b	1 Licence to occupy trust property (freehold)	E16/35
2	Licence to occupy trust property (leasehold)	E16/49
c	1 Declaration of trust by beneficial owners—standard form	E16/59

h	Appointment of new trustees by executors of last surviving trustee	E7/311
i	Appointment of custodian trustee	E7/341
j	Appointment of new custodian trustee with simultaneous retirement	E7/351
k	Appointment by protector of alternate trustees	E7/401
l	Appointment by protector of new protector with simultaneous retirement	E7/431
m	Revocable nomination of successor protector	E7/461
n	Direction by beneficiaries to trustees under TLATA 1996, s 19	E7/521
o	Direction by beneficiaries to trustees under TLATA 1996, s 20	E7/581
p	Withdrawal of direction by beneficiaries to trustees under TLATA 1996, ss 19 and 20	E7/641
q	Retirement following direction by beneficiary under TLATA 1996, s 19(2)(a)	E7/701
r	Appointment following direction by beneficiary under TLATA 1996, s 19(2)(b)	E7/761
s	Retirement and appointment following direction given by beneficiary under TLATA 1996, s 19	E7/821
t	Retirement, appointment and continuation following direction given by beneficiary under TLATA 1996, s 19	E7/881
u	Appointment following direction given by beneficiary under TLATA 1996, s 20	E7/941
v	Appointment of new trustees with simultaneous retirement and simple indemnity	E7/1001
8	Disentailing deeds	E8/1
a	Disentail creating absolute reversion	E8/13
b	Disentail enlarging an interest in possession	E8/41
9	Deeds exercising specific powers	E9/1
a	Addition of beneficiary	E9/13
b	Exclusion of beneficiary	E9/41
c	Alteration of trust period	E9/71
d	Exclusion of TLATA 1996, ss 19 and 20	E9/101
e	Application of TLATA 1996, s 11	E9/161
f	Nomination of person to add Discretionary Beneficiaries	E9/191
g	Application of the Perpetuities and Accumulations Act 2009, s 12(2) and alteration of the trust period	E9/221
h	Deed of amendment	E9/281
i	Deed of change of proper law	E9/291
10	Enlargement of powers	E10/1
a	Enlargement by trustees	E10/13
b	Enlargement by trustees in exercise of power of appointment	E10/41

G: Foreign Law	G1/1
1 Jersey settlement	G1/3
2 a Appointment of alternate trustees and change of trustees on happening of emergency event	G2/1
b Variation of terms	G2/39
H: Administrative Powers	H1/1
Introduction	H1/1
1 Administrative powers (long form)	H1/15
2 Administrative powers (short form)	H2/1
3 Administrative powers (short form) for use with a declaration of trust in the form of Precedent B1b	H3/1
Index	Index/1

2 Declaration of trust by beneficial owners—adjustments for contributions to mortgage and improvements	E16/81
3 Declaration of trust confirming beneficial ownership as between trustees and beneficiary and setting out terms of occupation	E16/93
d 1 Declaration of trust relating to land with indemnity	E16/105
2 Nominee agreement	E16/111
e Bare trust of land with management powers	E16/117
f 1 Gift of land by way of declaration of trust—single donee	E16/135
2 Gift of land by way of declaration of trust—multiple donees	E16/147
3 Gift of land by way of declaration of trust—donees are trustees of a settlement	E16/151
g Exercise of trustees' powers in relation to a beneficiary's right of occupation under Trusts of Land and Appointment of Trustees Act 1996, s.13	E16/159
h Notice of severance of joint tenancy (equal shares)	E16/171
17 Trustees' resolutions	E17/1
a 1 Distribution of income (amount specified)	E17/41
2 Distribution of income (amount undistributed at specified date)	E17/61
b Loan	E17/81
18 Purchase price adjustment clause	E18/1
19 Specimen letters, explanatory notes and trust summaries	E19/1
a 1 Explanatory notes for administrative powers (long form)	E19/13
2 Explanatory notes for administrative powers (short form)	E19/51
b Draft letter to accompany settlement in form of Precedent A2a	E19/91
c Draft letter to accompany settlement in the form of Precedent A2b	E19/113
d 1 Draft letter to accompany settlement in form of Precedent B1	E19/117
2 Trust summary for use with settlement in form of Precedent B1	E19/131
e Draft letter to accompany settlement in form of Precedent B4d	E19/145
f Draft letter to accompany settlement in form of Precedent B4e	E19/151
g 1 Draft letter to accompany settlement in form of Precedent C1a1	E19/155