

Deed of Appointment of New Trustee/ Removal or Resignation of Trustee

James Hay



JHAY0593

Application Guide

Careful attention must be paid to the terms of the Trust and all documents relating to it. Please read the Note at the end prior to signature.

Please complete this form in BLOCK CAPITALS and black ink and return it to: James Hay, Dunn's House, St Paul's Road, Salisbury SP2 7BF. If you need any help to complete this form please call us on 0845 850 4455.

1 Parties

Applicant to complete

A. This deed is made on

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

by the following parties, that is:

Name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Post Code

the " " *

Name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Post Code

the " " *

Name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Post Code

the " " *

Name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
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Post Code

the " " *

Name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Post Code

the " " *

Name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
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Post Code

the " " *

* Insert Settlor, New Trustee, Continuing Trustee, Retiring Trustee or Protector as appropriate. The Settlor if alive (or survivors of them if more than one) will always be a party to this Deed unless under the Declaration of Trust a Protector has been appointed and the Settlor is not a Trustee. All new, continuing and retiring Trustees must also be a party to the Deed.

1 Parties (cont.)

Applicant to complete

B. CONSIDERING that the Settlor and the Continuing Trustee(s), and Retiring Trustee(s) are the present Trustees of the Trust created by

as Settlor by Declaration of Trust dated (the "Declaration of Trust") and (where a person is named as such above) the Protector (or a predecessor in such a role) was appointed as "Protector" in terms of the Declaration of Trust:

C. * In exercise of their powers (if any) under the Declaration of Trust and every other power to them, the Settlor, Continuing Trustee(s), Retiring Trustee(s) and Protector hereby appoint the New Trustee(s) as Trustee(s) of the Trust to act jointly with the Continuing Trustee(s) and the Settlor in terms of the Declaration of Trust and the New Trustee(s) hereby accept(s) such appointment.

(*Tick box if applicable)

D. * The Retiring Trustee(s) hereby retire(s) and is/are discharged from trusteeship under the Trust.

(*Tick box if applicable)

E. The Trust Fund and any obligations of the Trustees are hereby transferred, assigned and conveyed to the Continuing Trustee(s), if any, and the New Trustee(s), if any, and the Retiring Trustee(s), if any, shall do all acts necessary (at the expense of the Trust Fund) to give full legal and practical effect to the foregoing transfer.

F. The following former Trustees have died prior to the date of this Deed*.

(*Please send to the insurer a death certificate, if applicable)

Name

Date of death

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Name

Date of death

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

G. This Deed shall be governed by the law of the country governing the Declaration of Trust.

2 Witnesses

Applicant to complete

IN WITNESS whereof this instrument is executed as a deed and sealed (where required by law) on the day and year first mentioned above.

SIGNED AND DELIVERED by:

Name

Signature

Signature of Witness

Full name

Address

Post Code

Name

Signature

Signature of Witness

Full name

Address

Post Code

SIGNED AND DELIVERED by:

Name

Signature

Signature of Witness

Full name

Address

Post Code

Name

Signature

Signature of Witness

Full name

Address

Post Code

SIGNED AND DELIVERED by:

Name

Signature

Signature of Witness

Full name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Post Code

SIGNED AND DELIVERED by:

Name

Signature

Signature of Witness

Full name

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Post Code

Notes

You should seek separate legal and taxation advice prior to signature and during the life of the Trust.

The form must be signed by each party stated at Part A before a witness who must sign against each signature witnessed. The witness must be independent, over 18 and not a relative of the person whose signature is being witnessed.

This form has been designed for policies and trust forms used in conjunction with the James Hay Wrap & SIPP.

Once signed, the form must be returned to the insurer for noting and return. Once returned to you it should be kept with the Declaration of Trust, policy documents and other Trust papers.

The form does not deal with the removal of a Trustee without his/her being party to it. Any removal must follow the powers and procedures (if any) set out in the Declaration of Trust. Any document removing a Trustee must also be forwarded to the insurer for noting and return.

You should note any provisions in the Declaration of Trust regarding the minimum number of Trustees required to be in office at any time. Where a Trustee is retiring or is being removed, another Trustee should normally be appointed at the same time in place of the exiting Trustee. If a replacement is not to be appointed at the same time, separate legal advice should be sought.

The Deed and the notes in relation to its use are for general guidance only and are based on current understanding of law and HM Revenue & Customs practice. No responsibility can be taken by James Hay Wrap Managers Limited, IFG Group PLC. or any other subsidiary company thereof for the interpretation of the law (including tax legislation), future changes in the law or revenue practice or any implications arising from the Finance Act 2006. Tax liabilities are dependent on individual circumstances and no assurance can be given that the use of this form is suitable for your circumstances.

James Hay is able to provide literature in alternative formats. The formats available are: Large Print (as recommended by RNIB), Braille, Audio Tape and PC Disk. If you would like to receive this document in an alternative format please contact us on 0845 850 4455. For the hard of hearing and / or speech impaired, please use the Typetalk service via 18001 0845 850 4455.

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