

# Protection – Deed to Exclude a Beneficiary or Class of Beneficiaries by the Trustees from a Discretionary Class



**IMPORTANT NOTES** – before completing the Deed to Exclude a Beneficiary or Class of Beneficiaries by the Trustees, please read the following notes.

1. This documentation has been produced for consideration by you and your legal advisers. The legal and any tax effects of the Deed will depend on your individual circumstances and Legal & General (as defined in Clause 3.4 of Part B of this Deed) and its advisers accept no responsibility for ensuring that the Deed meets your requirements.
2. Under this Deed you (the Trustees) can exclude a Beneficiary or class of Beneficiaries from the Trust. This Deed can only be used where the Trustees are given this power under the Trust. The Deed cannot be used to take away any interests to which a Beneficiary has already become absolutely entitled. The exclusion takes effect from the date this Deed is completed and is irrevocable. Any power of the Settlor to add Beneficiaries cannot subsequently be used to reinstate them as Beneficiaries of the Trust. Legal advice should therefore be obtained before completing the Deed.
3. By signing this Deed, and if required by Legal & General, the Trustees agree to take all reasonable steps to obtain for Legal & General evidence of identification for any of the Beneficiaries of the Trust.
4. Legal & General has drafted this Deed to reflect the law as at 1 January 2020. Legal & General and its advisers cannot accept any responsibility for loss, damage or other claim that may arise from the use of this Deed or the way in which you complete it. We therefore strongly recommend that you consult your own legal adviser before proceeding.
5. Use CAPITALS and black or blue ink throughout. If you make a mistake while completing the Deed, please correct the error by crossing out (do not use correction fluid) and all the Trustees should initial by the change.



## Deed to Exclude a Beneficiary or Class of Beneficiaries by the Trustees from a Discretionary Class

The Trustees should read Important Notes on page 1 before completing the Deed to Exclude a Beneficiary or Class of Beneficiaries by the Trustees from a Discretionary Class.

### A Date of Deed

INSERT date when last person signs on page 4–5.

THIS DEED of Exclusion is made on the  day of  20   
BY the Trustees

### B Definitions

Please insert the full name of the Trustees (including the Settlor/Donor/Grantee if amongst them).

#### 1. The 'Trustees'

##### Trustee 1

Full Name

##### Trustee 2

##### Trustee 3

Full Name

##### Trustee 4

Please insert details of the original Declaration of Trust in Schedule 1.

#### 2. The 'Beneficiaries'

The 'Beneficiaries' shall mean the Beneficiaries or the Discretionary Beneficiaries as defined in the Declaration of Trust specified in Schedule 1 (the 'Declaration') as the case may be or otherwise the Beneficiaries in whose favour the Trustees' power referred to in Part D can be exercised.

#### 3. Construction

- 3.1 In this Deed words importing the singular shall include the plural and vice versa.
- 3.2 The Notes in the margin are for the purposes of information only and shall not be used in the construction of this Deed or any part of it.
- 3.3 Where the context admits, the definitions and rules of construction contained in the Declaration shall apply.
- 3.4 Legal & General shall mean Legal & General Assurance Society Limited.

### C Recitals

Please insert the details of people you want to exclude as Beneficiaries in Schedule 2.

- a. This Deed is supplemental to the Declaration.
- b. The Declaration gives the Trustees power to declare by deed that one or more of the Beneficiaries shall be an Excluded Person (as defined in the Declaration).
- c. The Trustees are the present trustees of the Declaration.
- d. The Trustees wish to declare the persons specified in Schedule 2 (the 'Excluded Beneficiaries') to be Excluded Persons.

### D Key Provisions

This is an irrevocable exclusion and takes effect on completion of the Deed. The Deed will need to be amended if the exclusion is to be revocable. Legal advice should be taken in such circumstances.

In exercise of the power given to them by the Declaration the Trustees hereby irrevocably declare that from the date of this Deed the Excluded Beneficiaries shall be Excluded Persons.





	Trustee 5	Trustee 6
1. Signed and delivered as a deed by the said Trustee (full name)		
2. Signature		
3. In the presence of witness (full name of witness)		
4. Signature of witness		
5. Address of witness		
6. Date (DD/MM/YYYY)		
7. Place		