

# DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEES. (SETTLOR/DONOR/GRANTEE VERSION)



**IMPORTANT NOTES** – before completing the Deed of Appointment and Retirement of 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 5.3 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 Settlor/Donor/Grantee) can appoint New Trustees to your Trust in place of Trustees who wish to retire. **Upon completing this Deed, there must be no less than two and no more than four Trustees.** Please check the Trust Deed as to the minimum number of Trustees required to exercise particular powers.
3. This Deed is only for use in circumstances where the **Settlor/Donor/Grantee** (or one of joint Settlers/Donors/Grantees) is **alive** and the Trust gives such person or persons the power to appoint New Trustees. If the Settlor/Donor/Grantee is dead please use the 'Trustee Version' of this Deed.
4. A copy of this Deed should be sent to Legal & General as soon as it has been completed.
5. Please note that Legal & General will only accept instructions from Trustees who have had their identities verified. We may need to also confirm the identity of other individuals relating to the Trust. We may do this by using reference agencies to search sources of information; this will not affect credit ratings. If this identity search fails, we may ask the parties for documents to confirm their identities. By signing this Deed, all parties to this Deed have consented that we can verify their identity and that, if required by Legal & General, the Trustees will take all reasonable steps to obtain for Legal & General evidence of identification for any of the Beneficiaries of the Trust.
6. Legal & General has drafted this Deed to reflect the law as at 1 January 2010. 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.
7. 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 the Settlor/Donor/Grantee and all the Trustees should initial by the change.
8. **If the appointed trustee is resident for tax purposes anywhere other than the UK you must also complete the Trust/Entity Self-Certification Declaration Form and send this to us together with your completed Deed.**

# DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEES (SETTLOR/DONOR/GRANTEE VERSION)

The Appointor(s) and Trustees should read Important Notes on page 1 before completing the Deed of Appointment and Retirement of Trustees.

## PART A. DATE OF DEED

INSERT date when last person signs on page 4-6.

THIS DEED of Appointment and Retirement is made on the  day of  20   
 BETWEEN the Appointor (1) the Continuing Trustees (2) the Retiring Trustees (3) and the New Trustees (4)

## PART B. DEFINITIONS

Please insert the full name of the Appointor.

Please note that the Appointor is the Settlor/Donor/Grantee of the Declaration of Trust.

In the case of joint Appointors insert the full name of the second Appointor.

### 1. The 'Appointor' means

#### First (or sole) Appointor

Full Name

#### Second Appointor

Full Name

### 2. The 'Continuing Trustees'

#### Continuing Trustee 1

Full Name

#### Continuing Trustee 2

Full Name

#### Continuing Trustee 3

Full Name

Please insert the full name of the current Trustee(s) who are to continue to act as Trustees.

Please insert the full name of the Settlor/Donor/Grantee if they are Trustees as well.

If there are no Continuing Trustees then leave blank.

### 3. The 'Retiring Trustees'

#### Retiring Trustee 1

Full Name

#### Retiring Trustee 2

Full Name

#### Retiring Trustee 3

Full Name

#### Retiring Trustee 4

Full Name

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

### 4. The 'New Trustees'

#### New Trustee 1

Full Name

Address

Postcode

Date of birth

#### New Trustee 2

Full Name

Address

Postcode

Date of birth

Please insert the details of the New Trustees being appointed.

Please remember that there should be no more than 4 Trustees once this Deed has been completed.

There can only be 4 New Trustee(s) if there are no Continuing Trustees. See paragraph 2 of the Important Notes.

## PART B. DEFINITIONS continued

### 4. The 'New Trustees' continued

New Trustee 3	New Trustee 4
Full Name	Full Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth

### 5. Construction

- 5.1 In this Deed words importing the singular shall include the plural and vice versa.
- 5.2 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.
- 5.3 Legal & General shall mean Legal & General Assurance Society Limited.

## PART C. RECITALS

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

- This Deed is supplemental to the Declaration of Trust specified in the Schedule (the 'Declaration').
- The statutory power of appointment applies to the Declaration and is exercisable by the Appointor under the terms of the Declaration.
- The Continuing Trustees (if any) and the Retiring Trustees are the present Trustees of the Declaration.
- The Retiring Trustees wish to retire as Trustees of the Declaration.
- The Appointor wishes to appoint the New Trustees to act as Trustees of the Declaration in place of the Retiring Trustees and jointly with the Continuing Trustees (if any).
- It is intended that the property now subject to the trusts of the Declaration shall be transferred to, or under the control of, the Continuing Trustees (if any) and the New Trustees.

## PART D. KEY PROVISIONS

In exercise of the power conferred by the Declaration and the Trustee Act 1925 and all other powers (if any), the Appointor appoints the New Trustees to act as Trustees of the Declaration jointly with the Continuing Trustees (if any) in place of the Retiring Trustees who hereby retire and are discharged from the trusts of the Declaration.

## SCHEDULE Details of the Declaration

Please insert the details of the Declaration of Trust as indicated.

Parties to the original Trust Deed: Please insert the names of the Settlor/ Donor/Grantee and the Additional Trustees.

Name of Company: Please insert Legal & General Assurance Society Limited.

Parties to original Trust			
Date of Trust		Name of Trust	Trust
Description of original Trust Property	Name of Company		
	Policy Numbers		

## PART E. SIGNATURES

Please read all the margin notes below before signing and leave boxes blank if not required.

If there is no Second Appointor then leave the box blank.

The Appointor (and any Second Appointor) do not need to sign again in the Continuing Trustee boxes if they have signed the Appointor box(es) above.

**Witnessing:** Please ensure that all signatures are witnessed by an independent person.

The same person can witness all signatures.

Witnesses must be adult and not someone already named in this Deed nor their spouse or civil partner.

**Date:** Please add the date of signature. Once all the parties have signed, the last date on which a person signed should be inserted as the date of this Deed in the box on page 2.

**Place:** Please add the place where this Deed was signed and witnessed (for example Edinburgh) only if the Trust Deed is governed by Scots law.

IN WITNESS whereof the parties have signed this instrument as a deed

	First (or sole) Appointor	Second Appointor
1. Signed and delivered as a deed by the said (full name)		
2. Signature		
3. In the presence of witness (full name of witness)		
4. Signature of witness		
5. Address of witness		
6. Date		
7. Place		
	Continuing Trustee 1	Continuing Trustee 2
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		
7. Place		
	Continuing Trustee 3	
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		
7. Place		

**PART E. SIGNATURES continued**

	<b>Retiring Trustee 1</b>	<b>Retiring Trustee 2</b>
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		
7. Place		
	<b>Retiring Trustee 3</b>	<b>Retiring Trustee 4</b>
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		
7. Place		
	<b>New Trustee 1</b>	<b>New Trustee 2</b>
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		
7. Place		

**PART E. SIGNATURES** continued

	New Trustee 3	New Trustee 4
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		
7. Place		



[www.legalandgeneral.com](http://www.legalandgeneral.com)

**Legal & General Assurance Society Limited**  
Registered in England and Wales No. 00166055  
**Registered office:** One Coleman Street, London EC2R 5AA

Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.

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