

# Protection - Letter of Wishes

**You must ensure that you retain the Letter of Wishes along with your trust and policy documents.**

**Please do not return this document to Legal & General.**



## **IMPORTANT NOTES – before completing the Letter of Wishes, please read the following notes.**

1. This documentation has been produced as a guide for consideration by you and your legal advisers. The contents of the Letter of Wishes will depend on your individual circumstances and Legal & General (as defined in Clause 2.3 of Part A of this Letter) and its advisers accept no responsibility for ensuring that the Letter of Wishes meets your requirements.  
  
It is important to remember that you should give your trustees as much information as possible about how you wish them to run the trust, so as to put them in the best position to do this.  
  
It is also very important that you regularly review your Letter of Wishes and update it as your circumstances, or those of your children, change.
2. Under this Letter of Wishes you (the Settlor/Donor/Grantee) set out your intentions and wishes to the Trustees of your Trust about how they administer the Trust and, in particular, how they exercise the discretionary powers you have conferred on them. The Letter is a guide to the Trustees and it will not be legally binding on the Trustees.
3. You should be aware that Beneficiaries may have a right to see this Letter, but this will depend on the particular circumstances. The Letter should not be signed before the Trust Deed has been completed.
4. Legal & General has drafted this Letter of Wishes to reflect the law at the time of this publication. Legal & General and its advisers cannot accept any responsibility for loss, damage or other claim that may arise from the use of this Letter of Wishes or the way in which you complete it. We therefore strongly recommend that you consult your own legal adviser before proceeding. Failure to understand the terms of this Letter of Wishes may affect its suitability and effectiveness.
5. Use CAPITALS and black or blue ink throughout. If you make a mistake while completing the Letter of Wishes, please correct the error by crossing out (do not use correction fluid) and the Settlor/Donor/Grantee should initial by the change.
6. By signing this form, 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.

## Letter of Wishes to the Trustees of the Declaration of Trust

The Settlor/Donor/Grantee should read Important Notes on page 1 before completing the Letter of Wishes.

### Policy number

Please provide the policy number in the space below.

**A**

### Letter of Wishes

Please insert the date of the Declaration of Trust in the box.

Please insert the full names of the Settlor/Donor/Grantee and the original Trustees of the Declaration of Trust in the spaces marked (1) and (2) respectively.

To the Trustees for time being of the Declaration made on

Between (1)

And (2)

#### 2. Construction

- 2.1 In this Letter of Wishes words importing the singular shall include the plural and vice versa.
- 2.2 The notes in the margin are for the purposes of information only and shall not be used in the construction of this Letter of Wishes or any part of it.
- 2.3 Legal & General shall mean Legal & General Assurance Society Limited.

**B**

### The letter

This letter is intended to explain the aims which you had in mind in setting up the Trust, your family background, other relevant circumstances and the principles which you think are relevant.

Insert here what you believe is the main purpose of your Trust.

For example, "To provide for my children throughout their education."

If applicable, include details of any of the following: the priority which you foresee amongst the Beneficiaries, whether certain Beneficiaries should only receive funds in the case of death of all your children or whether a spouse/civil partner takes a special position.

For example, "My wife should take priority over the rest of the Beneficiaries."

If applicable, include details of factors that you would want to be considered by the Trustees when they are dividing monies between classes of Beneficiaries.

For example, "My four daughters should get 50% of the total and this should be split in equal shares."

The Declaration (specified in Part A) confers discretionary powers on you and I appreciate that I cannot fetter your discretion or determine the way in which you exercise your powers. In the hope that this may be of help to you in exercising your discretionary powers within the Declaration, but without imposing any that or other binding obligations on you or seeking to prevent you from acting as you think best in light of changing circumstances, I would ask you to have regard to my wishes expressed below.

#### Overall aims

#### Beneficiaries – priority amongst beneficiaries

#### Principles of selection amongst beneficiaries and factors to be taken into account

**B****The letter continued**

If applicable, insert details.

For example, "My son, David, should not receive payments from the Legal & General life assurance policy until he is 18."

**Ages at which beneficiaries should receive all or part of the income or all or part of the capital****The position of spouses or civil partner of beneficiaries, particularly in relation to divorce**

If applicable, insert details.

For example, "If any of my children should divorce, I would not wish any funds to be transferred to their former spouse."

**Consultation**

Insert the details of particular people whom you would want the Trustees to consult with.

Details of professional advisors to be consulted should also be included in here.

My wishes are subject to any amendments which I may communicate to you either orally or in writing during my lifetime.

**C****Signatures**

The Settlor/Donor/Grantee signature(s) can be witnessed but this is not essential.

If there is no Second Settlor/Donor/Grantee then leave the box blank.

Signature

Date  
(DD/MM/YYYY)

**First (or sole) Settlor/Donor/Grantee****Second Settlor/Donor/Grantee****Witness****Witness**

In the presence of witness (full name of witness)

Signature of witness

Address of witness

Date  
(DD/MM/YYYY)

Place

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## Alternative formats

Please let us know if you would like a copy of this in large print, braille, PDF or in an audio format. To do this, you can call us on **0370 010 4080**. We may record and monitor calls. Call charges will vary.

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

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Registered office: One Coleman Street, London EC2R 5AA

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W13092 11/2023

