PRESENTER



Aimee Mitchell, TGT Legal, Auckland

Aimee specialises in trusts and wealth and succession planning for families and entrepreneurs. She has extensive experience of advising individuals, families, family offices and trustee companies on the establishment, restructure, management and administration of trusts and other family wealth structures. Aimee is dual qualified in NZ and England and Wales and is also qualified as a Chartered Tax Adviser (UK).

The statements and conclusions contained in this book are those of the author(s) only and not those of the New Zealand Law Society. This book has been prepared for the purpose of a Continuing Legal Education course. It is not intended to be a comprehensive statement of the law or practice, and should not be relied upon as such. If advice on the law is required, it should be sought on a formal, professional basis.

CONTENTS

1.	. VARIATION OF TRUSTS	1
2.		
	MODIFICATION OR EXCLUSION OF TA2019 DEFAULT DUTIES	
	OUTDATED REFERENCES	∠
	MAXIMUM DURATION	∠
	INDEMNITY AND EXCLUSION OF LIABILITY CLAUSES	5
	CONFIDENTIALITY AND DISCLOSURE	5
3.	HOW TO VARY	7
	EXERCISE OF EXPRESS POWERS OF VARIATION	
	CAN A POWER OF VARIATION BE USED TO ADD OR REMOVE BENEFICIARIES?	9
	WHEN MIGHT A VARIATION CONSTITUTE A RESETTLEMENT FOR TAX PURPOSES?	10
	OTHER POWERS THAT CAN BE USED TO AFFECT A VARIATION	11
4.	VARIATION BY TRUSTEES UNDER THE TA2019	13
5.	VARIATION BY TRUSTEES WITH THE APPROVAL OF THE COURT	15
6.	. CONCLUSION	21