PRESENTER



Juliet Moses, TGT Legal, Auckland

Juliet is a partner at TGT Legal, a boutique trust and private client law firm based in Auckland. She specialises in trusts, personal asset planning and superannuation and is a regular presenter of seminars and author of articles on issues arising in those areas. Juliet has spoken at several NZLS conferences, ADLSi conferences, and at STEP (Society of Trust and Estate Practitioners) and NZICA events. She is the chair of the STEP education committee and also published a chapter in the CCH 2011 edition of the Master Trusts Guide on the Termination and Insolvency of Trusts.

The statements and conclusions contained in this paper are those of the author(s) only and not those of the New Zealand Law Society. This booklet 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

CLAIMS RELATING TO FAMILY TRUSTS ON A RELATIONSHIP BREAKDOWN 1		
	Introduction	1
	PROPERTY (RELATIONSHIPS) ACT 1976 (PRA)	2
	FAMILY PROCEEDINGS ACT 1980	
	Non-statutory remedies	6
	Sham	7
	ALTER EGO	10
	ILLUSORY TRUSTS	12
	POWERS AS PROPERTY	13
	CONSTRUCTIVE TRUSTS	15
	CONCLUSION	17