

Deed of Appointment and Retirement of Trustees

Please follow the guidance notes at the end of this form.

The deed is made on

Date / /

Please use **BLOCK CAPITALS** and full names throughout this form.

Incomplete or illegible deeds will cause delay.

The present trustees are:

If you make alterations, please sign in the margin next to them.

Of the Present Trustees, the following are also **'Retiring Trustees'**

The Appointors are:

The New Trustees are:

Whereas

This Deed is supplemental to the policy or policies of assurance detailed below.

Policy number	Sum assured	Premium	Effective date
			/ /
			/ /
			/ /
			/ /

The said policy or policies and all monies payable thereunder (the **Policy**) are held subject to a trust (the **Trust**) created on

Date / /

under section 11 of the Married Women's Property Act 1882 / by a trust declaration of that date.

Now this deed witnesses that

- 1. This paragraph only applies if at least one New Trustee is named
The Appointors have the power of appointing the New Trustees to the Trust, and the New Trustees are willing to be so appointed. The Appointors, in exercise of the said power, hereby appoint the New Trustees to be trustees of the Trust.
- 2. This paragraph only applies if at least one Retiring Trustee is named
The Retiring Trustees wish to retire. The Present Trustees and the Appointors consent thereto and have agreed that the Retiring Trustees shall be permitted to resign and shall be discharged from the Trust.
- 3. From the date of this Deed, the Policy shall vest in the New Trustees (if any) together with any Present Trustees not named as Retiring Trustees (if any).
- 4. The parties hereby certify that this instrument falls within Category A in the Schedule to the Stamp Duty (Exempt Instruments) Regulations 1987.
- 5. The construction validity and effect of this Deed shall be governed by English Law.

In witness whereof

The parties have entered into this Deed on the date first written above.

Signed as a deed and delivered by the Present Trustees

(1) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(2) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(3) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(4) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____

Signed as a deed and delivered by the Appointors

(1) Appointor's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(2) Appointor's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(3) Appointor's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(4) Appointor's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____

Signed as a deed and delivered by the New Trustees

(1) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(2) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(3) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____
(4) Trustee's signature	Witness' signature
_____ Name and address	_____ Name and address
_____	_____
_____	_____

Guidance notes for Deed of Appointment and Retirement of Trustees

When to use this Deed

This Deed form is only suitable where a trustee has agreed to retire and/or a new trustee has agreed to be appointed. It is not suitable for situations where you wish to remove a trustee but have not been able to get his or her agreement to this.

Please note that the original trust document may restrict the people who can appoint or become a new trustee. It is important to consider the terms of the trust before using this Deed. Note that after the appointment and retirement, there must be at least two trustees but no more than four trustees.

Although Lincoln Assurance Limited has taken great care in preparing this form for your use, we do not give legal advice and so we cannot accept responsibility that the information given is accurate or up to date or that the suggested form of wording is appropriate to your circumstances.

Please read the form of Deed and the guidance notes carefully and, if you are in any doubt, you should take independent advice on the suitability and taxation implications of using this Deed form. If you do make any hand-written amendments to this form, each signatory should sign or initial next to those amendments.

How to complete the Deed form

On the first line, write the date when the Deed is to take effect, which should normally be the date when it is signed.

Present Trustees

- List all trustees who are now acting, including any retiring trustee but not any person who has died or who will be appointed by the Deed. Often the settlors will be trustees.
- If there are no trustees (e.g. where the last trustee has died) then the present trustees are the personal representatives of the last surviving or last continuing trustee.
- Strike out any space not used.

Retiring Trustees

- If any of the Present Trustees will be retiring under this deed, list their names here.
- Strike out any space not used.

Appointors

- List the names of all the people who have power of appointing new trustees.
- Strike out any space not used

New Trustees

- If any new trustees are to be appointed, list all the people who are to be made trustees.
- The trust document may restrict your choice of trustee.

- In any event, the new trustee should be capable of acting, which means in particular that the person must be over 18 and must not be subject to any mental or other incapacity.
- Strike out any space not used.

Next, complete the section headed **whereas**

- Complete the table carefully as this information identifies the policy or policies to be affected.
- In the paragraph underneath the table, insert the date of the Trust (for example the date of a trust document or trust request form completed when the policy was first issued or, if the trust is a Married Women's Property Act trust, this will be the date when the policy was first effected).
- If the policy was effected in trust under the Married Women's Property Act 1882, then delete the words 'by a trust declaration of that date'. Otherwise, delete the words 'under section 11 of the Married Women's Property Act 1882'.

Signing and Witnessing the Deed

Once completed, the Deed should be signed as a deed and delivered by each person who is required to do so.

The people who must execute the Deed are

- Each Present Trustee (if one or more of them to retire); and/or
- Each Appointor (in all cases); and/or
- Each New Trustee (if one or more is to be appointed).
- Each signatory must sign in the presence of a witness and the witness must also sign and give his or her name and address in the space provided. Every signature space that is not required should be struck through or marked 'not applicable'.

A witness must be someone independent and someone who is not connected with the Deed, so the signatories cannot witness one another's signatures and the witness cannot be a member of the signatory's family.

Once the Deed has been completed and executed

Once the Deed has been completed and executed it should be sent to Lincoln Assurance Limited at Barnett Way, Barnwood, Gloucester, GL4 3RZ. Otherwise, we will be unable to act upon the changes made by this Deed.

We will make a note of the Deed and return the original to the trustees for safe keeping. The Deed is an important document and should be kept with the policy documents.