

### General Details of Discretionary Trust

Date of Discretionary Trust: \_\_\_\_\_  
*The date should be the day on which both the Settlor and Trustee sign the Trust Deed*

Name of Settlor: \_\_\_\_\_  
*The person who settles the Trust must be a person unrelated to the range of Beneficiaries under the Trust such as an accountant*

Name of Discretionary Trust: \_\_\_\_\_  
*Unlike choosing a Company name there is no prohibition on the name chosen for a Discretionary Trust. It should be kept in mind however that you will need to cite the name of the Trust in all transactions. It is not necessary to include "the" at the start of the name of the Trust, but include the word "Trust" at the end*

Name of Principal Beneficiaries: \_\_\_\_\_  
*Where a Discretionary Trust is being established for the benefit of a family, it is not necessary that parents and children are specifically named as Principal Beneficiaries. You can either refer specifically to the parents or the children*

State of Applicable Law:    QLD    NSW    VIC    ACT    NT    SA    TAS    WA  
*Please circle the relevant option*

Name and Address of Client: \_\_\_\_\_  
*The details of the person(s) to whom the Trust Deed will be sent for signing should be inserted here as if they were to appear on the top of the letter*

Salutation: \_\_\_\_\_  
*For the letter, it is only necessary to type the name/s. The word "Dear" is already in the document*

### If the Trustee is a company

Name and ACN: \_\_\_\_\_  
*Including ACN for example YOUR COMPANY PTY LTD ACN 000 000 000*

### If the Trustee(s) are individual(s), there must be at least two and no more than four individuals

Name of First Trustee: \_\_\_\_\_  
*Whenever an Individual is to be referred to in the Trust Deed their full names should be used (including any middle names)*

Name of Second Trustee: \_\_\_\_\_

Name of Third Trustee: \_\_\_\_\_

Name of Fourth Trustee: \_\_\_\_\_

**SUCCESSION DETAILS**

*The Principal is the person who has the power to remove and appoint Trustees of the Trust without their consent. You can if you wish appoint a Successor Principal who will automatically assume that position on the death of the First Principal*

**Where Succession is Controlled**

*A Successor Principal is often specified in the Deed to provide certainty of succession of that role to that person. This can be effectively locked in by removing the power of the First Principal to replace the Successor Principal without consent*

Name of First Principal: \_\_\_\_\_

*The Principal is the person who has the power to remove and appoint Trustees of the Trust without their consent. You can appoint more than one person to act as the First Principal. Whenever an Individual is to be referred to in the Trust Deed their full names should be used (including any middle names)*

Name of Successor Principal: \_\_\_\_\_

*The Principal is the person who has the power to remove and appoint Trustees of the Trust without their consent. You can appoint more than one person to act as the Successor Principal. Whenever an Individual is to be referred to in the Trust Deed their full names should be used (including any middle names)*

Can a First Principal retain the power to change the Successor Principal?

Yes

No

*If YES is selected, the power to appoint and remove a Successor Principal cannot be exercised without the consent of the Successor Principal. If NO is selected, the First Principal can remove and appoint Successor Principals while the First Principal continues to act*

**Where Succession is NOT Controlled**

Name of Principal(s): \_\_\_\_\_

*The date should be the day on which both the Settlor and Trustee sign the Trust Deed*

**PAYMENT FORM**

Please forward these details together with the completed instruction sheet

**CONTACT NAME:** .....

**FIRM NAME:** .....

**TELEPHONE NO:** ..... **FAX NO:** .....

**DELIVERY ADDRESS:** .....

.....

.....

**DELIVERY EMAIL:** .....

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**Credit Card Payment**

Card Type (*please circle*):    Mastercard    Visa

Card No.: .....

Expiry Date:         / .....

Amount: \$330.00 .....

Name of Cardholder: .....

Signature: .....

Once complete email instruction sheet and payment details to the Legal Resource Club – Fax 07 3252 1355 or Email [clearlaw@clearlyhoare.com.au](mailto:clearlaw@clearlyhoare.com.au)