



Family Discretionary Trust

1. Who controls the Trust? - The Appointor

Appointor(s) Full Name	First Name	Middle Name	Surname
Residential Address			

The Appointor (guardian) controls the Trustee and therefore controls the trust. The Appointor can dismiss the Trustee at any time. The Appointor can also be the Trustee. The Appointor can be a Company.

2. Who is the Settlor?

Settlor(s) Full Name	First Name	Middle Name	Surname
Residential Address			

The Settlor is the person who legally establishes the Trust but will never be a beneficiary.

3. Who is the Trustee

Trustee(s) Full Name (and ACN Number if a company)	
Trustee Address	

The Trustee is the figure head of the Trust but is governed by the Appointor. The Trust assets are usually in the name of the Trustee. The Trustee can be a company or a person. The Appointor and the Trustee can be the same entity. NB:

4. What happens after the Appointor(s) dies? – Appointor Succession

The Appointor (after the first Appointor(s) dies)	
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The assets of the Trust don't form part of the Appointor's personal estate. On the death of the Appointor it is important to work out who will then control the Trust.

5. Who is the Guardian?

Guardian(s) Full Name (and ACN Number if a company)	
Guardian's Address	

The Guardian's role is to protect the interests of the beneficiaries. The Trustee will need to obtain the Guardian's consent to do certain things, such as amending the terms of the trust deed, excluding a beneficiary or appointing a new beneficiary or making certain types of distributions. The Appointor and Guardian can be the same person.

6. Who gets the income of the trust if the Trustee does not make a distribution?

Specified Beneficiaries	
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If the Trustee fails to make a distribution of income, there must be a default person(s) to take the income. In a Family Trust the Specified Beneficiaries are commonly the husband and wife and/or their children.

7. Name of the Trust?



The	Trust
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Fees (as at July 2022) - \$715 including GST, but plus disbursements (for 2 bound copies of the Trust Deed)

There is an additional cost if you require a corporate trustee (i.e a company) to establish, which will be \$1,320.00 inclusive of GST (includes a full company folder, Constitution, minutes and all required ASIC forms).

Changes to these instructions incur additional costs. Our lawyers are available to provide advice. The cost is \$577.50 / hour inc GST.

Signed by:

		Date: ____/____/____
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Who warrants he/she has the capacity to commit the client to the above-mentioned instructions.

Full name(s) ACN

Our address is:

Contact: W: F: M: H: