

Sagacious Asset Protection
Trust Education 9
The Protector

DISCLAIMER

The information shared in this presentation is for information and education purposes only, and must not be taken as personal advice or a recommendation.

Due to the extensive nature of information relating to Trusts what we share in this presentation is an overview and must not be construed as being complete or entire.

It does not take into account your personal circumstances needs, requirements or financial objectives.



Appointing A Protector



It is not essential to have a Protector.

The decision lies initially with the **Settlor**.

It is based upon a number of factors including:

The size and complexity of the **Trust**.

Concern about the acumen of the **Trustees**.

Concern about any particular **Beneficiary**.

The personal circumstances of the **Settlor**.



Appointing A Protector



Should the **Settlor** not appoint a **Protector** initially, then the **Trust Deed** must provide for a **Protector**

to be appointed at a later time, by

the **Executive Manager**, or

a majority decision of the **Beneficiaries**



The Protector



Should be a totally independent person and not related by blood, marriage, adoption or employment to:

The Settlor

The Executive Manager

Any Trustee

Any Beneficiary



The Protector



Within the **Trust Deed** the **Protector** has the right, the responsibility, and authority to:

Mediate any issues between **Trust Members** about Trust affairs.

Review and make changes to salaries, fees, and charges.

Protect the **Trust Fund**.

Dismiss a Trustee.

Act in good faith for the benefit of the **Beneficiaries**.



Removing The Protector



The **Executive Manager** or a majority decision by the **Beneficiaries** may remove a **Protector** if the **Protector** has:

1. Not acted in the best interest of the Beneficiaries, or
2. Breached any of the terms, conditions or provisions of the Trust Deed, or
3. Acted or behaved in a manner that distracts from or inhibits the smooth running and functioning of the Trust.

