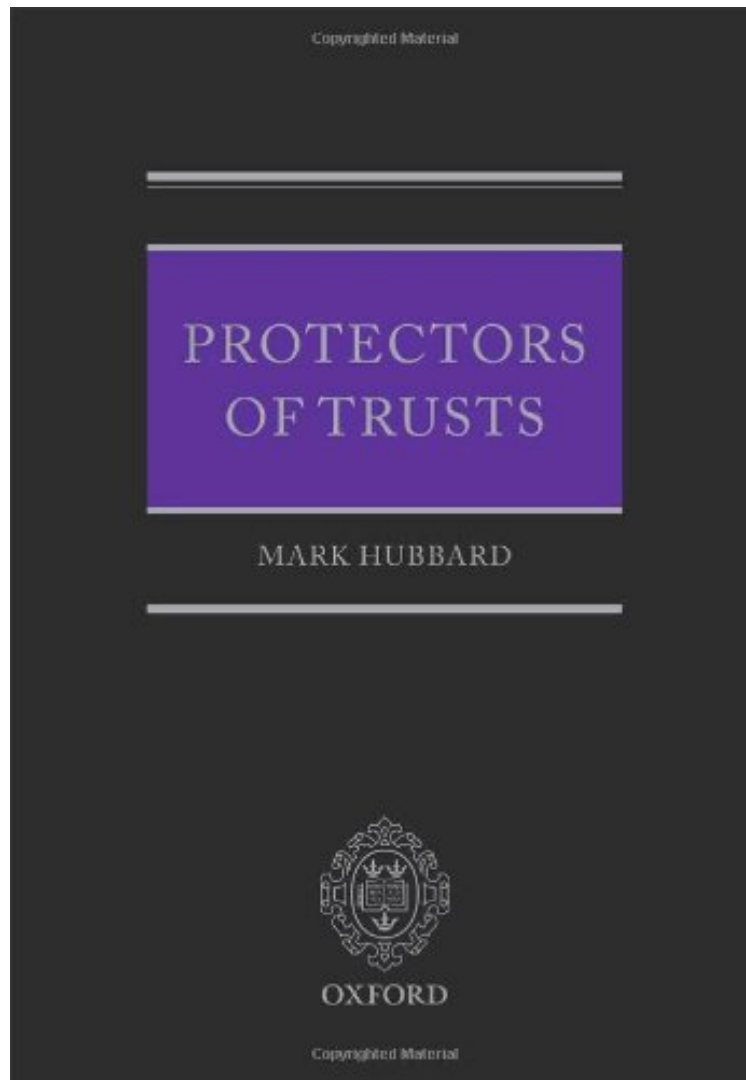


(Read ebook) Protectors of Trusts

Protectors of Trusts

Mark Hubbard

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Mark Hubbard : Protectors of Trusts before purchasing it in order to gage whether or not it would be worth my time, and all praised Protectors of Trusts:

0 of 0 people found the following review helpful. Responsible for Trusts?By Phillip Taylor MBE[[VIDEOID:mo2QYNRC5KOBYPBH]]YOU NEED THIS BOOKAn appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green ChambersIf you are a practitioner already specializing in trusts you will no doubt already know what a protector is. In which case, you will welcome the recent publication of this book from the Oxford University Press as being just the in-depth examination you may well have been looking for as to the powers and duties of protectors. However, if you are not entirely familiar with the concept of `protector of trusts' this book will

enlighten you. Either way, the book is particularly helpful to those involved in international law. As author Mark Hubbard explains, the book 'considers protectors in the context of what has been termed international trust law as, it is argued, it applies to international trusts.' adding that the book 'does not set out to provide a comprehensive statement of the law of any one of the two dozen or so jurisdictions that are mainly referred to.' 'Yes, the book does cover -- or touches on -- just about all the offshore jurisdictions you can think of, from Anguilla to San Marino, the Seychelles and the Turks and Caicos Islands. Malaysia, Malta and Mauritius are also included. A very useful volume this, for anyone with clients involved with offshore trusts. That said, the author states that the book is not about tax, as tax issues are specific to the individuals and the relevant jurisdictions involved. Rather, in the words of the author, the book is intended 'as a comprehensive practitioner work... academically rigorous and practical in its approach'. As pointed out by Hayton J's Foreword, the use of protectors has expanded dramatically over the last forty years, thus requiring practitioners to become fully aware of the issues resulting from their use. Apparently though, there was little or no mention of protectors in the standard references on trusts until about 1995. Hubbard reveals that he had the idea for this particular topic while in the Bahamas engaged in litigation involving protectors. The recent publication of this book by OUP is therefore nothing if not timely. A 'protector' of course is tasked with a number of responsibilities referred to in this book and may generally be defined, according to the author's suggestion as 'generally speaking, a person or company appointed by the settlor (of the trust) to reflect his views whilst being legally independent of the settlor.' 'A protector is thus envisaged,' adds the author, 'as protecting the settlement either from the trustees, or from the unintended consequences of giving the trustees wide powers for deliberately undefined or ill-defined objects.' Clear, succinct and approachable, the book covers the various powers and duties assigned to protectors, together with related issues, including indemnity and remuneration... liability... litigation by and against protectors... and more. And for your further research, there are extensive tables of cases, and statutes, a detailed index and three appendices. For those practicing in this increasingly important aspect of international law, this authoritative volume should be regarded as an indispensable acquisition. The law is intended to be stated as at 1 February 2013.

A protector is a person appointed under the trust instrument given powers in relation to the administration of the trust. The modern use of protectors came about because settlors of international trusts were concerned about the risks involved in transferring their assets to trustees in distant countries. Protectors are now a common and important feature of trust structures, as used in many international financial centres. *Protectors of Trusts* is the ideal first port of call for anyone who needs to know about trust protectors, whether from a contentious or a non-contentious perspective and aims to provide a comprehensive treatment of the subject. Written by a leading practitioner from New Square Chambers, this title draws together the law of protectors which, like the jurisdictions of the trusts they protect, is found in cases and statutes scattered around the world. Practical in approach, this book analyses the relevant case law and statutory provisions, and provides detailed guidance on the use of protectors as well as coverage of the disputes which arise from their misuse. This work comprehensively covers the subject, with chapters on appointment and removal of protectors; powers; duties; remuneration and indemnity; liabilities; litigation by and against protectors and on enforcers of non-charitable purpose trusts.

Mark Hubbard has just had his splendid book on Protectors published. No trust library worthy of the name can be without it. * Anthony Molloy QC, Shortland Chambers * This book is extremely wide in scope yet provides sufficient detail to be of use to the domestic practitioner. The drafting points included at the end of every chapter and again at appendix one are particularly strong. Although the text covers over twenty jurisdictions, it does so in a way that is neither overwhelming nor cluttered, but instead provides useful context. This is quite a useful volume for the private client practitioner or draftsman to add to their library. * Henry Frydenson MBE, Chairman of ACTAPS and Principal of Frydenson Co * Protectors are an essential aspect of the administration of offshore trusts. At last this new area of trust law has the deep analysis that it needs. Everyone with an interest in offshore trusts will benefit from a careful study of Mark Hubbard's book. * James Kessler QC, Tax Chambers * This comprehensive book, which meets the author's intention of being both academically rigorous and practical in its approach, provides very necessary analysis and guidance of a role that refuses to live a simple life. ... This is to be commended as a comprehensive reference work for advisors. * Robert Clifford, STEP Journal * Mark Hubbard has provided a fine text to aid the litigator in the rapidly expanding field of trust protectors. This scrupulously researched text has been in the making since 2006, and the level of care and attention to detail spent in the intervening years is clear. This book is extremely wide in scope yet provides sufficient detail to be of use to the domestic practitioner. * Henry Frydenson, Trusts Trustees * About the Author Mark Hubbard, Barrister, New Square Chambers Mark Hubbard specialises in commercial and chancery litigation and advisory work, with an emphasis on offshore trust and company cases, company and insolvency, trusts and administration of estates, negligence of legal professionals and conflicts of laws. John Eidinow has a chancery litigation practice specialising in trusts both domestic and offshore, wills, probate and the administration of estates, and Inheritance Act claims, and also has much experience of litigation in related claims involving professional

negligence, real property, and personal insolvency.