



When a trustee applies to the Court in Jersey or Guernsey for Court approval of a decision it has taken in the course of its administration of the trust. On the webinar we will discuss:

- what Court approval achieves,
- what you need to achieve it,
- on which occasions it is appropriate,
- what documents you need to produce
- some recent caselaw

Courts in both jurisdictions have looked with approval to the seminal English case of *Public Trustee v Cooper* when considering an application by trustees invoking the assistance of the Courts in their administration of a trust. That case set out four common situations when a trustee may approach the Court for its assistance:

- The first category is when a trustee wishes direction from the Court as to whether a certain action is within the trustee's powers.
- The second category is when there is no real doubt as to the nature of the trustee's powers and the trustee has decided that it wants to exercise them in a certain way but because the decision is particularly momentous
- The third category is what is called a surrender of discretion.
- The fourth category concerns hostile litigation

This seminar will focus on the second category. In making an order giving the trustee's momentous decision its blessing, the Court is making a declaration that the trustees' proposed exercise of its power is lawful. We will look at the factors the Court takes into consideration in deciding a momentous decision blessing application.

Timings

12:00pm - 1:00pm (BST)

How to join

Please [click here](#) to register for the webinar.

If you have any questions please contact [Holly Gwyn-Griffiths](#).