

SCHEDULE 18 TRUSTS

PART 6

INTERPRETATION

Meaning of “bare trust”

- 19 In this schedule, a “bare trust”—
- (a) is a trust under which the property is held by a person as trustee—
 - (i) for a person who is absolutely entitled as against the trustee, or who would be so entitled but for being under a legal disability by reason of non-age or under another disability, or
 - (ii) for two or more persons who are or would be jointly so entitled, and
 - (b) includes a case in which a person holds property as a nominee for another.

Meaning of “absolutely entitled”

- 20 The references in paragraph 19 to a person being absolutely entitled to property as against the trustee are references to a case where the person has the exclusive right, subject only to satisfying any outstanding charge, lien or other right of the trustee—
- (a) to resort to the property for payment of duty, taxes, costs or other outgoings, or
 - (b) to direct how the property is to be dealt with.

Meaning of “settlement”

- 21 In this schedule, “settlement” means a trust that is not a bare trust.