



Trusts and Succession (Scotland) Act 2024

2024 asp 2

PART 1

TRUSTS

CHAPTER 6

PRIVATE PURPOSE TRUSTS

Supervisors

PROSPECTIVE

50 Rights and remedies of supervisor

- (1) Except in so far as the trust deed, expressly or by implication, provides otherwise, the supervisor of a private purpose trust has the same rights as a beneficiary would have—
 - (a) to bring an action, or make an application to the court, in respect of the trust,
 - (b) to be informed by the trustees of the terms of the trust deed,
 - (c) to receive information concerning the trust and its administration from the trustees, and
 - (d) to inspect, and take copies of, the trust documents.
- (2) [Subsections \(4\) and \(6\) to \(9\) of section 30](#) apply to a disclosure to a supervisor by virtue of [subsection \(1\)](#) as they apply to a disclosure to a beneficiary by virtue of [subsection \(1\)\(a\)](#) of that section.
- (3) The supervisor has, in the performance of the supervisor's duties as respects the private purpose trust, the same rights as a trustee would have—
 - (a) to protection and indemnity, and
 - (b) to make an application to the court for—
 - (i) an opinion,
 - (ii) advice or direction, or

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Trusts and Succession (Scotland) Act 2024, Section 50. (See end of Document for details)

(iii) relief from personal liability.

- (4) In the event of a breach of trust, the supervisor has, on behalf of the private purpose trust, the same remedies against the trustees or a third party as a beneficiary would have.
- (5) [This section](#) applies irrespective of when the trust was created.

Commencement Information

II S. 50 not in force at Royal Assent, see [s. 88\(3\)](#)

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