



PRIVATE WEALTH

Protector & Enforcer Services

Enabling appropriate checks and balances is a critical component in carefully created trust structures.

The role of a protector or enforcer is to ensure that the terms of the trust are adhered to by the trustee. Unless stated otherwise in the deed, their powers are fiduciary and must be exercised in the best interests of the beneficiaries.

Conflicts of interest can occur where the protector is also a beneficiary, or provided by the Trustee. Additionally, regulation has made the role of a protector and enforcer more complex and previously traditional parties may be reluctant to assume the role today.

Using a professional protector ensures that clients and their structures benefit from complete independence, objectivity, continuity of service and the application of the highest standards in decision making.

A professional protector or enforcer can also be a useful alternative for families looking for a more robust solution to their planning needs.

Through the use of either individual or corporate protectors and enforcers, Group Eleven is able to deploy its highly experienced team of qualified trustees and administrators to provide client families with the comfort of knowing that their trustees will be appropriately held to account.

Powers provided to protectors can be positive (i.e. they are able to instruct) or negative (i.e. their consent is required). Typical powers include:

- **Appointment and removal of trustees**
- **Addition and removal of beneficiaries**
- **Changes to the proper law of the trust**
- **Approval of distributions to beneficiaries**
- **Amendment of the terms of the trust**
- **Approval of the level of trustee remuneration**