

STEP DIPLOMA IN INTERNATIONAL TRUST MANAGEMENT

Exemption Claim Form: Please complete in BLOCK CAPITALS

www.cltint.com/stepdiplomaint

1. Personal and Professional Details

Title (e.g. Mr/Mrs): _____
First Name(s): _____
Family Name(s): _____
Date of Birth (optional):
Gender: Male Female
Address: _____

Town: _____ City: _____
Country: _____
Postcode: _____
Telephone Number Daytime: _____
Telephone Number Evening: _____
Email: _____

Employer Details

Employer: _____
Employer Address: _____

Town: _____ City: _____
Country: _____
Postcode: _____
Employer Contact Name: _____
Employer Contact Job Title: _____
Employer Contact Email: _____
Employer Contact Telephone No: _____

For office use only

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To return this form

By Post:
CLT International
Wrens Court, 52/54 Victoria Road
Sutton Coldfield, Birmingham
B72 1SX, England

By Fax:
+44 (0) 121 362 75 10

By Email:
cltinternational@centlaw.com

2. Exemption Claim Details

Please tick the appropriate box to indicate the subject for which you are claiming exemption (a separate claim form is required for any additional applications)

Trust Creation: Law and Practice

 Company Law and Practice

 Trust Administration and Accounts

 Trustee Investment and Financial Appraisal

Qualification(s) upon which your claim is based

1. Awarding Body: _____
Name and date of award: _____

2. Awarding Body: _____
Name and date of award: _____

Please enclose verification that each relevant prior qualification has been obtained and the syllabi for those qualifications

3. Payment Method

The fee for each exemption application is £150 (+ UK VAT if applicable)*

I enclose a cheque/bankers draft made payable to CLT International

I authorise you to debit my Credit Card

Card Type: Master Card Visa Visa Debit

Name of Cardholder: _____

Credit Card Number: _____

Security Code: Card Expiry Date:

Issuing Bank: _____

Payment Amount: £ _____

Signature of Applicant: _____

Date:

Please invoice my employer who has agreed to pay the fee

Signature of Employer: _____

Date:

I have made an electronic bank transfer to:

CLT International Ltd
Barclays Bank Plc, Level 22, 1 Churchill Place, London, E14 5HP
Sort Code: 20-82-94 Account No: 30568392
Ref (your name): _____

*Please note that VAT is payable at 20% in addition to the course fee if the payer is a private individual or if the payer is a business based within the UK.

Diploma in International Trust Management: Trust Administration and Accounts

GUIDANCE NOTES

EXEMPTION CRITERIA

- Applications for exemption from the Diploma papers will be considered in cases where there is a very close correlation between a previously obtained qualification and the Diploma paper from which exemption is sought, both in content and in level.
- Professional experience is generally not relevant for the purposes of exemption, the criterion being qualification focused. It may be considered though in certain circumstances where the like-for-like coverage of the Diploma syllabus by the applicant's qualification(s) is significant but is not complete.
- There will be a maximum of two possible exemptions from the four Diploma papers.
- Each application will be considered on a case by case basis.

MAKING YOUR APPLICATION

In order to demonstrate that your prior qualifications meet the exemption criteria you will need to:

- Provide details of your qualification(s) on page 3, identifying the name of the qualification, how the course was examined and the date on which you passed.
- Provide evidence that you have obtained the qualification (i.e. final certificate, transcript) on which you are basing your application. The official syllabus of the qualification will also need to be submitted.
- Complete all boxes in the main body of the form (page 4 onwards), stating the part of the course on which the topic was studied underneath the heading "Relevant Modules". Please provide as much detail as possible (see example below).
- Submit your exemption form via post, fax or scan and email.

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E.g.

STEP Topic	Qualification	Relevant Modules
<ul style="list-style-type: none">Domestic and the international (Eurobond) bond markets.	<i>Securities and Investment Institute (SII) Diploma</i>	<i>Bond and Fixed Interest Markets module:</i> <ul style="list-style-type: none"><i>s.6 (Domestic bond markets)</i><i>s.7 (International bond markets)</i>

Any decision made by the exemption committee as to eligibility will primarily be based upon the contents of the applicant's completed exemption form. We strongly recommend that all sections of this form are completed as thoroughly as possible.

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QUALIFICATIONS

Please enter below details of all the qualifications on which you are basing your application for exemption:

QUALIFICATION	DATE PASSED	GRADE OBTAINED	ASSESSMENT METHOD

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OVERVIEW: The Trust Administration and Accounts paper covers accounting for offshore trusts and asset-holding companies and trustee record keeping, with a detailed look at the management of trust assets and the variation and termination of trusts.

MODULE 1: INTRODUCTION TO THE LAW IN RELATION TO TRUST BOOKKEEPING AND THE PREPARATION OF PERIODIC TRUST ACCOUNTS

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> • The duty owed by trustees in relation to trust records and accounts, specifically: <ul style="list-style-type: none"> • to keep accurate financial data of trust property that allow a history of the trust assets to be periodically constructed, and • to render a summary of the financial position of the trust to interested persons periodically and when called upon to do so. 		
<ul style="list-style-type: none"> • To whom the duty to account is owed. 		
<ul style="list-style-type: none"> • Consequences of failing to keep accurate financial records or failing to furnish accounts to persons entitled to them. 		

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<ul style="list-style-type: none"> Requirements as to form and content of a trustee's books and records, and the frequency and format of a trustee's periodic accounting. 		
<ul style="list-style-type: none"> The circumstances in which an audit of trust accounts may be necessary, and how auditors are retained and how they report their findings. 		

MODULE 2: INTRODUCTION TO TRUSTEE'S RECORD KEEPING

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> The need for a double-entry accounting system. 		
<ul style="list-style-type: none"> The fundamental accounting equation. 		
<ul style="list-style-type: none"> How to make simple ledger entries relating to a trust. 		
<ul style="list-style-type: none"> Structure of a trust ledger. 		
<ul style="list-style-type: none"> How modern practice uses IT systems in trust accounting. 		

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MODULE 3: TRUST ACCOUNTS

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> The purpose of preparing trust accounts. 		
<ul style="list-style-type: none"> Relevant factors that influence the form of trust accounts. 		
<ul style="list-style-type: none"> The nature of key financial statements. 		
<ul style="list-style-type: none"> How to draw up a simple set of annual trust accounts from straightforward data. 		
<ul style="list-style-type: none"> Accounting implications for a trustee in circumstances where the trust's assets are held through the medium of an underlying company. 		

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MODULE 4: ACCOUNTS OF OFFSHORE ASSET-HOLDING COMPANIES UNDERLYING A TRUST

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> The need for both company and trust accounts in circumstances when a company has been set up in order to hold trust assets. 		
<ul style="list-style-type: none"> Be familiar with the documents that comprise the essential elements of a set of final accounts of a company, and the basis on which the information contained therein has been prepared. 		
<ul style="list-style-type: none"> Understand where the information contained and set out in a set of offshore company accounts may well diverge from a set of typical trading company accounts. 		
<ul style="list-style-type: none"> Understand the information conveyed by a set of final accounts of a typical offshore company underlying a trust. 		
<ul style="list-style-type: none"> Prepare some elementary final accounts from information contained in the trust and/or company records. 		

Diploma in International Trust Management: Trust Administration and Accounts

<ul style="list-style-type: none"> Responsibilities of trustees when holding active trading or operating companies, including their fiduciary responsibilities and the need to monitor the accounts. 		
<ul style="list-style-type: none"> How to analyse the accounts of an active trading company to determine if the company represents undue risk to the trustee. 		

MODULE 5: TRUST MANAGEMENT – RESERVED POWERS AND ‘SHAM’

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> Why a settlor may wish to reserve powers to retain some control over trust assets, and how this is often achieved in the trust instrument. 		
<ul style="list-style-type: none"> The theory that supports the view that the greater the powers reserved by the settlor, the greater the risk that the trust may be set aside as a sham. 		
<ul style="list-style-type: none"> Provisions of modern reserved powers legislation, and its purpose and effect. 		

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<ul style="list-style-type: none"> Independent decision-making issues that apply to the management and investment of, and disposition from, a typical plain vanilla discretionary trust do not apply to a settlor-directed trust. 		
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<ul style="list-style-type: none"> How the trustee's conduct in administering a trust can give rise to a challenge on the grounds that it is a substantive sham, and how such risk can be avoided by adopting best practice. 		
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MODULE 6: TRUSTEE INVESTMENT – LAW AND PRACTICE

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> How a trustee's powers of investment evolved in England and how, historically, they were traditionally exercised. 		
<ul style="list-style-type: none"> How express investment powers may be conferred upon trustees by the trust instrument and how statutory powers of investment apply in default. 		

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<ul style="list-style-type: none"> The extent of the statutory powers of investment given to trustees in your jurisdiction. 		
<ul style="list-style-type: none"> The standard of care expected of a professional trustee when exercising his investment powers, both under the common law criteria and under new principles found in modern trust legislation. 		
<ul style="list-style-type: none"> Why it is necessary to obtain advice from, or to delegate your discretion as to when, how and where to invest, to investment advisers and qualified managers, having regard to the complexities of global investment opportunities. 		
<ul style="list-style-type: none"> The position with regard to a trustee's ability to delegate part of his fiduciary functions to agents, and how to ensure that, having properly delegated the investment function, you are duly protected from liability for loss suffered by the trust fund arising from the negligence or other default of the investment manager or adviser. 		

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MODULE 7: MANAGING TRUST ASSETS I – STOCKS, SHARES AND OTHER SECURITIES

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> Why it is prudent for a trustee to delegate his powers of investment. 		
<ul style="list-style-type: none"> Advantages of delegating the power to invest on a discretionary basis. 		
<ul style="list-style-type: none"> Appointing investment advisers/managers. 		
<ul style="list-style-type: none"> Investment objectives of a trust and risk profile. 		
<ul style="list-style-type: none"> Simple and a composite benchmarks for the trust investments. 		
<ul style="list-style-type: none"> Basic descriptions of different types of cash instruments, bonds, collective investment vehicles and equities. 		

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| <ul style="list-style-type: none"> Monitoring of the performance of a trust portfolio by: <ul style="list-style-type: none"> comparing performance with the benchmark by simple comparison, and making a detailed analysis of the securities that comprise the benchmark indices. | | |
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MODULE 8: MANAGING TRUST ASSETS II – REAL ESTATE

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> Ownership of real estate and how it is far more complex and time consuming, and involves far more responsibility, than ownership of a portfolio of stocks and shares. 		
<ul style="list-style-type: none"> Investment objectives of a trust that includes real estate. 		
<ul style="list-style-type: none"> The necessary of (and, if so, how to appoint): <ul style="list-style-type: none"> a property investment manager, and/or a managing agent. 		
<ul style="list-style-type: none"> A benchmark. 		

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<ul style="list-style-type: none"> How a real estate portfolio is created by the acquisition (and subsequent letting) of commercial, agricultural and/or residential property. 		
<ul style="list-style-type: none"> Investment performance of real estate held by trustees both in terms of net rental income and capital appreciation. 		

MODULE 9: MANAGING TRUST ASSETS III – MOVABLE CHATTELS

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> The extent of a trustee’s duty, and the procedural mechanics involved, in accepting chattels into trust or otherwise acquiring them by way of: <ul style="list-style-type: none"> voluntary transfer, and/or purchase. 		
<ul style="list-style-type: none"> Whether a trustee has the power to invest in the purchase of chattels and consider whether it is prudent to do so. 		

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<ul style="list-style-type: none"> • When to minimise the risks inherent in purchasing chattels and transporting works of art and antiquities across borders. 		
<ul style="list-style-type: none"> • The circumstances in which a trustee may acquire chattels for the purpose of enjoyment by a beneficiary. 		
<ul style="list-style-type: none"> • A trustee's special duties in relation to chattels, including the duty: <ul style="list-style-type: none"> • to prepare an inventory, • to protect the chattels and keep them safe, and • to insure. 		

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MODULE 10: MANAGING TRUST ASSETS IV – A CONTROLLING INTEREST IN THE SETTLOR’S FAMILY BUSINESS EMPIRE

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> Why a settlor may wish to transfer the shares in his private business to trustees. 		
<ul style="list-style-type: none"> A trustee’s standard of care to monitor the affairs of the business (held in trust) and supervise the actions of its directors, and how to apply that test to typical factual situations. 		
<ul style="list-style-type: none"> The importance of keeping informed of the company’s business activities and how to interfere in circumstances when you determine that action is required to protect the trust assets. 		
<ul style="list-style-type: none"> Modify the <i>Bartlett</i> duty (to monitor the affairs of the company) by the use of express exculpatory provisions in the trust instrument, indemnity, special purpose vehicles, private trust companies, etc. 		

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<ul style="list-style-type: none"> Discussions of estate planning options with a settlor for the continued good management of the company after his death. 		
<ul style="list-style-type: none"> Dispositive provisions of a typical trust of shares of a private company and related issues. 		

MODULE 11: DISTRIBUTIONS – LAW, PRACTICE AND PROCEDURE

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> A duty to distribute and a power to do so. 		
<ul style="list-style-type: none"> Typical dispositive powers conferred upon a trustee by: <ul style="list-style-type: none"> trust legislation, and common express terms of the trust instrument. 		
<ul style="list-style-type: none"> The rights enjoyed by the beneficiaries and the corresponding duties owed by the trustee in respect of different types of beneficial interests, particularly: <ul style="list-style-type: none"> a life interest, an interest in remainder, a contingent interest, and an interest under a discretionary trust. 		

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<ul style="list-style-type: none"> The trustee's duties when considering whether to distribute trust funds pursuant to a discretionary dispositive power. 		
<ul style="list-style-type: none"> Considerations that affect a trustee's decision-making process regarding distributions. 		
<ul style="list-style-type: none"> Appropriate distribution procedures typically adopted by trust companies. 		

MODULE 12: CONFIDENTIALITY AND COMPULSORY DISCLOSURE

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> How and why the duty of confidentiality arose and how it affects the provision of financial services. 		
<ul style="list-style-type: none"> When and in what circumstances a beneficiary is entitled to trust accounts and other information relating to the trust. 		

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<ul style="list-style-type: none"> When and in what circumstances a third party related to the trust, such as the settlor or the protector, is entitled to trust accounts and other information relating to the trust. 		
<ul style="list-style-type: none"> The extent of your public duty to disclose documents and other information relating to the trust to the regulator, the money laundering authority and/or the courts. 		

MODULE 13: VARIATION AND TERMINATION, ETC. OF TRUSTS

STEP Topic	Covered (✓)	Details of prior coverage
<ul style="list-style-type: none"> When and in what circumstances a trust may be revoked, varied or brought to an end by either one or more of: <ul style="list-style-type: none"> the settlor, the trustee, and the beneficiaries. 		
<ul style="list-style-type: none"> The rule in <i>Saunders v Vautier</i> and its limitations. 		
<ul style="list-style-type: none"> The circumstances in which the court may approve a variation of an existing trust. 		