

Suggested Clauses for Family Trusts



Your clients may have the bulk of their assets in a family trust and may wish to consider a distribution from their family trust to the Hawke's Bay Foundation as a beneficiary. The family trust deed will need to include any charitable trust or the Hawke's Bay Foundation as a discretionary final beneficiary.

A letter of wishes to the trustees of their family trust can then include one of the following clauses:-

1. Distribution of any amount to the Hawke's Bay Foundation to be added to the Community Impact Fund or one of the Special Purposes Endowment Funds

Distribute the sum of \$_____ [or ___% of the net assets of the trust] to the Hawke's Bay Foundation, an incorporated charitable trust (charities registration number CC28009), to be added to its Community Impact Fund. I direct that the receipt of any officer of the Hawke's Bay Foundation shall be a full discharge to my trustees.

2. Distribution of \$25,000 or more to the Hawke's Bay Foundation to establish a Named Endowment Fund

Distribute the sum of \$_____ [or ___% of the net assets of the trust] to the Hawke's Bay Foundation, an incorporated charitable trust (charities registration number CC28009), to be used to create an Endowment Fund named _____. A Memorandum of Wishes signed by me and dated _____ sets out my wishes regarding this endowment, including the charities or causes that I wish to benefit from distributions from this Endowment Fund. I direct that the receipt of any officer of the Hawke's Bay Foundation shall be a full discharge to my trustees.

3. Distribution of any amount to the Hawke's Bay Foundation to be added to an existing Named Endowment Fund

Distribute the sum of \$_____ [or ___% of the net assets of the trust] to the Hawke's Bay Foundation, an incorporated charitable trust (charities registration number CC28009), to be added to the Endowment Fund named _____ that I established by Deed of Gift and Memorandum of Wishes signed by me and dated _____. I direct that the receipt of any officer of the Hawke's Bay Foundation shall be a full discharge to my trustees.

4. Distribution to the Hawke's Bay Foundation as default beneficiary

IF ALL OF THE ABOVE TRUSTS FAIL, Distribute the net assets of the trust to the Hawke's Bay Foundation, an incorporated charitable trust (charities registration number CC28009) to be added to its Community Endowment Fund. I direct that the receipt of any officer of the Hawke's Bay Foundation shall be a full discharge to my trustees.

Contact Linda on 06 870 4648 or linda@hawkesbayfoundation.org.nz if you need any further assistance.