**Dated 20**

BETWEEN

**[A]**

and

**[B]**

("The Appointors")

A N D

**[C]**

("The Retiring Trustee")

A N D

**[D]**

and

**[E]**

("The Continuing Trustees")

A N D

**[F]**

("The New Trustee")

**DEED OF RETIREMENT AND APPOINTMENT OF NEW TRUSTEES OF [NAME] TRUST**



**DEED OF RETIREMENT AND APPOINTMENT OF NEW TRUSTEES OF [NAME] TRUST**

**Dated this day of 20**

**PARTIES:**

(1) **[A] AND [B]** of Wellington ("the Appointors")

(2) **[C]** of Wellington ("the Retiring Trustee")

(3) **[D] AND [E]** of Wellington ("the Continuing Trustees")

(4) **[F]** of Wellington (“the New Trustee”)

**BACKGROUND:**

A. The Appointors have the power of appointing new Trustees of the **[NAME] TRUST** under a Deed of Trust dated [date] (“the Trust Deed”).

B. The Retiring Trustee wishes to retire as Trustee of the **[NAME] TRUST**.

C. The Appointors wish to appoint the New Trustee as Trustee of the **[NAME] TRUST**.

**BY THIS DEED:**

1. In exercise of the power of appointment conferred on the Appointors and of every other power enabling them, the Appointors appoint the New Trustee to be the Trustee of the **[NAME] TRUST** with the Continuing Trustees.
2. The New Trustees consent to their appointment as Trustees.
3. The Retiring Trustee retires as Trustee of the **[NAME] TRUST** and is discharged from the trusts of the Trust Deed.
4. The Continuing Trustees and the New Trustee will, to the extent of the assets of the **[NAME] TRUST** available for distribution, indemnify the Retiring Trustee from all actions, proceedings and claims in respect of his/her trusteeship of the Trust Deed. This indemnity shall not extend to any liability arising where the Retiring Trustee would have had no legal right to indemnification if he/she had continued as Trustee of the Trust.
5. The Continuing Trustees, New Trustee and the Retiring Trustee shall sign all documents to effect the transfer of any Trust property into the names of the Continuing Trustees and the New Trustee.
6. Until the date of registration of transfer of any Trust property from the Retiring Trustee to the Continuing Trustees and the New Trustee, the Retiring Trustee holds such property upon trust for the Continuing Trustees and the New Trustee, and authorises the Continuing Trustees and the New Trustee to act as his/her Attorney with respect to those properties.

**SIGNED** by **[A]** )

**AND [B]** )

as Appointors in the presence of: ) [A]

 [B]

Witness Signature

Witness Name

Witness Address

Witness Occupation

**SIGNED** by **[C]** )

as Retiring Trustee in )

the presence of: )

 [C]

Witness Signature

Witness Name

Witness Address

Witness Occupation

**SIGNED** by **[D]** )

**AND [E]** )

as Continuing Trustees ) [D]

in the presence of: )

 [E]

Witness Signature

Witness Name

Witness Address

Witness Occupation

**SIGNED** by **[F]** )

as New Trustee in )

the presence of: )

 [F]

Witness Signature

Witness Name

Witness Address

Witness Occupation

Alternative for a company:

**SIGNED** by **[COMPANY]** )

as )

in the presence of: ) Director’s signature

 Director’s full name

Witness Signature

Witness Name

Witness Address

Witness Occupation