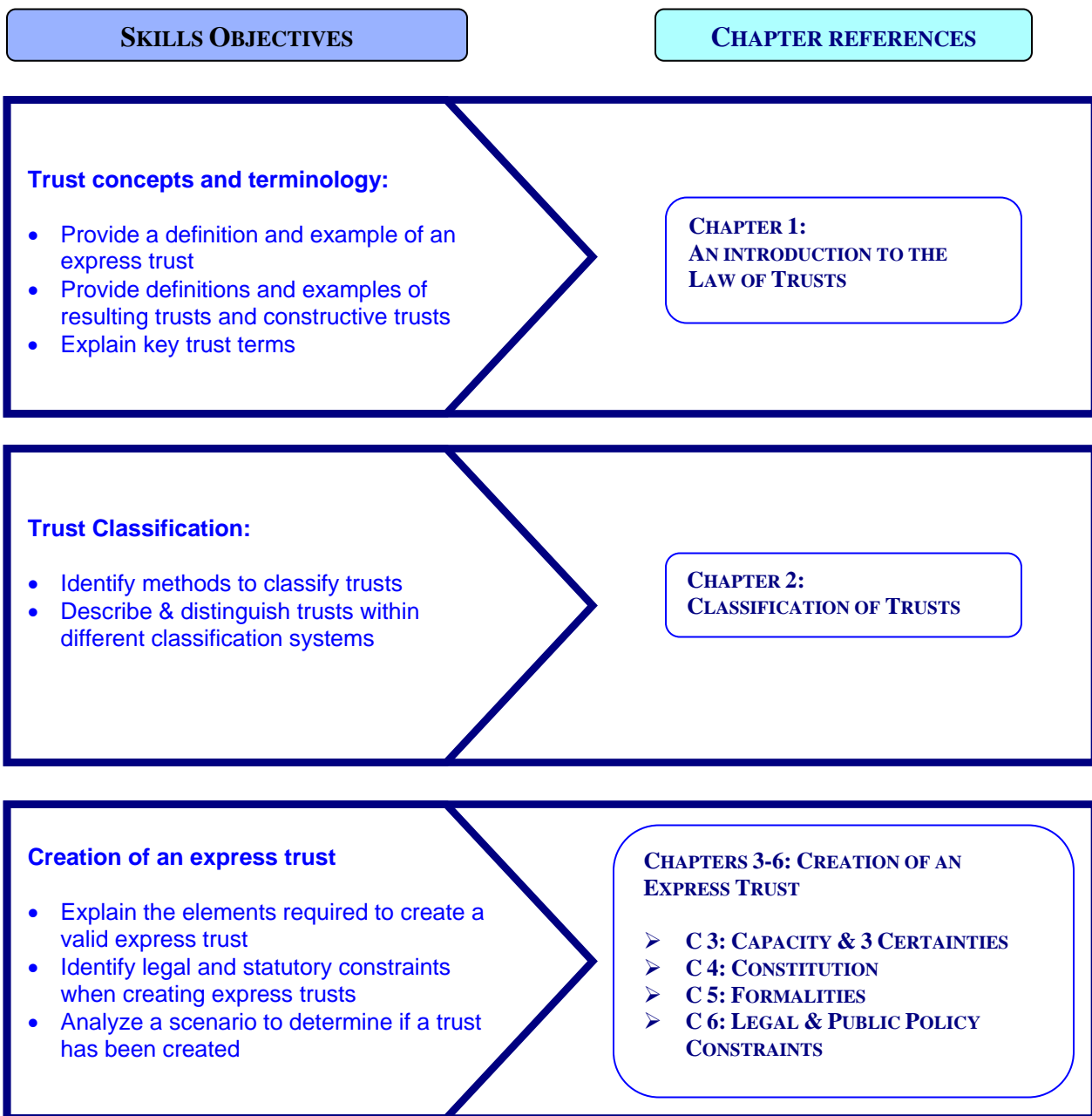


Visual Overview of the Skills Objectives for the Law of Trusts

The following chart is offered to help track your progression through the course text. It tracks the skills objectives as set out in the course curriculum and indicates the chapters where these skills are addressed. The relevant portion of this chart will be displayed at the beginning of each chapter of the Online Course Content in the Study Guide.



Termination & Variation of Trusts

- Identify the laws and rules that govern whether a trust can be terminated or varied
- Recognize when a trust can be terminated and the steps required to do so

**CHAPTER 7:
TERMINATION & VARIATION OF
THE TRUST**

Uses of Trusts

- Identify and describe how trusts can be used to meet an individual's personal needs and objectives
- Describe commercial and pension uses of trusts
- Explain the rules that apply to charitable purpose trusts
- Define and identify charitable purpose trusts
- Define and describe non-charitable purpose trusts
- Explain the "cy-pres" power to vary charitable trusts

**CHAPTERS 8-10: USES OF TRUSTS &
CHARITABLE TRUSTS**

- **C 8: USING THE EXPRESS TRUST:
SOME COMMON EXAMPLES**
- **C 9: NON-CHARITABLE PURPOSE
TRUSTS**
- **C 10: CHARITABLE PURPOSE
TRUSTS**

Trustee Duties & Powers (part 1)

- Explain the nature and scope of trustee duties and powers including:
 - Duty of care
 - Duty of loyalty
 - Impartiality (even hand) rule
 - Duty to provide information (account)
 - Duty to avoid conflict of interest
 - Duty to exercise powers
 - Distinguish administrative and dispositive powers
 - Responsibility when exercising powers
 - Special considerations for different powers
 - Liability for failure to comply with duty or exercise power properly (breach of trust)
 - Role of the court to:
 - Provide advice and direction
 - Intervene in trustee decisions

**CHAPTERS 11 & 12: DUTIES AND
POWERS**

- **C 11: DUTIES OF TRUSTEES**
- **C 12: POWERS OF TRUSTEES**

Trustee Duties & Powers (part 2)

- Describe methods for appointment, replacement, and removal of trustees
- Explain the law that apply to trustees seeking reimbursement for expenses
- Explain the rules that apply for seeking compensation for trustee services
- Explain the rules that apply to contracts for trustee services

**CHAPTER 13:
APPOINTMENT, RETIREMENT, DEATH,
REMOVAL, REMUNERATION &
INDEMNIFICATION**

Trustee Duties & Powers (part 3)

- Explain the nature and scope of liability for a breach of trust
- Describe the defences available to trustees when a breach of trust is alleged
- Identify options for a beneficiary who alleges a breach of trust has occurred

**CHAPTER 14:
BREACH OF TRUST**

Trusts and Other Fiduciary Arrangements

- Explain the difference between a trust relationship and an agency relationship under a power of attorney
- Explain the rules that govern the creation and termination of a power of attorney

**CHAPTER 15:
POWERS OF ATTORNEY
COMPARED TO TRUST**

Creation of an express trust

- Explain the elements required to create a valid express trust
- Identify legal and statutory constraints when creating express trusts
- Analyze a scenario to determine if a trust has been created

**CHAPTERS 16 & 17: RESULTING AND
CONSTRUCTIVE TRUSTS**

- **C 16: RESULTING TRUSTS**
- **C 17: CONSTRUCTIVE TRUSTS &
CONSTRUCTIVE TRUSTEES**

Trust Drafting

- Recognize when drafting fails to establish a trust
- Explain the relevance of typical trust provisions
- Identify potential consequences of poor drafting

**CHAPTERS 18:
DRAFTING AND INTERPRETING
TRUSTS**

Trusts in Quebec

- Describe the key characteristics of a trust established under the laws of Quebec and distinguish it from a common law trust
- Identify key concepts that apply to the creation, administration, variation and termination of a Quebec law trust.

**CHAPTERS 19:
A NOTE ON THE TRUST IN QUEBEC**