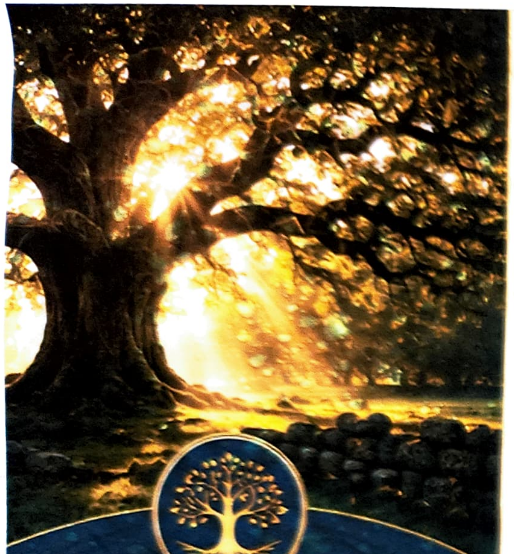

Why Create a Private Express Trust?

A BRIEF GUIDE TO UNDERSTANDING YOUR POSITION IN LAW

"A right inherent in us by birth."

— Blackstone, Commentaries, 1765

DOCUMENTED TODAY.
SECURE FOR GENERATIONS.

Two Kinds of "Person" — and Why It Matters

English law uses the word person in two entirely different ways.

A living being — you, breathing, thinking, acting in the world — holds inherent rights that pre-exist any statute. Rights of conscience, movement, speech, property. These are yours by nature, not by government grant.

A legal person — a company, a registered title, the entity created when a birth is registered — is a statutory construct. It exists on paper. It holds only the rights statute grants it. It has no body, no mind, no conscience of its own.

Both are called person. They are not the same thing.

When you were registered at birth, a legal person was created — a named entity in the statutory system. But no instrument ever transferred your beneficial interest into it. No contract was signed. No deed of transfer exists.

Which means — in law — that legal person is a bare trustee. And you are its sole beneficiary.

This is not a theory. It is the automatic operation of trust law — confirmed in Westdeutsche Landesbank v Islington [1996] — the moment a transfer of beneficial interest fails, a resulting trust arises by operation of law.

What a Private Express Trust Does

A private express trust does not create this position. It confirms and documents what already exists.

It places in writing — clearly, dated, witnessed — that:

- You are the living being, sole beneficiary, absolutely entitled
- The legal person bearing your name is a bare trustee — legal title only
- You act as trustee in a defined governance capacity when dealing with statutory entities
- No agency has been contracted, no beneficial interest transferred

From that documented foundation, everything else follows.

The Seven Real Benefits

1 Probate Avoidance

Assets held in trust do not pass through your estate. No waiting months for probate. No court involvement. No public record. Assets transfer immediately, privately, according to the trust deed — to exactly who you intend, exactly when you intend.

2 Asset Protection

Trust assets are not your personal property. A creditor pursuing you personally cannot reach them. A future divorce proceeding cannot treat them as matrimonial assets in the ordinary way. They belong to the trust — not to you as an individual exposed to personal claims.

3 Protecting Those You Love

A trust can hold assets for children until they are ready to receive them. It can protect a vulnerable family member — someone with a disability, or financial vulnerability — without affecting their benefit entitlement. It ensures your intentions survive you, precisely expressed.

4 Governance and Continuity

A trust deed sets out who holds assets, for whose benefit, under what conditions, and what happens when circumstances change. A death, a dispute, a departure — none of these disrupt the assets. The trust continues. The governance is clear.

5 Multigenerational Intention

Under English law a trust can run for up to 125 years. Four or five generations. A family home kept in the family. A business held intact rather than fragmented among heirs. Land held for a community across lifetimes. Your intention, expressed once, carried forward.

6 Privacy

A trust deed is not a public document. Unlike a company — whose directors and shareholders are visible at Companies House — your trust is held privately. The beneficial ownership of assets held in trust does not appear on the Land Registry title. What you hold, and for whom, remains your business.

7 Your Governance Position — Established in Advance

Perhaps most importantly — a private express trust establishes your position before any dispute arises. It is a dated, witnessed instrument that documents your understanding of the relationship between yourself as a living being and the legal person that bears your name. When a statutory demand arrives, you are not reacting. You are responding from a position already established, already documented, already clear.

What It Is Not

- A private express trust is not a magic shield.
- It does not eliminate tax obligations that lawfully attach.
- It does not place you above the common law — which continues to apply to living beings who cause harm.
- It does not require you to declare anything to anyone in ordinary daily life.

It is background structure. Quietly held. Produced only when clearly required.

Its power is in its existence — dated, documented, and established in advance of any need.

For Families

Keep assets together across generations. Protect a family home. Provide for children and grandchildren on your terms, not the court's. Ensure a business or farm survives the death of its founder without being sold to pay an estate. Give vulnerable family members security without exposing them to loss of benefits.

For Communities

Hold shared land and resources collectively without any individual being able to disrupt or dissipate them. Survive the departure, dispute, or death of any member without the community's assets being at risk. Govern shared property with clarity — decisions made, disputes resolved, succession planned — all within the trust's own framework.

For Individuals

Establish your position clearly and in advance. Know where you stand in relation to the legal person that bears your name. Respond to statutory demands from a position of documented understanding rather than reactive confusion. Hold your governance position with confidence — because it is written down, witnessed, and dated before anyone asks the question.

The Question the Trust Answers — In Advance

When a statutory obligation arrives addressed to the legal person bearing your name, the question it raises is:

By what contract did I become agent for this legal person?
Where is the instrument by which beneficial interest transferred?

A private express trust means that when that question arises, you already have the answer — documented, dated, and clear.

You are not the legal person. You are its trustee. You hold that position in governance — not as a declaration made in the moment, but as a structure established in advance.

Taking the Next Step

A private express trust is established by a deed — a formal written instrument that identifies the settlor, the trustee or trustees, the beneficiary, and the trust property.

It does not need to be complicated. It needs to be correct — precise in its terms, properly witnessed and clearly grounded in the legal principles that give it its effect.

It is held privately. It is never produced voluntarily. It is the foundation from which everything else in your governance position flows.

This document is for educational purposes. It sets out established principles of trust law, equity, and the legal distinction between living beings and legal persons. It is not legal advice. Specific circumstances require specific consideration.