

## Practice Areas

Overview  
Charities  
Commercial Disputes  
Court of Protection  
Company  
Insolvency  
Partnership and Joint Ventures  
Pensions  
Professional Liability  
Property  
Tax

### **Trusts**

Wills and Estates

Nicholas Macklam

| Call 2013

## Profile: Trusts

Nick has considerable experience of trusts law and he welcomes instructions in this area. Prior to qualifying as a barrister, he spent three years at the Law Commission where he worked on the project leading to the enactment of the Trusts (Capital and Income) Act 2013. His work encompasses both contentious and non-contentious matters.

Representative experience includes:

- Representing the Claimant in Part 8 proceedings in relation to the administration of a trust (the case settled prior to trial)
- Advising on a claim for occupation rent brought in respect of the occupation of property by a beneficiary allegedly to the exclusion of others
- Drafting a deed of appointment to appoint trust assets to a beneficiary
- Advising on the appropriate form of settlement of a dispute between beneficiaries of a deceased's estate so as to minimise liability to inheritance tax and capital gains tax
- Advising on trustees' obligations when distributing amongst beneficiaries funds held within various trusts, including whether the trustees could take steps to safeguard certain funds
- Representing the Claimant at trial in relation to a claim for breach of trust against a family member who had misapplied trust assets
- Settling a defence to a claim for an account of a fiduciary's dealings with certain monies