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| **[Uncertainty](http://cpd.hk/evt000000238/)**  **[in Express Trusts:](http://cpd.hk/evt000000238/)**  **[Problems with Intention,](http://cpd.hk/evt000000238/)**  **[Subject Matter](http://cpd.hk/evt000000238/)**  **[and Objects for](http://cpd.hk/evt000000238/)**  **[Express Private Trusts](http://cpd.hk/evt000000238/)**  *by*  [Prof. Steven Gallagher](http://www.profectional.com/presenters/idl000011512/),  Associate Professor of Practice in Law,  Associate Dean (Teaching & Learning),  The Faculty of Law,  The Chinese University of Hong Kong |  |

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|  | Steven Gallagher was awarded a first class LL.B. He was called to the Bar of England and Wales in 2006. Steven has taught Equity and Trusts, Land Law and Company Law to undergraduates and International Corporate Liquidation and International Corporate Governance to postgraduates in England and Hong Kong. Steven teaches the Equity and Trusts courses for undergraduate students, the Principles of Equity and Trusts course on the Juris Doctor course and, in 2013, introduced the Principles of Cultural Heritage Law course to the LLM programme at the Chinese University of Hong Kong. Steven has presented continuing professional development courses for solicitors in Hong Kong on many topics associated with equity. Steven’s research interests include equity and the law of trusts, cultural heritage law and legal history. |

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| This 3-hour seminar will provide an introduction to the problems associated with uncertainty and trusts. Equity requires three certainties for the establishment of a valid and enforceable express private trust. The three certainties of intention, subject and object ensure that the settlor intended to create a trust, identify the property that is subject to the trust, the beneficiaries of the trust and their interests in the trust property. The certainties are necessary so that trustees clearly understand their obligations and to whom they owe them. This seminar will discuss the development of the three certainties, why they are necessary, and the tests used by the courts in Hong Kong today to establish them. The seminar will also consider the problems in establishing the three certainties and methods to avoid uncertainty in testamentary provisions. | |
| **Some of the topics considered in this seminar will be:** | |
| * The development of the three certainties; * Certainty of intention; * Gifts, trusts and powers of appointment; * The problem with words and the construction rule; * Certainty of beneficial interest and subject matter; * The problem with trusts of wine and gold; * Why shares are special; | * Identification or segregation of trust property; * Trusts Over ‘Whatever is Left’; * Identifying beneficial interests; * Ascertaining beneficiaries; * The development of the tests for certainty of objects; * Limitations of the tests; * Making everything certain. |

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| Code: | **EVT000000238** | | Level: | **Intermediate** | |
| Date: | **17 August 2018 (Friday) (Amended)** | | Language: | **English** | |
| Time: | **14:30 - 17:45 (Amended)**  (Reception starts at 14:00) | | Accreditation(s): | **LSHK 3.0 CPD Points** | |
| Venue: | **[Kornerstone Institute](http://goo.gl/maps/DKYQ1)**  [15/F, Hip Shing Hong Centre](http://goo.gl/maps/DKYQ1)  [55 Des Voeux Road Central](http://goo.gl/maps/DKYQ1)  [Central, Hong Kong](http://goo.gl/maps/DKYQ1) |  | Request for  Rerun: | **Please** [**Contact Us**](mailto:marketing@profectional.com)  **for Details** |  |