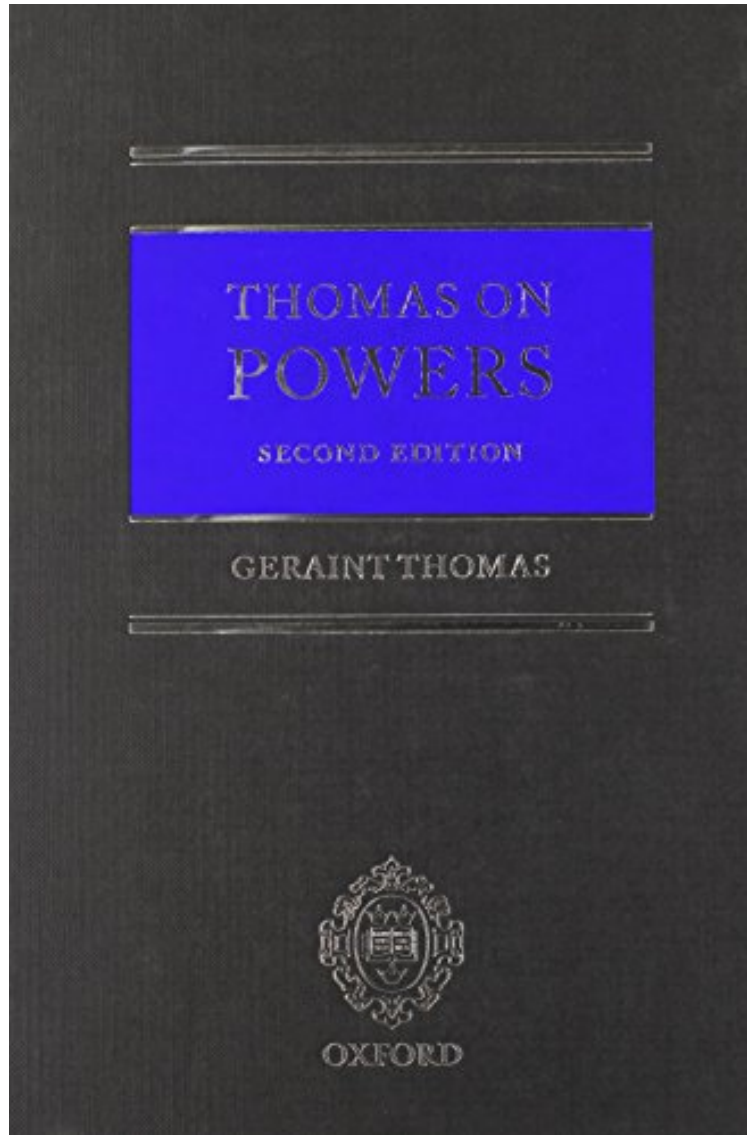


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## Thomas on Powers

*Geraint Thomas*

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**Geraint Thomas : Thomas on Powers** before purchasing it in order to gage whether or not it would be worth my time, and all praised Thomas on Powers:

0 of 0 people found the following review helpful. The authoritative work on powers....By Phillip Taylor MBE[[VIDEOID:mo2XU31M9GQ9N3U]]RELATING TO PROPERTY AND TRUSTS - NOW IN ITS LONG AWAITED SECOND EDITIONAn appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green ChambersIf you're a practitioner involved in any way with matters relating to trusts, you probably already have the

first edition (published 1994) of this monumental and authoritative work in your library. However, this is the second edition, new from the Oxford University Press. Completely up to date, it incorporates the changes that have occurred in the momentous fourteen years since the first edition made its first very well received appearance. The author, Geraint Thomas, points out that one of the more startling developments over this time period is the vast increase in the volume of case law now available to the practitioners partly due to new technology. It is worth noting that within this volume of some 900 pages, there is an eighty-two page table of cases alone and 10 pages of statutes and statutory instruments! And it's also partly due, for example, to the proliferation of pension scheme trusts and other specialist legal products and services which are often trust related. And, as Thomas says, 'there is now more raw material to select from, synthesize and explain,' as well as the fact that 'doctrines and principles of the law of powers have been given a new lease of life'. This new edition reflects the fact that the constant and continuing changes in the law that have taken place in this complex area. It does appear that some topics that were once of great significance have become less so, while others, formerly of less significance, have become more so now - such is the way with the topic! Also, certain ancient principles have been revived and applied to modern circumstances and conditions. Some chapters in this volume are therefore entirely new, says the author, while others have been amended in some manner, all of which reflects the primary aim of this edition which is to update the original one. The result is a formidable, very readable and lucid work of scholarship which, in our view, is easy to use. There's a useful index at the back and a detailed table of contents which guides you logically through the subject matter. Chapter 1, for example introduces both the definitions and classifications dealt with in the book, including a very interesting examination of the concept of 'power' in its diverse forms. Subsequent chapters deal with such areas as the creation of powers... the certainty of objects... the exercise of powers... the excessive execution of a power... the fraudulent exercise of a power... the judicial view of the exercise of powers... and of course much more besides. This is to cite only a few examples of what is contained in this richly resourced work. As the first edition has been cited regularly in the courts of England and Wales as well as the major Commonwealth jurisdictions, we have no doubt that -- if you're a practitioner in this field -- that you should add this long awaited second edition to your library.

Highly regarded, and cited in a number of judgments, Thomas on Powers is concerned with the general principles and doctrines governing or affecting the creation, exercise, and operation of powers in private law, and provides a discursive, intellectual analysis of the principles underlying the problems commonly encountered by practitioners. The first edition of Thomas on Powers was published in 1998 as part of Sweet Maxwell's Property and Conveyancing Library. This new edition both updates the original work and expands the scope of the book significantly to include coverage of offshore trusts and current trusts issues such as fiduciary powers, protectors, and "shams". Thomas on Powers provides extensive coverage of recent statutes dealing with trustee delegation; developments to the law relating to pension schemes; and cases relating to the rule in *Hastings-Bass*, which has had a series of contentious recent decisions. This edition includes expanded discussion of case law from Commonwealth countries and focuses more on the numerous judgments from offshore jurisdictions, some of which raise novel questions and issues. The book also includes an increased emphasis on the specific legislation of offshore trusts, where practical problems centred around the creation and exercise of trustee powers have become very important. This edition covers the problematic interaction of powers of revocation and sham trusts; the scope and effects of powers of amendment; the powers and role of protectors of offshore trusts; and the powers of directors of companies; and the relationship between fiduciary powers in private law and powers exercised by public bodies.

from previous edition: "Comprehensive and unique...the first edition of an important new book that is highly recommended for equity practitioners." --David Maclean QC "It should sit next to Underhill and Hayton's *The Law of Trusts and Trustees* in every pension lawyer's library" --David Pollard  
About the Author Professor Geraint Thomas's research interests focus upon all aspects of domestic and overseas trusts (including estate planning, taxation of trusts, pension trusts and offshore trusts). Professor Thomas practised at the Chancery Bar for over twenty years. Reported cases include: *Re Poulton's Will Trusts* (1987) 1 WLR 795 (powers of appointment), *Re Drexel Burnham Lambert UK Pension Plan* (1995) 1 WLR 32 (conflict of interest in pension schemes), *Reg v Exeter City Council, Ex parte JL Thomas Co* (1991) 1 QB 471 (judicial review). In addition, Professor Thomas was Professor of Equity and Property Law, Queen Mary University of London from 1998 to 2010 and is a member of the Association of Pension Lawyers.