

Common Form 58 – ORDER APPOINTING NEW TRUSTEE

(Section 36 Trustee Act)

Judicial Officer(s): The Honourable Justice
His/Her Honour Judge
Master
[Master of the Supreme Court]

Date of application:*[DD/MM/YYYY]*

Application made by:*[Party] [Name]*

Date(s) of hearing [if any]:*[DD/MM/YYYY]*

Date of order:*[DD/MM/YYYY]*

Appearances:Solicitor/Counsel for the Plaintiff(s)
.....Solicitor/Counsel for the Defendant(s)
.....Solicitor/Counsel for *[Other Parties]*

Recitals [if any]:

[By consent] **THE COURT ORDERS that:**

1. *[Name Address and Occupation]* (the new trustee) be appointed as new trustee of the Will of the late *[Full Name Address and Late Occupation]* deceased in substitution for *[Name]* deceased and *[Name]* the original trustees thereof.
2. The land comprised in Certificate of Title Register Book Volume *[No]* Folio *[No]* of which *[Name]* and *[Name]* are registered as the proprietors of an estate in fee simple and the ordinary shares in the capital of *[Name]* standing in the name of the deceased and all other assets now subject to the trusts of the Will vest in the new trustee to be held by that trustee upon the trusts of the Will or such of them as are still subsisting.
3. *[Costs]*
4. The parties, the new trustee and any other person interested may apply for further orders and directions.

[Other text, as appropriate]

[Fit for counsel, if appropriate]

[Reproduction of Court Seal] This order is authenticated by.....
for Registrar

Computer File Reference.....