PRIFYSGOL ABERYSTWYTH UNIVERSITY

**SEMESTER ONE EXAMINATIONS, 2025/26**

**DEPARTMENT OF LAW AND CRIMINOLOGY**

# LC34920 EQUITY AND TRUSTS

**Time allowed: TWO hours**

**Answer ONE question**

**Candidates are permitted to take ONE A4 page of handwritten or typed notes (both sides) into the examination.**

**Whichever question you choose to answer, you *must* refer to relevant legislation and/or case law, as appropriate, to support your answer. (If applicable, please ensure that you answer all parts of the question you choose.)**

**Please state clearly which question you are answering.**

**STUDENTS MAY SUBMIT ANSWERS TO THIS PAPER IN EITHER WELSH OR ENGLISH**

**Once seated, students may complete the front cover of the answer book(s) and the attendance slip ONLY.**

**DO NOT TURN THE EXAMINATION QUESTION PAPER OVER UNTIL INSTRUCTED TO DO SO.**

**1.** The Inheritance (Provision for Family and Dependents) Act, 1975 strikes an appropriate balance between respecting the wishes of the deceased and ensuring that those close to them are adequately provided for.

**Critically discuss.**

[100%]

**2.** Martha, a wealthy philanthropist with unorthodox spiritual beliefs, has recently passed away, leaving a will containing the following provisions:

a) £6,000 to the Llandudno Assembly of Divine Simplicity, a small spiritual congregation consisting of only nine members. They hold irregular meetings in members' homes but have no formal structure or place of worship.

b) £22,000 to the Silent Sisters of Perpetual Meditation, an enclosed religious order whose members have taken vows of silence and strict seclusion from the public.

c) £300,000 to the Covenant of Sacred Words, a religious association that, since the execution of the will, has split into two rival groups — the Covenant of the Sacred Word (Reformed) and the Orthodox Covenant of Sacred Words — each asserting to be the lawful successor to the original body.

d) £75,000 to the Church of Natural Restoration, an organisation promoting the idea that the world's problems will be solved by "rebalancing humanity's relationship with nature," which includes plans to release a breed of large, aggressive, flesh-eating geese into rural Wales. The group expressly denies belief in any god or supernatural power.

Before the estate was distributed, the executor, Harvey, discovered that the Covenant of Sacred Words (clause c) had completely dissolved, and that its assets had been transferred to a newly registered charity — The Fellowship for the Sacred Word — which claims to continue its mission.

**Advise Harvey on:**

The validity and charitable status of each of the four dispositions, and whether any failed or uncertain gifts could be reapplied using the *cy-près* doctrine.

[100%]

**END OF PAPER**