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Jersey court rescues a charitable trust mixed with private purpose (In Re Estate of Constantin Mattas)

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LexisNexis has published an article by Fritha Ford and Bradley Gibb on the judgment by the Royal Court in Jersey in Representation of Equiom Trust (CI) Ltd re Estate of Constantin Mattas.

Private Client analysis - article summary

In an important judgment, the Royal Court in Jersey has recently confirmed, in Representation of Equiom Trust (CI) Ltd re Estate of Constantin Mattas that, as a matter of Jersey law, where a trust looks to provide for a mix of both charitable and non-charitable purposes, the non-charitable purpose can invalidate the charitable purpose; however, if the non-charitable purpose is itself invalid, the entirety of the trust property can be held for the charitable purpose.

The court's decision arose in the context of proceedings to determine whether the ultimate disposal of a testator's residuary personal estate was valid, or whether there was, in fact, a partial intestacy.

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