

**Comparison Between Trusts, Companies and Partnerships**

	<b><u>Trust</u></b>	<b><u>Company</u></b>	<b><u>Partnership</u></b>
<b>Governing Act</b>	Trustee Act 1956	Companies Act 1993	Partnership Act 1908
<b>Separate legal entity</b>	No	Yes	No
<b>Nature of interest</b>	Beneficial	Shareholders have no property interest in assets	Partners control assets
<b>Negotiability of interest</b>	Yes	Yes	Generally no
<b>Limitation of Liability</b>	Yes (by use of company as trustee)	Yes	No
<b>Control of Management</b>	No	Yes (qualified)	Yes
<b>Contractual relationship to benefit?</b>	No	Yes (shares)	No
<b>Statutory formalities</b>	Very few	Yes	Very few
<b>Alterations of powers</b>	Yes	Yes	N/A
<b>Distribution of capital</b>	Yes	Yes (share Buy-back)	Yes
<b>Statutory restrictions and requirements</b>	Very few (unless corporate trustee)	Yes	Very few