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This chapter focuses on the circumstances in which the courts may approve the variation of a trust. A trust may be varied by a power within the trust itself; the collective consent of the beneficiaries; by the court, through its inherent jurisdiction; or by statute. The power of the courts to intervene will depend on whether the variation relates to administrative or managerial matters or a reorganization of the beneficial interests. The Variation of Trusts Act 1958 gives the courts a wide jurisdiction to vary a trust for the benefit of those beneficiaries unable to consent.
10. Variation of trusts