

**Uniform Law
Conference of Canada**

***Uniform
Accumulations
Act***

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Uniform Accumulations Act

(1968 Proceedings)

Restriction

1 No disposition of any real or personal property shall direct the income thereof to be wholly or partially accumulated for any longer than one of the following terms:

- 1** The life of the grantor or settlor.
- 2** Twenty-one years from the date of making an *inter vivos* disposition.
- 3** The duration of the minority or respective minorities of any person or persons living or *en ventre sa mere* at the date of making an *inter vivos* disposition.
- 4** Twenty-one years from the death of the grantor, settlor or testator.
- 5** The duration of the minority or respective minorities of any person or persons living or *en ventre sa mere* at the death of the grantor, settlor or testator.
- 6** The duration of the minority or respective minorities of any person or persons who, under the instrument directing the accumulations, would, for the time being, if of full age, be entitled to the income directed to be accumulated.

Consequence of contravention

2 Where an accumulation is directed contrary to this Act, such direction is void, and the rents, issues, profits and produce of the property so directed to be accumulated shall, so long as they are directed to be accumulated contrary to this Act, go to and be received by such person as would have been entitled thereto if the accumulation had not been so directed.

Application

3 Sections 2 and 3 apply in relation to a power to accumulate income whether or not there is a duty to exercise that power, and whether or not the power to accumulate extends to income produced by the investment of income previously accumulated.

Idem

4 This Act applies to every disposition of real or personal property whether heretofore or hereafter made, except that nothing in this Act renders invalid any act validly done, or any accumulation validly empowered by a disposition taking effect, before the coming into force of this Act.

Rules as to accumulations not applicable to employee benefit trusts

5 The rules of law and statutory enactments including this Act relating to accumulations do not apply and shall be deemed never to have applied to the trusts of a plan, trust or fund established for the purpose of providing pensions, retirement allowances, annuities, or sickness, death or other benefits to employees or to their widows, dependants or other beneficiaries.

(NOTE: Section 5 should be omitted where like legislation is already in effect)

*Accumulations***Saving**

6 Nothing in this Act extends to any provision for payment of debts of a grantor, settlor, devisor, or other person, or to any provision for raising portions for a child or children of a grantor, settlor, or devisor, or for a child of a person taking an interest under any such conveyance, settlement, or devise, or to any direction touching the produce of timber or wood upon any lands or tenements, but all such provisions and directions may be made and given as if this Act had not been passed.