



ANGUILLA FINANCIAL SERVICES COMMISSION

22 December 2025

Final Consultation Note The Draft Anguilla Special Trust Act ("ASTrA")

The draft ASTRa has been drafted as part of the work being undertaken by the Anguilla Financial Services Commission (the "Commission") to enhance the financial services industry through the development of a special trust within Anguilla.

In accordance with the previously issued consultation notes¹, the proposed special trust may hold assets exclusively in a company incorporated pursuant to the Business Companies Act. This structure is consistent with the approach in other jurisdictions, where a special trust may hold only a domestic company formed under a specific statute.

The draft ASTRa incorporates critical provisions, such as:

1. The Hague Convention on the Law Applicable to Trusts and on their Recognition;
2. Statutory anti-forced heirship protections;
3. The neutralization of trustee dispositive powers; and
4. The formal inclusion of Enforcer roles.

It is also pertinent to note that the draft ASTRa addresses the Rule Against Perpetuity, a matter already provided for in existing Anguillian law.

The Commission hereby invites persons to provide comments on the draft ASTRa no later than 30 December 2025 to the Commission at charonay.carty@afsc.ai.

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¹ First and second consultation notes dated 3 September 2020 and 23 July 2021, respectively.