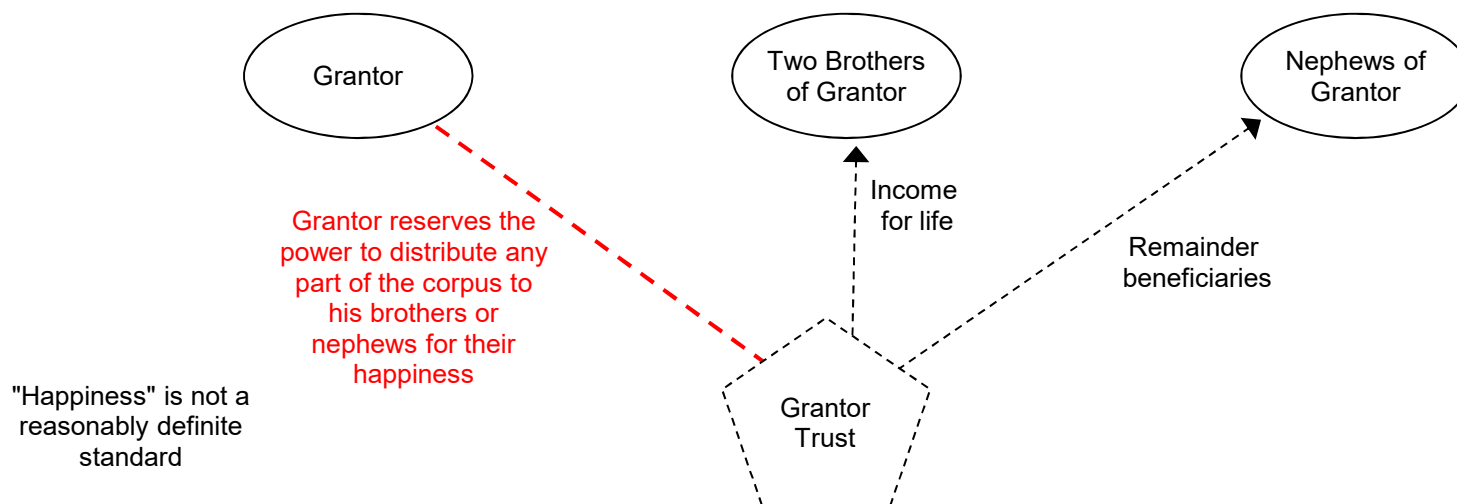


**Reg. 1.674(b)-1(b)(5)(iii),  
Example 2**

**Grantor Holds Power to  
Distribute Corpus, Not Limited By  
a Reasonably Definite Standard**

Copyright © 2018 Andrew Mitchel LLC  
International Tax Services  
www.andrewmitchel.com



A trust instrument provides for payment of the income to the grantor's two brothers for life, and for payment of the corpus to the grantor's nephews in equal shares. The grantor reserves the power to distribute any part of the corpus to his brothers or to his nephews for their happiness. The grantor is treated as the owner of the trust. Paragraph (5)(A) of section 674(b) is inapplicable because the power is not limited by a reasonably definite standard. Paragraph (5)(B) is inapplicable because the power to distribute corpus permits a distribution of corpus to persons other than current income beneficiaries.

[HUNDREDS of additional charts at www.andrewmitchel.com](http://www.andrewmitchel.com)