

## Information for trustees

1. This information sheet explains all you need to know to apply for a trust holding.
2. Please note
  - All applications to open a trust holding must be made direct to us. Application forms can be downloaded from [nsandi.com](http://nsandi.com) or obtained by contacting us. Call us any time from the UK on **08085 007 007**, from abroad on **+44 1772 329880** or tweet us @**nsandihelp** and we'll be happy to help. We're here in the UK all day, every day. Calls from the UK are free. We may record your call to help us give you the best service.
  - All trust application forms must be accompanied by one of the documents below which will ONLY be used to assist us in meeting our Regulatory requirements:
    - certified copy of the Trust Deed including any variations to the original Deed (see below on how to certify)
    - certified copy of Will and Probate including any variations to the original Will (Will Trust only) (see below on how to certify)
    - original NS&I Statutory Declaration (an alternative to submitting a certified copy of a Trust Deed or Will and Probate)
    - original letter from the investment pension company confirming that the pension is to be set up for the benefit of the named beneficiary (name of the beneficiary/beneficiaries must be quoted within the letter)
  - If you are applying to open a pension trust you must also send us details of the registration of your pension scheme with HM Revenue & Customs (HMRC).
  - Any incomplete application forms or incomplete supporting documentation will be returned without processing.
  - To meet our Regulatory requirements we will make checks on the identity of all parties (including beneficiaries and settlors) before we can accept an application.
  - We cannot accept responsibility for the fulfilment of the legal trust under which an investment is made.
  - Please read the customer agreement (terms and conditions) for the product you are investing in.

### 3. How to register trust holdings

There are two types of trust holdings:

#### A Type

In the joint names of the trustee(s) and one or more beneficiaries. For example, 'Mr Peter Smith (and Mrs Julie Smith) in trust for Miss Wendy Smith'. In this example Mr and Mrs Smith are the trustees and Miss Smith is the beneficiary. All the trustees and beneficiaries are registered as holders and we need their full names and signatures. All the trustee(s) and the beneficiaries need to sign any applications to cash in or transfer. This type of trust is only permitted for Savings Certificates.

#### B Type

In the name(s) of the trustee(s) only, for example, Mr Peter Smith (and Mrs Julie Smith) Trustees'. The trust title, eg 'Trustees of Wendy Smith', should be given on the application form when the investment is bought. The trustees only are the holders so although the beneficiaries don't need to sign any applications to purchase, cash in or transfer, we do need their details for our records. This type of trust is permitted for Savings Certificates, Guaranteed Income Bonds, Guaranteed Growth Bonds, Income Bonds and the Investment Account.

### 4. Holding limits

Investments by a trustee on behalf of a beneficiary or with the beneficiary jointly will usually NOT count towards his or her own maximum holding. They may be held in addition to investments in their sole names. Maximum holding limits apply to each trust holding. Please refer to the product's customer agreement (terms and conditions) for more information.

### 5. Death of a trustee or beneficiary

When a holder dies the investments will need to be dealt with by either:

- The remaining holder(s);
- The legal personal representative of the holder who was last to die.

We will want to see the death certificate and in some cases Inheritance Tax details.

## **6. Discretionary Trust**

Only Savings Certificates allow for a trust to be opened as a true Discretionary Trust ie a trust without a named beneficiary. An example of this is money being left in a Will for the benefit of grandchildren born and yet to be born where actual beneficiaries cannot be named. If the funds are left for the benefit of individuals then they should be named as such and the holding should be registered as a B type above. In a Discretionary Trust it is the responsibility of the trustees to decide how to administer the trust and distribute the funds accordingly.

## **7. Pension Funds**

We don't offer advice on Pensions, however products which currently allow for Trusts and which are acceptable for a Small Self Administered Scheme (SSAS) or as a Self Invested Personal Pension (SIPP) are:- Guaranteed Growth Bonds, Guaranteed Income Bonds, Income Bonds, Fixed Interest Savings Certificates and Index-linked Savings Certificates.

### **Points to note are:**

- Customers investing in this way will instruct an investment pension company to purchase the product in the name of the company naming them as the beneficiary;
- Trust sales have to be made by post as there are no direct sales for Trust holdings through the internet or telephony channels;
- Evidence of identity will be required for all parties involved in the investment;
- Repayment of these holdings would be to the Trustee, or to someone they instruct us to pay.

## **8. Any questions?**

Call us free on **08085 007 007, +44 1772 329880**, or tweet us @nsandihelp or write to us at **NS&I, Sunderland SR43 2SB** and we'll be happy to help. We're here in the UK all day, every day. Calls from the UK are free. We may record your call to help us give you the best service.

## **Proof of identity and address**

We are required to verify the identity and address of our customers before we can accept an application to invest. This means we will need to verify the identity and address of all the trustees, beneficiaries, the settlors and any other parties named. To do this we may make electronic checks with a credit reference agency. When you apply to invest with us, you confirm that you, and anyone else named on the application, are aware that your and their identity and address will be checked. If we cannot verify a name or address via a credit reference agency, we will write out to the relevant person to request documentary evidence.

## **How to certify copies of your trust documents**

### **1. UK based applicants**

Choose one of the following people:

- a qualified individual who is currently practicing in the legal, financial or teaching profession
- doctor, dentist or vet
- nurse (RGN or RMN)
- minister of a recognised religion
- civil servant
- prison, police or customs officer
- an elected official such as a Councillor, MP or Mayor.

### **Non-UK based applicants**

- a practising Lawyer or Attorney
- Justice of the Peace
- Local Mayor (certification must be accompanied with the Mayor's official stamp)

The person you choose must not be related to you by birth or marriage. Neither should they be in a personal relationship with you or live at the same address. The certifier should currently be practicing in their profession. The certification must be dated within three months to be valid.

2. Ask your chosen certifier to:
  - write the following on the copied document: "I certify that this is a true copy of the original [type of document] belonging to [your name]."
  - sign and date the document
  - clearly print their full name
  - indicate their occupation or the capacity in which they are providing the certification (eg lawyer, etc)
  - provide their work address and daytime telephone number
  - affix any relevant official stamp where available
  - include their professional registration number (if they have one)

## Frequently asked questions

1. **What or who is a settlor?** The settlor, also known as the grantor, donor or trustor, is the person who establishes a trust by a written trust declaration and provides the original assets or funds to be held in the trust. The settlor can also be a co-trustee or a beneficiary. If there is not room to complete all of the settlors to the trust on the application form then please complete these on a separate sheet of paper.
2. **What is the source of wealth?** This describes the activities that have generated the total net worth of the customer ie the activities that produced the customer's funds being invested. In some instances the "source of wealth" is used interchangeably with the "source of funds". For example source of wealth (or funds) includes but is not limited to:
  - a. Proceeds of a sale
  - b. Income
  - c. Savings
  - d. Inheritance
  - e. Business activity
3. **What is the purpose of the trust?** A trust may be used to achieve a variety of personal, estate, financial or tax planning objectives and includes but not limited to:
  - a. Tax Planning - minimising estate/inheritance, capital gains and income tax;
  - b. Provision for family or other dependants, especially those who may be unable to manage their own affairs (young children, the elderly, the disabled or sick);
  - c. Efficient and timely distribution of assets upon death - ensuring a smooth distribution of assets on death, without the complexities or formalities of probate;
  - d. Confidentiality - many people live and work in uncertain or sensitive environments and have particular requirements for confidentiality which can be met by the creation of a trust and the consequent transfer of ownership of assets;
  - e. Establishing pension plans.
4. **I have never been asked to provide the details of the settlor, source of wealth or the purpose of the trust. Why are you now requesting this information?** We are required to establish how investment is to be made, from where and by whom. If investments are received from someone other than the ultimate beneficiary (eg the trustee as in the case of trust application) then we must understand why and, if appropriate, verify the identity of the payer (ie the settlor). We are therefore required to understand how the settlor has acquired the monies to make the investment. We reserve the right to request further information in order to be satisfied we meet our regulatory requirements.
5. **The settlor is deceased. What information should I provide?** We recognise that in some cases the settlor is deceased. In these cases, the notation of 'Deceased' should be noted in the settlor's section.
6. **There is more than one settlor. How should I record this?** If there is more than one settlor, please provide their full details (ie names, addresses and dates of birth) on a separate piece of paper.