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- Your case will be dealt with by a legal professional who understands your legal needs.
- We have built up, long established relationships, with local services
- We are always happy to discuss your case face to face, not just via email or telephone
- We have always been transparent about the costs involved
- We are audited annually, to ensure we maintain the high levels of best practice that you should expect

For advice on individual circumstances, please call 01689 822554 or email wills@thomasdunton.co.uk

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This guide is not a full statement of the law. Individual advice should be taken before taking any action. The information in this leaflet is of a general nature and may not reflect your individual circumstances. Please also note that details may change.

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THOMAS DUNTON SOLICITORS

Your guide to

Registration of Trusts

LOCAL PROFESSIONAL TRUSTED

The law surrounding registration of trusts has changed in recent years. Here we summarise the main changes in case they affect you...

Don't leave legal issues too late: seek advice at the earliest stage.

So, what has changed?

The changes relate to the rules regarding trusts. Previously, trusts which had a liability to tax needed to be registered with HMRC. This requirement is now being extended to apply to almost all trusts, even if no tax is due.

What trusts need to be registered?

Some examples of trusts which need to be registered are:

- Trusts which have been set up in writing (express trusts)
- Funds left to children under a will and held for them until they reach a specified age
- Properties where the people registered as owners at the Land Registry differ from the people who are entitled to benefit from the property
- Properties where a co-owner has died and left another person a right to occupy the property
- Trusts set up by financial advisors (many financial advisors will not register these trusts on behalf of their clients)

Please note: if you have a trust set up in your will, this does not come into effect until you die. This trust does not need to be registered in your lifetime.

Who needs to register the trust and what is the deadline?

The trustees are responsible for registering the trust which must be registered within 90 days of being created.

Do I need to appoint a solicitor to register the trust for me?

No, you do not. However, if you are unsure whether or not the trust needs to be registered or if you would like someone to register it on your behalf, we would be happy to help you. Please contact Tracy Lungley on 01689 822554 for more information and advice.

Do I need to do anything once the trust is registered?

Once registered, you need to make sure the information held about the trust is up to date. HMRC need to be notified of any changes to the trust, such as changes to trustees and beneficiaries. They also need to be informed if the trust comes to an end.

What happens if I do not register a trust when I should have done?

If you fail to register a trust, or do not keep the registration details up to date, HMRC have the power to issue a £5,000 penalty.

Please note: this is a general update summarising the main changes and is not a complete statement. We have also not reviewed your particular circumstances and you may or may not be affected by these changes. If you consider these new rules might affect you and you would like assistance with registering a trust, please do contact us on 01689 822554 and ask for Tracy Lungley.

For more information, please contact our Wills and Probate Department on 01689 822554 or visit www.thomasdunton.co.uk