

Trust Registration Service

What is the Trust Registration Service?

In October 2020 new legislation was introduced which means that certain trusts, regardless of whether they have a UK tax liability, have to provide information to HMRC. The Trust Registration Service (TRS) is a register of the beneficial ownership of trusts. The information required includes details of the trust itself, its beneficial owners and any potential beneficiaries.

Who is responsible for registering a Trust?

It is the trustees' responsibility to register the trust and keep it up to date. They can appoint an agent to do this on their behalf.

When is the deadline to report?

Non-taxable trusts in existence on or after 6 October 2020 must be registered by 1 September 2022 (even if they are now closed).

If a trust has a UK tax liability and has not previously been registered with HMRC, it must be electronically registered within:

- 90 days of creation; or
- 2 years of death if a Will trust.

After September 2022, a trust must be registered within the above deadlines.

What are the penalties if you don't report?

A failure to register a trust or a failure to notify any change of information by the due date can result in penalties being chargeable on the trust. This will depend upon how late the submission is:

- 0 – 3 months after due date - £100
- 3 – 6 months after the due date - £200
- More than 6 months late – the greater of £300 or 5% of the total tax liability in the relevant tax year

What types of trust need to be registered?

- All UK express trusts, and some non-UK express trusts, are required to register unless explicitly excluded from registration.
- All registrable taxable UK and non-UK trusts with a liability to UK taxation.

What is an express trust?

An express trust is a trust created deliberately by a settlor, usually in the form of a document such as a written deed or declaration of trust. This can be by Will to take effect on death, or by a deed in their lifetime.

What trusts are excluded and not required to register (unless they are liable to pay UK tax)?

These include, but are not limited to:-

- Trusts required to open a bank account for a child;
- Will trusts (but only in the first 2 years after death);
- Co-ownership trusts (where the legal and equitable owners are the same);
- Trusts imposed by court or created by legislation;
- Trusts for bereaved minors or adults aged 18-25;
- Personal Injury trusts;
- Disabled persons trusts; and
- Charitable trusts

We can help

Wollens can register your trust for you as an Authorised Agent and our fees start from £495 + VAT.



Karen Miller is a Partner and wills and trust specialist. please contact Karen today on 01271 342268 or email karen.miller@wollens.co.uk or info@wollens.co.uk