



Independent Financial Advice

HMRC Trust Registration Service

A guide on how to register

HMRC online Trust Registration Service

As a result of the 5th Anti-Money Laundering (5AML) regulations, there is a requirement for UK trusts to register with HMRC. The HMRC Trust Registration Service (TRS) is a UK central register of trusts and the parties involved with the trusts, including the settlors, the trustees, and the beneficiaries. The information held on the trust register will be available to parties with a legitimate interest.

In certain circumstances, when entering a business transaction, trustees will be required to provide details of their record on the register. More information on the registration requirement can be found at: <https://www.gov.uk/guidance/register-a-trust-as-a-trustee>

DEADLINES: Trusts in existence on or after 6 October 2020 had until 1 September 2022 to register, even if closed before this date. From September 2022, any new trusts will have 90 days to register. Failure to register a trust, may result in a penalty imposed by HMRC.

From 2017, under the 4AML rules, trusts with a tax liability were required to register. Under 5AML the registration requirement has been **extended to all UK trusts**, whether taxable or not. There are a limited number of exceptions to the registration requirement, further information relating to this can be found in the 'trusts not required to register section' on the right.

A summary of all trusts which need to register can be found at the following location: <https://www.gov.uk/guidance/trust-registration-extension-an-overview#trusts-that-need-to-be-registered>

Trusts not required to register

A full list of trusts which are exempt from registration can be found at: <https://www.gov.uk/guidance/trust-registration-extension-an-overview#not-registered>

For your convenience, we have provided a summary below:

- UK regulated pension trusts
- UK charitable trusts
- Trusts for vulnerable beneficiaries or bereaved minors
- Personal injury trusts
- Disabled persons trusts meeting the criteria set by legislation
- Protection policies paying out only on death, terminal or critical illness or disablement, including group policies
- Statutory trusts created on intestacy
- Will trusts created on death and wound up within two years
- Whole of life policy trusts are not required to be registered unless the policy is surrendered in the life assured's lifetime, or if the benefits are paid out on the death of the life assured and retained in the Trust for more than two years
- Pilot trusts set up before 6 October 2020 and holding assets valued at less than GBP100 unless/until further assets are added. Pilot trusts, irrespective of the amount held, set up after 6 October 2020 will be required to register

If the trustees of a trust that falls within one of the above exclusions become liable for UK tax, the trust will need to be registered on the TRS for the required trust tax return to be issued.

Trust registration requirement on other EU (European Union) registers

Under the EU Anti-Money Laundering legislation each EU member state is required to establish a Central Register of Beneficial Ownership (CRBOT).

Where a Trust holds a policy with a company based in Ireland, or other EU territory, there may be a requirement to register on the register relevant to the other country. This can give rise to technical issues involved in accessing and recording the Trust information on the non-UK Trust register. Please note that the information required, and reporting deadlines will differ from those in the UK.

If the Trust holds an investment or asset that is based overseas, then reference to the country's registration requirements will be needed.

How to register

For each Trust to be registered, an Organisation Government Gateway account will be required. If you are a trustee of more than one trust, then this process needs to be undertaken for each.

A Trust Government Gateway account is entirely separate to any personal or corporate Government Gateway account set up by the trustee for their own tax affairs.

If, as a trustee, you are registering more than one trust, you can use the same email for each Trust Government Gateway account, but each Trust will have their own record, requiring a unique Organisation Government Gateway User ID and password.

The trustees will need to nominate a lead trustee to be the main point of contact for HMRC. HMRC will send the lead trustee either the Unique Tax Reference (UTR) for taxable trusts, or the Unique Reference Number (URN) for non-taxable trusts.

The registration process

Access to the HMRC online Trust registration service can be found at <https://www.gov.uk/guidance/register-a-trust-as-a-trustee>

Alternatively, you can enter **Register a Trust as a trustee – GOV.UK** into the search bar of your search engine, such as Google and the link to the HMRC online Trust Registration Service should appear as the top item. Click on the link and the top of the page will appear as follows:

Guidance

Register a trust as a trustee

Register your trust online if you are a trustee.

Useful tip: This page contains useful information for trustees and is worth a read. The page details the information you will need to have available to complete the registration process of the trust.

Read down the **Register a trust as a trustee** page until you get to the green button **Register now >**. Click on this button. It will take you to the **Sign in using Government Gateway** page, see below. Further details on the information needed to register the Trust is included on page 5.

Sign in using Government Gateway

Government Gateway user ID

This could be up to 12 characters

Password

Sign in

[Create sign in details](#)

To register a Trust, it needs to have its own Organisation Government Gateway User ID and password.

If the Trust's Government Gateway account is already in place, you can proceed to register the Trust detailed in the "Entering Trust information" section on page 5.

If the Trust's Government Gateway account is not yet in place, continue to follow the steps detailed in the "Creating a Trust Government Gateway account" below.

Creating a Trust Government Gateway account

If the Trust does not have a Government Gateway User ID, this will need to be created, together with a password, recovery word and access verification information. To start this process, click the link [Create sign in details](#).

This will bring up a page where you will need to **Enter your email address**. The email address provided should be for the person who will be the point of contact for HMRC i.e. the lead trustee.

When you click [Continue](#) HMRC will send a code to the email address provided. The email from HMRC will be entitled **Confirm your email address – Government Gateway**. It can take a few minutes to come through. You may need to check the Spam/Junk folder. The code is time limited.

Enter the code and click [Continue](#). The page will show **Email address confirmed** click [Continue](#).

Enter the name of the lead trustee on the next page and continue to the next page to **Create a password**.

When created, click continue to move to the **Set-up recovery word** page.

The recovery word is to enable you to access the Trust record if the password is lost.

When the recovery word is set up click [Continue](#).

The next page will confirm the Government Gateway User ID – a 12-digit number.

Your Government Gateway user ID is:

<12 digit number detailed here>

HMRC will send an email to confirm the user ID, entitled **Your government Gateway user ID**. This is for the Trust and not the individual trustee.

Please note: *The password, recovery word and user ID need to be retained in a secure place for future reference.*

Click [Continue](#) to move to the page where you set up the type of Gateway record needed.

Please note: *A Trust is an Organisation for Government Gateway purposes.*

Choose the type of account you need

Individual – do not select

- Organisation – select this type for a trust**
Includes limited companies, partnerships, charities, trusts and estates

Agent – do not select

Please note: *Selecting the incorrect option at this point will mean you need to start again to create the correct Gateway account.*

Click [Continue](#) to set up additional security/ verification for accessing the Trust record.

You need to set up additional security

- How do you want to get access codes, text message, voice call or Authenticator app for smartphone or tablet, make your selection and continue.
- Are you adding a UK mobile number, continue.
- Enter a UK mobile phone number, [Send access code](#).
- A text message from 60551 will be sent to the mobile number. It may take a few minutes to arrive. It will be a 6-digit code, with an expiry time.
- Enter the access code and continue.
- You have set up additional security and the Trust Gateway record set up process is now complete.

Entering Trust information

You will return to the sign in using Government Gateway page.

Sign in using Government Gateway

Government Gateway user ID
This could be up to 12 characters

Password

Sign in

[Create sign in details](#)

Using the User ID and password, sign in.

The verification step of an access code being sent to the mobile logged on the system will take place again, enter the code and continue.

There will now be a series of questions to answer:

- Has the Trust already been registered online?
- Does the Trust have a Unique Taxpayer Reference (UTR)? (This will be "no" for trusts that have not paid tax in the past)
- Are you registering an express trust? (An express Trust is one created deliberately by a settlor, typically by Trust Deed or under the terms of a Will or Deed of Variation)
- Does the Trust have any tax liability from 6 April 2021 to 5 April 2022?
- Has the Trust had any UK tax liability in the last four years? (More information is required on the register for trusts that have been or will be subject to tax)

When answered, click [Save and continue](#).

This will take you to **Before you continue**, when you have read the information on this page.

Click [Continue to register the trust](#) this will take you to the **Registration progress** page.

At this point the information entered will be saved for 28 days. This will allow you to exit at this point and complete the registration process at another time if you wish. If the registration process is not completed in 28 days, it will be necessary to start again from the sign in and

initial question stage. It will not be necessary to set up a new gateway account.

To continue with the registration process, click **Trust details**, from the **Sections to be completed** list on the page

You will see on the page not only is there a section for **Trust details** but also **Settlers, Trustees** and **Beneficiaries**. These sections will need to be completed in all cases.

Then the **Additional sections** need to be completed but will only be relevant to a few trusts.

Trust details

Information required:

- Trust name
- Creation date
- Land or property ownership information since 6 October 2020
- Details of registration on a register in the European Economic Area
- Trustee residence

At each stage click [Save and continue](#) to move to the next page.

If any information later needs to be revised there is information on page 8 detailing how the Trust register can be updated.

As you complete each section there will be a page summarising the information entered for you to review before clicking [Save and continue](#).

Once a section is complete you will return to the **Registration progress** page, and it will show the status of the sections.

Move on to register information on the settlor, trustees, and beneficiaries. The table on page 6 indicates the information required for the settlor, trustees, and beneficiaries.

Please note: *For joint settlor trusts, when the information for the first settlor is complete there is the facility to add the details of the joint settlor, a separate Trust record will not be needed in such a case.*

The beneficiary information noted in the below table is only required for beneficiaries who are specifically named in the Trust deed. If rather than specific named beneficiaries, the Trust refers to "classes of beneficiaries" (for example: grandchildren and remoter issue), then please refer to the following section below the table for beneficiary information required.

Summary of information needed for Beneficial Owners – this is for parties that are individuals and not corporate or business entities

Details	Lead trustee (individual)	Other trustees and if relevant protector	Settlor	Named trust beneficiary/ies (Only relevant for named beneficiaries)
Full name	✓	✓	✓	✓
Date of birth	✓	✓	✓	✓
Telephone number	✓			
Date of death			✓ if relevant	
Email address	Optional on the trust record			
UK NI (National Insurance) Number if a UK citizen or passport number and address if not a UK citizen	✓			
Full address	✓			
Country of residence	✓	✓	✓	✓
Country of nationality	✓	✓	✓	✓
Mental capacity at the time of registration		✓	✓	✓

What kind of beneficiary information do you need to add?

Individual or Class of beneficiaries

This will be governed by the contents of the Trust document. It is not governed by the unwritten wishes/desires/thoughts of the settlor or trustees. If a beneficiary is or beneficiaries are specifically named in the deed then their details need to be included in the register, as per the information provided in the table on page 6. If the deed refers to a class of beneficiaries (for example: grandchildren and remoter issue) then the deed wording describing the class should be recorded on the Trust register.

Example of beneficiary entitlements

Bill sets up a Trust for the benefit of his grandchildren, including any that are not yet born. The Trust deed also says that his niece Mary may benefit at the trustees' discretion, and that if Mary dies the trustees can make a payment to his nephew John.

The trustees can include the grandchildren in a class of beneficiaries because they are not specifically named. The trustees must give Mary's details because she is named and can benefit from the Trust. They can include John in a class of beneficiaries as he can only benefit when Mary dies.

Some years later, the trustees make a payment to one of the grandchildren, Sarah. Mary also dies, and the trustees make a payment to John. The trustees must give Sarah's details on the register as she has benefitted from the Trust and her name is known. They must also give John's details because he can now benefit too.

Continuing with completing the Trust register

There are additional sections to be completed as relevant:

- Company ownership or controlling interest
- Protectors
- Other Individuals

Once all sections are completed click **Save and continue**. This returns you to the **Registration progress** page.

Click **Continue to declaration**. Read the declaration and, if you agree, click **Confirm and send**.

A confirmation reference for successful submission of the record will be shown.

Registration received
<Your reference detailed here>

The reference shown at this point is not the URN, (Unique reference number), for the Trust. The URN applies to non-taxable trusts.

Click on the **sign out** link at the top right-hand corner of the page.

This will enable access of the **Maintain this trust** section. This page will show the Trust URN, if relevant, i.e. the Trust is a non-taxable trust. This URN information should be retained with the Trust records.

Move through this section by completing each element and clicking **continue**. This will complete the pages confirming the agent information, if any, the lead trustee's last name, date of birth and National Insurance number.

When the information is submitted, click **submit** the security questions, if the answers match those already included on the register, will have been answered successfully.

Click **continue** to take you to the **Maintaining this trust** page.

Click **Start maintaining this trust** then click **continue** on the **Do you want to view this trust's last declaration?** page to reach the **What do you want to do next?** page where there are four options. By selecting the fourth option a copy of the Trust registration record can be obtained. This should then be saved with the Trust records. This will be required for future verification of the Trust.

The Trust registration is now complete.

To exit click on the **sign out** link at the top right-hand corner of the page.

Please note: If a Trust is subject to a tax event there is further information required, including information on the Trust assets and their values.

Reviewing and making changes to the registered details of the Trust

If any changes are made to the Trust, the register will need to be updated to reflect the changes. Examples of changes that need to be updated on the register would be changes to beneficiaries, trustees, tax status.

The Trust record must be updated within 90 days of any changes that impact the information recorded on the Trust register.

While all trustees are equally legally responsible for the Trust, a lead trustee needs to be nominated to be the main point of contact for HMRC. The lead trustee will receive communications from HMRC and, therefore it will be important to keep their contact information up to date.

Proof of registration of the Trust may be required by some agencies. A PDF copy of the information can be obtained on the Trust Register, as detailed below:

Ascot Lloyd will require confirmation of the trusts registration on the TRS. The document required is the 5MLD – Obligated Entity Letter. Ascot Lloyd has a further guide on how to access this document and how to maintain the trust record going forward.

In order to review the Trust details or make any changes, use the following link:
<https://www.gov.uk/guidance/manage-your-trusts-registration-service>

The page provides useful information regarding the management of your Trust details and is worth reading.

Click on **start now** at the bottom of the webpage. You will need the Trust Government Gateway User ID and password to login into the trust account.

For Trusts in existence as of 6 October 2020 but that have subsequently closed, registration is required but the record can then be closed.

If you have queries or difficulties with accessing and using the HMRC online Trust registration system, then HMRC can be contacted on 0300 123 1072 during office hours 9am to 5pm, Monday to Friday.

This information is based on Ascot Lloyd's understanding of current tax and HM Revenue & Customs' practice as at 31 August 2022. Tax rules may change and will depend on individual circumstances. This information does not constitute legal or tax advice and must not be taken as such. Ascot Lloyd can take no responsibility for any loss which may occur as a result of relying on this information.



Independent Financial Advice

Call 0345 475 7500

Visit www.ascotlloyd.co.uk

Ascot Lloyd is a trading name of Capital Professional Limited, which is authorised and regulated by the Financial Conduct Authority.
FCA Number 578614. Registered in England and Wales No. 07584487.
Registered Office: Reading Bridge House, George Street, Reading, RG1 8LS.