

GIFT SCHEME – TRUSTS COMPLETION GUIDE.

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This guide is intended to assist you in completing the Trust documentation.

Before completing the Trust deed:

1. Ensure that you have consulted your legal adviser.
2. Make sure that you understand how the Trust works and that it carries out your wishes.
3. Consult the separate Technical Guide.

Parts A, B, D and the Schedule of the Trust Deeds must be completed in full. Part C contains the standard Trust provisions necessary for each trust to operate.

Please use BLOCK CAPITALS and black or blue ink throughout. Do not use correction fluid. Corrections can be allowed provided that the mistake is crossed through and initialled by the Settlor/Donor and the Trustees.

AN EXPLANATION OF SOME GENERAL TERMS

Beneficiaries	The people who may benefit from the Trust.
Donor	This is the person(s) creating the Absolute Trust. The person(s) creating the Discretionary or Flexible Trust is known as the Settlor.
Legal & General	Shall mean Legal & General Assurance Society Limited
Policy/Policies	These are the existing policy/policies that are being assigned into the Trust or the cash sum used by the Trustees to take out the policy/policies.
Schedule	The section of the Trust deed that records the cash sum or policy/policies being placed into the Trust.
Settlor	This is the person(s) creating the Discretionary or Flexible Trust. The person(s) creating the Absolute Trust is known as the Donor.
Trust	This is the legal arrangement whereby the Trustees hold the Trust fund for the benefit of the beneficiaries.
Trust Deed	The legal document that sets out the terms of the Trust.
Trust Fund	The cash sum or policy/policies held within the Trust.
Trustees	The Trustees are the persons who are responsible for administering the Trust. They are the legal owners of the Trust Fund.
Witness	Must be an adult, but not someone named in the Trust, or their spouse or registered civil partner. The witness can be a professional adviser or a neighbour.

PART A. DATING THE TRUST

Do not enter the date here until the last person in Part D has signed the deed. If all the parties are present and sign at the same time, that date should be inserted.

PART A. DATE OF TRUST

INSERT date when last person signs on page 7.

THIS DECLARATION OF TRUST is made on the day of 20

BY the Donor and the Trustees

Insert the date of the Trust.

PART B. THE SETTLOR/DONOR

If there is only one Settlor/Donor you will need to appoint an additional Trustee.

PART B. DEFINITIONS

Please insert the details of the Settlor.

In the case of joint Settlers insert the details of the second Settlor.

1. The 'Settlor' means

First (or sole) settlor	Second settlor
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth

Insert Settlor's/Donor's full name.

Insert Settlor's/Donor's full address and postcode.

Insert Settlor's/Donor's date of birth.

Second Settlor/Donor (if applicable) insert corresponding details in the space provided.

PART B. THE TRUSTEES

The Settlor(s)/Donor(s) will automatically be a Trustee unless they sign in the box in clause 3.

Unless there are joint Settlers/Donors, at least one additional Trustee must be appointed.

See Technical Guide for who can be appointed as Trustee.

If the sole Settlor is to be a Trustee it is important that at least one Additional Trustee is named.

If the Settlor is not to be a Trustee it is important that two Additional Trustees are named.

2. The 'Additional Trustees'

Additional Trustee 1	Additional Trustee 2
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth

Additional Trustee 3	Additional Trustee 4
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth

Insert additional Trustee's full name.

Insert additional Trustee's full address and postcode.

Insert additional Trustee's date of birth.

Second, third and fourth additional Trustees (if applicable) insert corresponding details in the space provided.

Settlor(s)/Donor(s) who do not want to be a trustee must sign in the box. Please note the trust requires a minimum of two individual Trustees.

The Settlor will automatically be a Trustee unless he/she signs the box opposite.

When there are two Settlers, the second Settlor will also automatically be a Trustee unless he/she signs the box opposite.

3. The 'Trustees'

"The Trustees" shall mean the Settlor (unless the relevant box below is signed) and the Additional Trustees and any other trustees for the time being of this Trust.

The first (or sole) settlor will be a Trustee unless he/she signs his/her name in the box.

The second settlor will be a Trustee unless he/she signs his/her name in the box.

Insert Settlor's/Donor's signature if they do not want to be a Trustee.

Second Settlor/Donor (if applicable) insert corresponding details in the space provided.

This box should be signed by the Settlor if they do not want their spouse or registered civil partner to be a Beneficiary of the Trust.

Please refer to the Technical Guide for further information about when this box should be signed.

The Settlor should sign this box if the spouse of the Settlor is NOT to be a Beneficiary.

4. The 'Beneficiaries'

The persons listed below may benefit under the Trust but so that no Excluded Person shall be capable of benefiting.

4.1 Any spouse widow or widower of the Settlor provided that person is not a Settlor but if the Settlor signs this box any spouse of the Settlor shall not be a Beneficiary and shall be an Excluded Person.

4.2 Any child or grandchild of the Settlor whenever born (including step children and their issue).

4.3 Anyone descended from the father or mother of the Settlor.

4.4 Any surviving spouse (whether or not remarried) of anyone described in sub clauses 4.2 and 4.3.

4.5 After the death of the Settlor anyone who may benefit from his or her residuary estate.

4.6 Any person class of person or any charity named in a deed of addition made by the Settlor during his lifetime.

4.7 Any Additional Beneficiary.

Insert Settlor's signature if they do not want their spouse or registered civil partner to be a Beneficiary.

Any person not already included in the wide class of Beneficiaries set out in Clause 4.1 to 4.6 can be added here. This includes common law spouses and friends.

Please insert the details of any individual(s) to be included as a Beneficiary not already included in the list above.

Do not include an Excluded Person. If you wish to include more than four individuals or add a class of persons use a continuation sheet for the extra individuals/class of persons.

'Additional Beneficiaries'

Beneficiary 1		Beneficiary 2	
Name		Name	
Address		Address	
Postcode		Postcode	
Date of birth		Date of birth	
Beneficiary 3		Beneficiary 4	
Name		Name	
Address		Address	
Postcode		Postcode	
Date of birth		Date of birth	

Insert additional Beneficiary's full name.

Insert additional Beneficiary's full address and postcode.

Insert additional Beneficiary's date of birth.

Second, third and fourth beneficiaries (if applicable) insert corresponding details in the space provided.

These are the Beneficiaries who will benefit in default of appointment by the Trustees, in the percentage share specified.

All percentage shares must add up to 100%. If no shares are specified the Beneficiaries will be entitled to equal shares.

At least one name must be inserted here. This should not be the Settlor's spouse or registered civil partner.

Please insert the details of the individual(s) (other than the Settlor) you want to benefit, together with any percentage shares you want each to receive, adding up to a total of 100%.

Please use a continuation sheet if you wish to nominate more than four Beneficiaries.

4. The 'Absolute Beneficiary or Beneficiaries'	
Beneficiary 1	Beneficiary 2
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth
Percentage %	Percentage %
Beneficiary 3	Beneficiary 4
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth
Percentage %	Percentage %
Total Percentage	100%

Insert Beneficiary's full name.

Insert Beneficiary's full address and postcode.

Insert Beneficiary's date of birth.

Insert Beneficiary's percentage share.

Second, third and fourth beneficiaries (if applicable) insert corresponding details in the space provided.

This box should be signed by the Settlor if they do not want their spouse or registered civil partner to be a Beneficiary of the trust. Please refer to the Technical Guide for further information about when this box should be signed.

The Settlor should sign this box if the spouse of the Settlor is NOT to be a Beneficiary.

5. The 'Discretionary Beneficiaries'

The persons listed below may benefit under the Trust but so that no Excluded Person shall be capable of benefiting.

5.1 Any spouse widow or widower of the Settlor provided that person is not a Settlor but if the Settlor signs this box any spouse of the Settlor shall not be a Discretionary Beneficiary and shall be an Excluded Person.

5.2 The Absolute Beneficiary or Beneficiaries and their issue.

5.3 Any child or grandchild of the Settlor whenever born (including step children and their issue).

5.4 Anyone descended from the father or mother of the Settlor.

5.5 Any surviving spouse (whether or not remarried) of anyone described in sub clauses 5.2, 5.3 and 5.4.

5.6 After the death of the Settlor anyone who may benefit from his or her residuary estate.

5.7 Any person class of person or any charity named in a deed of addition made by the Settlor during his lifetime.

5.8 Any Additional Discretionary Beneficiary.

Insert Settlor's signature if they do not want their spouse or registered civil partner to be a Beneficiary.

These are the Beneficiaries who could benefit if the Trustees choose to appoint to them.

Please insert the details of any individual(s) to be included as a Discretionary Beneficiary not already included in the list above.

Do not include an Excluded Person. If you wish to include more than four individuals or add a class of persons use a continuation sheet for the extra individuals/class of persons.

'Additional Discretionary Beneficiaries'

Beneficiary 1	Beneficiary 2
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth
Beneficiary 3	Beneficiary 4
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth

Insert additional Beneficiary's full name.

Insert additional Beneficiary's full address and postcode.

Insert Beneficiary's date of birth.

Second, third and fourth beneficiaries (if applicable) insert corresponding details in the space provided.

Any person not already included in the wide class of Beneficiaries set out in Clause 5.1 to 5.7 can be added here. This includes common law spouses and friends.

These are the Beneficiaries who will benefit in the percentage share specified. All percentage shares must add up to 100%.

If no shares are specified the Beneficiaries will be entitled to equal shares.

At least one name must be inserted here. This should not be the Donor's spouse or registered civil partner.

Please insert the details of the individual(s) (other than the Donor) you want to benefit, together with any percentage shares you want each to receive, adding up to a total of 100%.

Please use a continuation sheet if you wish to nominate more than four Beneficiaries.

4. The 'Absolute Beneficiary or Beneficiaries'	
Beneficiary 1	Beneficiary 2
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth
Percentage %	Percentage %
Beneficiary 3	Beneficiary 4
Name	Name
Address	Address
Postcode	Postcode
Date of birth	Date of birth
Percentage %	Percentage %
Total Percentage	100%

Insert Beneficiary's full name.

Insert Beneficiary's full address and postcode.

Insert Beneficiary's date of birth.

Insert Beneficiary's percentage share.

Second, third and fourth beneficiaries (if applicable) insert corresponding details in the space provided.

PART B. THE NAME OF THE TRUST

The Settlor/Donor may wish to give the Trust a name. The name is of no legal significance and is merely for identification purposes.

Please insert name of the Trust in this box.

5. Name of Trust
This Trust shall be called
Trust

Insert the name of the Trust.

PART B. THE GOVERNING LAW OF THE TRUST

The law of England and Wales will govern the Trust unless the box is signed to select Scots law. If there are joint Settlers/Donors both must select the same law to apply.

The Donor, and in the case of joint Donors, both Donors, should sign this box if Scots law is to apply.

6. Governing Law

The Trust will be governed by the law of England and Wales unless the Donor signs the following box to choose Scots law.

First (or sole) donor	Second donor
Scots law is to apply to this Trust.	

Settlor(s)/Donor(s) to sign if Scottish law to apply.

PART C. KEY PROVISIONS

The Key Provisions do not require completion.

THE SCHEDULE

Existing Legal & General Policies that are being assigned into the Trust should be detailed here.

SCHEDULE									
<p>If assigning a policy to the Trustees please complete the box(es).</p>	<p>(The "Initial Property")</p> <p>"The Policy" means one or more of the following:</p>								
<p>Name of Company: Please insert either Legal & General Assurance Society Limited or Legal & General International (Ireland) Limited as appropriate.</p>	<table border="1"> <tr><td>Name of Company</td><td></td></tr> <tr><td>Description of policy</td><td></td></tr> <tr><td>Policy Number</td><td></td></tr> <tr><td>Lives Assured</td><td></td></tr> </table>	Name of Company		Description of policy		Policy Number		Lives Assured	
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Name of Company									
Description of policy									
Policy Number									
Lives Assured									
<p>If transferring a cash sum to the Trustees complete the following box.</p>	<table border="1"> <tr> <td>The cash sum of</td> <td>£</td> </tr> </table>	The cash sum of	£						
The cash sum of	£								

Insert the name of the Legal & General company in full. Please see the definition of Legal & General on page 2 of this guide.

Insert description of Policy (e.g. Portfolio Bond).

Insert policy number.

Insert lives assured.

Insert cash sum.

Any facilitated adviser charge being paid by the Settlor/Donor must not form part of the trust fund. This means that the new trust should only show the amount of the investment into the bond.

If you are giving the Trustees a sum of money to be invested in a Legal & General policy, enter the cash amount here.

INITIAL FACILITATED ADVISER CHARGE AND THE CASH SUM

While any facilitated adviser charge being paid by the Settlor/Donor must not form part of the trust fund, please note that for new trust arrangements using a Legal & General trust, the amount the Settlor/Donor is paying to us can comprise both:

- the investment amount that is being invested by the trustees of the new trust, and
- any facilitated adviser charge that is being paid by the Settlor/Donor to Legal & General to be passed onto the adviser.

Each Settlor/Donor and additional Trustee must complete and sign the boxes in Part D. If the Settlor/Donor is also to be a Trustee they do not need to complete the boxes for additional Trustees.

An independent person must witness each signature. The same person can witness all signatures.

The Witness must be an adult, but not someone named in the Trust or their spouse or registered civil partner. The witness will often be a professional adviser or a neighbour.

PART D. SIGNATURES			
	IN WITNESS whereof the parties have signed this instrument as a deed		
		First (or sole) donor/Trustee	Second donor/Trustee
Witnessing: Please ensure that all signatures are witnessed by an independent person. The same person can witness all signatures. Witnesses must be adult and not someone already named in the Trust nor their spouse or civil partner.	1. Signed and delivered as a deed by the said (full name)		
	2. Signature		
	3. In the presence of witness (full name of witness)		
	4. Signature of witness		
	5. Address of witness		
Date: Please add the date of signature. Once all the parties	6. Date		
	7. Place		

Insert first Settlor's/Donor's full name.

Insert first Settlor's/Donor's signature.

Insert Witness's full name.

Insert Witness's signature.

Insert full address of Witness.

Insert date of signature.

Insert place (town/ county) where the Trust was signed, only if the Deed is governed by Scots law.

Second Settlor/Donor (if applicable) insert corresponding details in the space provided.

The additional Trustees should sign in these boxes.
If the Settlor/Donor is also to be a Trustee they do not need to complete the boxes for additional Trustees.

When signed, the date on which a person signed should be inserted as the date of the Trust in the box on page 2.
Please: Please add the place where the Deed was signed and witnessed (for example Edinburgh) only if the Deed is governed by Scots law.

	Additional Trustee 1	Additional Trustee 2
1. Signed and delivered as a deed by the said Trustee (full name)		
2. Signature		
3. In the presence of witness (full name of witness)		
4. Signature of witness		
5. Address of witness		
6. Date		
7. Place		
	Additional Trustee 3	Additional Trustee 4
1. Signed and delivered as a deed by the said Trustee (full name)		
2. Signature		
3. In the presence of witness (full name of witness)		
4. Signature of witness		
5. Address of witness		
6. Date		
7. Place		

Insert additional Trustee's full name.

Insert additional Trustee's signature.

Insert Witness's full name.

Insert Witness's signature.

Insert full address of Witness.

Insert date of signature.

Insert place (town/county) where the Trust was signed, only if the Deed is governed by Scots law.

Second, third and fourth trustees (if applicable) insert corresponding details in the space provided.

WHAT TO DO NEXT

Once you have checked that the Trust deed has been correctly completed, signed and witnessed by all the parties, your Legal & General representative can advise you of the address to which you should send the Deed, together with the following further documentation:

Where gifts of cash are being made:

- Where a gift of a cash sum is being made to the Trustees, make the payment according to the instructions in the relevant application form.
- The Trustees should complete, sign and submit an application form for the chosen Legal & General product. Date the application the day of, or the day after, the date on which the Trust Deed is executed.
- Two documents from the 'Confirming Your Identity' list for each of the Settlor/Donor(s) and Trustees as specified..
- A completed Trust/Entity Self-Certification Declaration Form.

Where policies are being assigned into Trust:

- Two documents from the 'Confirming Your Identity' list for each of the Settlor/Donor(s) and Trustees as specified..
- A completed Trust/Entity Self-Certification Declaration Form.

Letter of wishes:

- For Discretionary and Flexible Trusts, it may be desirable to complete a letter of wishes in order to provide guidance to the Trustees, particularly in administering the Trust after your death.

Cheque completion:

- For Legal & General investment bonds including Portfolio Bond, Select Portfolio Bond and With Profits Bonds, a cheque for the amount of the loan should be made payable to Legal & General.



legalandgeneral.com

Legal & General Assurance Society Limited
Registered in England and Wales No. 00166055
Registered office: One Coleman Street, London EC2R 5AA

Authorised by the Prudential Regulation Authority and regulated by the
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