

bright grey®

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# How to complete the Bright Grey split trust and split trust +30 forms



Protection. **We make it personal.**

## Contents

- 1 Summary of split trust and split trust +30
- 2 Choosing which trust form to use
- 4 Completing the form:
  - settlor and additional trustees
  - plan number
  - the discretionary beneficiaries
  - signatures

# Summary of split trust and split trust +30.

**This booklet has been designed as a short guide to the Bright Grey split trust and split trust +30 forms. It gives you information on which of our trust forms to use and how to complete them.**

Inside, you will see images from a Scottish trust form showing you how to complete certain sections.

Our England, Wales and Northern Ireland trust form is completed in exactly the same way.

For more information about the trusts we offer, please see 'Our guide to trusts', 'How to complete the Bright Grey business trust form' and 'Our guide to being a trustee'. These are available on our website, or you can order copies from [www.brightadviser.co.uk/literature](http://www.brightadviser.co.uk/literature)

# Choosing which trust form to use.

Bright Grey offers a menu-based product that can be tailored to suit your client's needs. For tax reasons, however, we sometimes need to split the applications we receive into two or more plans.

Plans with more than one Life Cover or Life or Critical Illness Cover on the lives of different people will be split into the relevant number of jointly owned plans.

For example, a plan with two single Life Covers, each covering a different person, will be split into two single life jointly owned plans. The plan charge will also be split. If you would like each person to own the plan on his or her own life, each person must complete a separate application.

When you're considering which trust form is right for your client, you should take into account how many plan owners there are as well as how and when the benefits need to be paid.

The chart over the page shows you which trust you should use for certain situations. This chart has been designed to give you an overview of which Bright Grey trust you should use in certain situations. This may not cover your client's exact circumstances. Bright Grey also offers a business trust for use with partnership, member or shareholder protection plans. For more information about the Bright Grey business trust please see our guide 'How to complete the Bright Grey business trust form'. If you're still unsure which trust to use, please contact us on 0845 6094 500.

## Situation

If the plan is owned by only one person

If the plan is owned jointly by two people and they do not want the survivor of them to receive any benefits paid because of the death of the person covered.

If the plan is owned jointly by two people and they do want the survivor of them to be able to receive the gifted benefits if one of them dies.

## Form to use

### Split trust

SCOTLAND | SPLIT TRUST

bright grey

**Declaration of Trust (Scotland)**  
Use this form if the plan is owned:

- by only one person; or
- Owned jointly by 2 people and they do not want the survivor to receive any benefits paid because of the death of the person covered.

### Split trust

SCOTLAND | SPLIT TRUST

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**Declaration of Trust (Scotland)**  
Use this form if the plan is owned:

- by only one person; or
- Owned jointly by 2 people and they do not want the survivor to receive any benefits paid because of the death of the person covered.

### Split trust +30

SCOTLAND | SPLIT TRUST +30

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**Declaration of Trust (Scotland)**  
Use this form if the plan is owned:

- jointly by 2 people; and
- they do want the survivor to receive the gifted benefits if one of them dies.

# Completing the form.

The following section is a guide on how to complete Bright Grey's split trust and split trust +30 forms.

## Settlor and additional trustees

This guide uses images of our Scottish trust form, but our England, Wales and Northern Ireland trust forms are completed in exactly the same way.

### Action

Put the full name and address of the plan owner(s) here. \_\_\_\_\_

Put the full name and address of each additional trustee here. \_\_\_\_\_

The settlor(s) will automatically be trustee(s) and your client(s) should appoint at least one additional trustee.

### Section

**F Definitions**

**F1 The Settlor**  
The Settlor is the person who is creating the trust. As the plan owner you will be the Settlor. You should put your full name including middle names and address.  
\*If people are named, the term 'Settlor' includes both of them.

Settlor 1	Settlor 2
title	title
first name	first name
middle name	middle name
last name	last name
address	address
postcode	postcode

**F2 Additional Trustees**  
Complete the full names, including middle names, of the Additional Trustees. You must appoint at least one Additional Trustee.

Additional Trustee 1	Additional Trustee 2
title	title
first name	first name
middle name	middle name
last name	last name
address	address
postcode	postcode

## Settlor

The settlor is the person who sets up the trust. They will appoint trustees to administer the trust and decide who the beneficiaries will be.

They will also provide the property that will be held by the trust. The settlor will decide who is going to benefit from the gifted benefits under the trust.

If the plan has been taken out on a life of another basis then the applicant, as opposed to the person covered, will be the settlor.

If two people jointly own the plan, then they will have to declare the trust jointly. It's not possible for only one of the plan owners to declare a trust on their own. Anyone over the age of 18, who takes out a Bright Grey protection plan and who is mentally able, can be a settlor.

## Trustees

Once the trustees have been appointed, they are the legal owners of the trust property. The trustees hold and administer the trust fund for the sole benefit of the beneficiaries.

Under the terms of the trust, your client(s) as the settlor(s) are automatically trustees. To appoint someone to act with them as additional trustees, your client must provide their full name and address on the trust form (see section F2 on the trust form). We recommend that your client appoints at least one additional trustee (this is mandatory in Scotland).

A trustee must be aged 18 or over (16 in Scotland), and be mentally able. They should also have a sound financial history.

When considering who they want to act as trustee(s) your client should appoint someone they feel they can trust.

A trustee can be a family member, friend, professional adviser or corporate body. Your client should also take care to avoid a conflict of interest. For example, where there are two children and only one of them is appointed to act as a trustee, he or she might try to take advantage of this position. They may try to influence the other trustees into appointing more benefits to them than their brothers or sisters.

Trustees must fulfil certain duties in relation to the trust. You can find further information about the role of the trustee in 'Our guide to being a trustee'.

## Plan number

In this section you should put the number of the Bright Grey plan that's to be placed in trust. If your client's application is to be split into more than one plan you can put the number of all of the plans in here and don't need to complete a separate form for each plan.

### Action

Put the number(s) of the plan(s) to which the trust is to apply here. \_\_\_\_\_

If you don't know the plan number yet, leave this blank and we will complete it later.

### Section

The screenshot shows a form with the following sections:

- F4 The Plan**  
The Plan means the Plan or Plans numbered below effected by the Settlor with the Company.  
Please insert the number of each plan that is to be added to this trust.  
[A table with two columns: 'Plan Number' and 'Plan Name'. The first row is filled with a grey box.]
- F5 The Company**  
The Company means Bright Grey
- F6 The Excluded Person**  
The Excluded Person means the Settlor
- F7 The Trust Fund**  
The Trust Fund means:
  - the Plan;
  - all money invested in the Plan.

# Completing the form.

continued

## The different beneficiaries

### Beneficiaries

Beneficiaries are the people your client wants to receive the benefits they're giving away. In a trust there can be different types of beneficiary depending on the exact wording of the trust. So it's important that the settlor and trustees understand what rights each type of beneficiary has under the trust.

## Discretionary beneficiaries

This is the list of people to whom the trustees could make an appointment at some point in the future. The form includes a list of people most commonly included in this type of trust. But your client can add to this list if someone they want the trustees to be able to make an appointment to is not already included. This can be done by either naming them individually or by describing them as a specific group of people. If your client wants to add someone else to this list in the future they simply need to put this in writing to the trustees. They can do this by asking us for an 'Adding a discretionary beneficiary' form.

### Action

Put the full name of any additional discretionary beneficiary you would like the trustees to be able to give some or all of the gifted benefits to.

### Section

**F12 The Discretionary Beneficiaries**

This is the list of beneficiaries the Trustees may appoint to, or any part of the Gifted Benefits to, using the powers in Clause 6(c).

You can add to this list at any time by giving the Trustees the full names of any beneficiaries you think should benefit from the Trust Fund or by writing the full names of the beneficiaries of or out of below.

- i. the children and remoter issue of the Settlor (whenever born) including children and remoter issue by adoption
- ii. any spouse or civil partner of former spouse or civil partner of anyone within (i) above.
- iii. any person at any time the spouse or civil partner of the Settlor or the widow or widower or surviving civil partner of the Settlor
- iv. any person who may at any time be a spouse, civil partner or widow or widower or surviving civil partner of either of the Settlers
- v. any person nominated in writing to the Trustees by the Settlor provided that the Settlor may not be the subject of such nomination.
- vi. \_\_\_\_\_
- vii. \_\_\_\_\_

**F13 Words and expressions defined in the Plan**

Words and expressions defined in the Plan shall unless the contrary shall be specified in the Plan.

**F14 Gender**

## Signatures

Your client's signature must be witnessed by an independent person – that is someone who is not a beneficiary or a trustee. This could be you, their financial adviser.

Each additional trustee also needs to sign and date here but their signatures don't need to be witnessed.

### Action

Your client(s) should sign and date the form here.

The full names, addresses and signatures of witnesses to your client(s) signatures should be put here.

Each additional trustee should give their full name and also sign and date here to show they're willing to act as a trustee.

### Section

**F15. Clause headings**  
The clause headings are included for reference only and shall not affect the interpretation of this Deed.

**G Signatures**  
When you have completed all the information asked for in Section F (Definitions), please sign below before an independent witness, who should complete his full name, including middle names, and address where shown.

**Settlor signatures**  
In witness whereof these presents containing of this and the aforesaid copies are executed by the Settlor on the date shown below the witnesses hereto subscribing.

Settlor 1	Settlor 2
Name	Name
Signature	Signature
Date	Date

**Witness**

Witness	Witness
Full name	Full name
Middle name	Middle name
Last name	Last name
Address	Address
Postcode	Postcode
Signature	Signature

**Additional Trustee signatures**  
Each Additional Trustee should sign here or show they have agreed to take on the role of Trustee.  
The Additional Trustees by their execution hereof accept office as Trustees of the Trust Deed.

Additional Trustee 1	Additional Trustee 2
Name	Name
Signature	Signature
Date	Date

Additional Trustee 3	Additional Trustee 4
Name	Name
Signature	Signature
Date	Date

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Please remember that we have to complete identity verification checks on all of the trustees. **Make sure that you fully complete the trustee identity verification section on the last page of the trust form.**

**Any questions?**

If you have any questions about trusts you can download copies of, 'Our guide to trusts', 'How to complete the Bright Grey business trust form' and 'Our guide to being a trustee' from our website, or you can order copies from [www.brightadviser.co.uk/literature](http://www.brightadviser.co.uk/literature)

# Checklist

Help us process your form quickly. Before you send a copy to us, please check you have:

- Read this list carefully.
- Completed the name and address of each plan owner and additional trustee.
- Completed the plan number, if known.
- Had the form signed by each plan owner and an independent person has witnessed their signature.
- Had the form signed by each additional trustee.
- Asked the additional trustees to complete the 'verification of identity'.

Once you have completed the form you should post a copy of it to us at:

Customer Care Team  
Bright Grey  
2 Queen Street  
Edinburgh  
EH2 1BG

We only need to see the original form if there is a claim on the plan. Please ask your client to keep the original form with their plan documents.

**Bright Grey**  
**2 Queen Street**  
**Edinburgh**  
**EH2 1BG**

**[help@brightgrey.com](mailto:help@brightgrey.com)**

**0845 6094 500**

**[www.brightadviser.co.uk](http://www.brightadviser.co.uk)**

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