

Trust Registration Service

Guidance notes

Since 1 September 2022, most trusts have been required to register with the HMRC Trust Registration Service (TRS). The responsibility for registering a trust lies with the trustees. This guide, which is split into two parts and an appendix, has been created to help trustees.

Part 1 of the guide aims to set out the key elements of the TRS and Part 2 explains how the trustees can obtain a copy of the TRS 'Proof of Registration' document. The appendix contains a redacted example of what the 'Proof of Registration' document looks like.

The contents of this guide should not be construed as financial or legal advice. Any queries on the operation of the trust or the responsibilities of the trustees should be raised with your financial/legal adviser.

This guide is based upon our understanding of the guidance set out in the TRS Manual published by HMRC (<https://www.gov.uk/hmrc-internal-manuals/trust-registration-service-manual>).

1. Useful information on the Trust Registration Service

Deadlines

A non-exempt trust must register on the Trust Registration Service (TRS) within 90 days of the trust being created. Similarly, a change to the Beneficial Owners of a trust, i.e. settlor, trustee, beneficiary, and any individual with control over the trust, must also be updated on the TRS within 90 days of the change.

However, regardless of the deadlines mentioned above, please see the paragraph below about what must be supplied to Transact before we can enter a business relationship with a trust.

PDF 'Proof of Registration' document

Before a Relevant Person, e.g. a financial institution, a tax or legal adviser, etcetera, can enter a business relationship with a trust, the trustees are required to provide the Relevant Person with a copy of the TRS 'Proof of Registration' document. The same applies for existing trust business relationships for which a change in Beneficial Owners has occurred. Part 2 of this guide explains how the trustees can obtain this document.

Information required

The TRS requires the trustees to enter and maintain a range of information about the trust and the parties involved in it. The information includes, but is not limited to, the following:

- Trust name
- Date trust was created
- Full name, date of birth, nationality, and country of residence of each Beneficial Owner.

Settlor

The settlor of a trust is the person who created the trust and transferred assets/property to it. For a trust created by an individual during their lifetime, the settlor will be specified in the trust deed. For a will trust, the settlor is the deceased person whose estate has passed into trust. However, please note that for a trust created via deed of variation, the settlor is the person who executed the variation and took less under the deed than they would have done under the will.

Beneficiary

A trust may have one or more individual beneficiaries and/or a range of classes of beneficiary.

Each individual beneficiary and class of beneficiary must be entered on the TRS. Note that the input field for each beneficiary is limited to 56 characters.

Examples of typical discretionary trust classes of beneficiary might include:

Description of Beneficiary	Spouse, civil partner, widow, widower of settlor
	Children and remoter issue of settlor
	Widows/widowers of settlor's children and remoter issue

Any named beneficiaries stated in the deed should also be registered as individual beneficiaries. For example, where an intended beneficiary is named in the 'additional beneficiaries' section of the trust deed, they should also be included as an individual beneficiary on the TRS. Once benefits are distributed from the trust, the recipient beneficiary will also then need to be registered as an individual beneficiary.

Material discrepancies

Relevant Persons (including Transact) are required to report to HMRC if they discover 'material discrepancies' when obtaining evidence that a trust has registered and when checking the 'Proof of Registration' document. Examples of such discrepancies include:

- A registerable trust has not been registered
- The TRS record does not show all Beneficial Owners of the trust
- Details have been omitted, e.g. date of birth, country of residence.

HMRC advise that, where material discrepancies are first identified, the Relevant Person should liaise with the trustees to try and resolve the situation. HMRC recommend a period not exceeding 30 days for such discrepancies to be rectified, after which a discrepancy report should be filed with them.

HMRC can levy a penalty of £5,000 on the trustees if a registerable trust fails to register or keep the register up to date. This is only likely to apply if HMRC find that this was deliberate behaviour or that corrective action was not taken within the timeframe they set.

HMRC Trusts Helpline

HMRC offer a trust helpline that can be used for help with the Trust Registration Service. The phone number is 0300 1231072 and they are open Monday to Friday between 9am and 5pm.

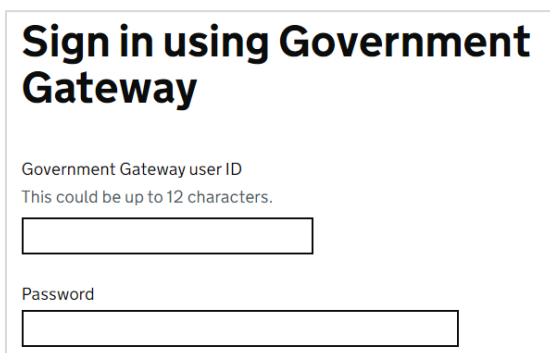
2. How to obtain the TRS 'Proof of Registration' Document

Once a trust is registered on the TRS, the trustees can download the pdf 'Proof of Registration' document from the HMRC TRS website (see link below). They will need the 'Organisation' Government Gateway user ID and password that was used when the trust was registered.

They should then follow the numbered steps set out below. Screenshots from the HMRC website have also been included as an aid to the trustees.

Step 1:

Sign in using the Government Gateway (see the bottom of page at the following link: <https://www.gov.uk/guidance/manage-your-trusts-registration-service>).



Sign in using Government Gateway

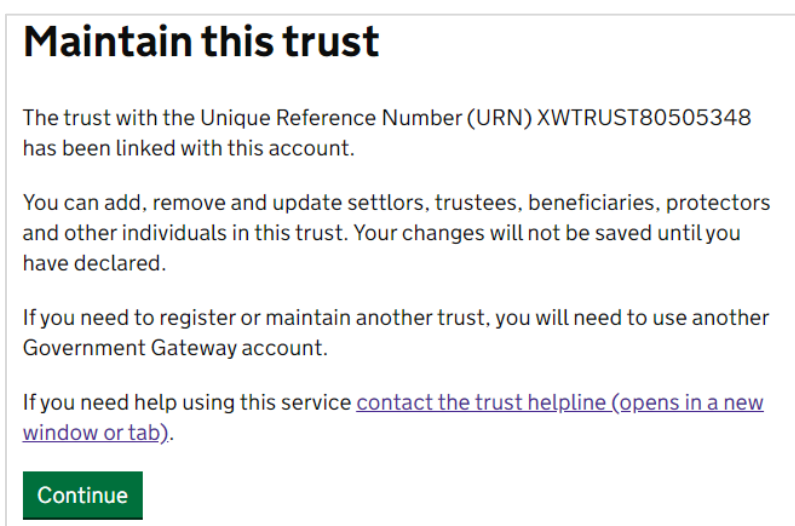
Government Gateway user ID
This could be up to 12 characters.

Password

You will be asked to enter an Access Code. This code will be sent to you. Enter the code and click 'Continue'.

Step 2:

Click 'Continue' on the 'Maintain this trust' screen:



Maintain this trust

The trust with the Unique Reference Number (URN) XWTRUST80505348 has been linked with this account.

You can add, remove and update settlors, trustees, beneficiaries, protectors and other individuals in this trust. Your changes will not be saved until you have declared.

If you need to register or maintain another trust, you will need to use another Government Gateway account.

If you need help using this service [contact the trust helpline \(opens in a new window or tab\)](#).

Continue

Step 3:

Select 'No' in response to the question 'Is an agent managing the trust's online register for the trustees?' and click 'Continue'.

Is an agent managing the trust's online register for the trustees?

Yes No

[Continue](#)

Step 4:

The HMRC website will ask a series of security questions (names, date of birth, National Insurance (NI) number, etcetera). Enter the answer to each question and click 'Continue' at each prompt. Click 'Submit' once all answers have been provided, and 'Continue' once HMRC confirm that the questions have been answered successfully.

Step 5:

Click 'Start maintaining this trust'.

Step 6:

Click 'No' in response to the question 'Do you want to view this trust's last declaration?' and then click 'Continue'.

Do you want to view this trust's last declaration?

Details declared to HMRC about the settlors, trustees, beneficiaries and if added, protectors and other individuals.

Yes No

[Continue](#)

Step 7:

You will be asked 'What do you want to do next?'. Select 'Get evidence of the trust's registration' and click 'Continue'.

What do you want to do next?

- Make changes to the trust and declare
Add or remove beneficiaries, protectors, settlors, trustees and any other individuals, and make changes to their details and declare the changes to HMRC.
- Close the trust and declare
Tell us the end date for the trust, and make any changes to the trust details before declaring the changes to HMRC.
- Tell HMRC if the trust needs to pay tax
Tell HMRC if the trust needs to pay tax or submit tax returns.
- Get evidence of the trust's registration
Create a digitally signed PDF, which shows the people and companies within the trust, that can be shared with any relevant persons.

Continue

Step 8:

You will be asked 'Do you want to view evidence of the trust's registration?'. Click 'Yes' and 'Continue'.


Do you want to view evidence of the trust's registration?

Step 9:

The PDF 'Proof of Registration' document should now have opened. Save the document electronically and give a copy to the Relevant Person.

Appendix: Redacted Example of the ‘Proof of Registration Document’

Trust register



**HM Revenue
& Customs**

HM Revenue and Customs
Trusts
BX9 1EL

Date of issue
05/10/2022

Our reference
[REDACTED]

[REDACTED]

This document confirms that the trust named below has been registered on the Trust Registration Service in the United Kingdom. Details of the beneficial owners of the trust as held on the register are shown below.

Trust details

Full name of the Trust	[REDACTED]
URN	[REDACTED]
Trust start date	01/07/2013
Date Trust last updated	13/04/2022

Lead Trustee

First Name	[REDACTED]
Middle Name	[REDACTED]
Last Name	[REDACTED]
Date of Birth	[REDACTED]
Country of residence	UNITED KINGDOM
Nationality	UNITED KINGDOM

Trustees

First Name	[REDACTED]
Last Name	[REDACTED]
Date of Birth	[REDACTED]
Country of residence	UNITED KINGDOM
Nationality	UNITED KINGDOM

Settlors

SMLD-Obligated Entity letter

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HMRC 07/20

First Name		
Middle Name		
Last Name		
Date of Birth		
Country of residence	UNITED KINGDOM	
Nationality	UNITED KINGDOM	

First Name		
Last Name		
Date of Birth		
Country of residence	UNITED KINGDOM	
Nationality	UNITED KINGDOM	

Beneficiaries

First Name		
Last Name		
Date of Birth		
Country of residence	UNITED KINGDOM	
Nationality	UNITED KINGDOM	

First Name		
Last Name		
Date of Birth		
Country of residence	UNITED KINGDOM	
Nationality	UNITED KINGDOM	



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