What is the Trust Registration Service (TRS)?

The TRS is an online system managed by HMRC for registering trusts and complex estates. It was introduced to comply with legal obligations under anti-money laundering regulations. Most trusts need to be registered, however, there are some exceptions.

Trustees should always check **HMRC Trust Registration** at the start and at regular intervals during the trust period as requirements to register the trust and deadlines may change.

Trustees can be liable for a fine of £5000 if they fail to register the trust on time or keep it up-to-date.

This guide focuses on the most common scenarios when trusts need to be registered.

Lifetime Trusts

Most lifetime trusts (Pilot Trusts, Asset Protection Trusts, Discretionary Trusts) must be registered within 90 days of commencement. This applies even if the assets in trust do not produce income or require any other taxes to be paid.

Example 1: Linda transfers the family holiday home into a discretionary trust on 01.05.2025. Her trustees must register the trust within 90 days.

Example 2: Paul sets up a disabled persons trust (also known as Vulnerable Persons Trust) for his son. This is exempt from trust registration unless a UK tax liability is incurred (e.g. income tax, capital gains tax). If this occurs, the trust must be registered within 90 days of the tax liability arising.

Will Trusts

For trusts made by will, such as discretionary trusts and life interest trusts (sometimes called property trusts, right to occupy trusts or flexible life interest trusts), trustees do not need to register the trust until the two year anniversary of the date of death unless a UK tax liability is incurred which means the trust must be registered within 90 days of the tax liability arising.

Trustees must therefore be aware of the deadlines and vigilant to changing circumstances that might require earlier registration.

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Will Trust Example:
Pete and Joan included a property trust for their home owned tenants in common in their wills. Pete died 01.10.24 and the trust will end on Joan's death. If Joan dies before the two-year anniversary, the trust does not need to be registered. Whilst the trust exists, the trustees have until the second anniversary of Pete's death (01.10.26) to register with HMRC unless a UK tax liability is incurred. This situation may arise if the trust property generates an income e.g. if Joan has gone into care and the trustees rent out the property or sell it and the invested sale proceeds produce an income. If a UK tax liability is incurred, the trustees must register the trust with HMRC within 90 days of the tax liability arising.

Trusts created by will that are currently exempt from registration include Vulnerable Persons Trusts, Bereaved Minors Trust and 18-25 trusts. The same rule applies, however, that the trustees must register the trust if a UK tax liability is incurred (e.g. income tax, capital gains tax).

If the administration of an estate is not completed within two years of death, this will need to be registered with HMRC as a complex estate.

Information Required for Registration

Trustees must provide:

- Trust name and creation date
- Details of the person who created the trust (For trusts arising on death, this is the name of the deceased and the creation date is date of death. For lifetime trusts, this is the name of the settlor and the date on the trust deed)
- Details of trustees and beneficiaries (name, DOB, address, nationality, NI number for lead trustee)
- Trust type and purpose
- Details of assets held (property, shares, etc.)
- Tax reference number (if applicable)

Trustees must also keep records up to date and notify HMRC of any changes including residency status, a change of name or a change in trustees. Updates to trust details must be reported within 90 days of the change. Asset values do not need to be updated.

How to Register

Trustees should agree amongst them who is to be the lead trustee for the purpose of registering the trust and maintaining the records. The lead trustee should then take the following steps

1. **Create a Government Gateway account** https://www.gov.uk/log-in-register-hmrc-online-services/register
   - Select the option to **create an organisation account**.
   - Select the option to **create new sign in details** (don't use your existing personal Government Gateway user log in) so that you can manage the trust separately from your personal tax affairs.
   - You will receive a code by email and then a Government Gateway User ID.
2. **Access the TRS portal** via HMRC's website and enter your Government Gateway User ID. https://www.gov.uk/guidance/register-a-trust-as-a-trustee
3. **Complete the registration form** with all required details.
4. **Submit the registration** and download confirmation for your records.

What are my options?

If you are confident in completing the required information online, you can register your trust yourself. Trustees can also pay for professional assistance to register the trust so they can ensure information is correctly completed and liabilities are minimised.

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