Irish Life

Investments by a Trust – Life Advisory Services

This document outlines how to complete the documentation for a life protection, savings or investment plan where the proposer / plan owner is a Trust or are the Trustees of a Trust.

Where a Trust is established, other than our standard flexible trust and **the Trust** is investing money, the nominated Trustees sign as proposer / plan owner 'for and on behalf of The Trump Family Trust'.

The lives assured can either be the beneficiaries of the trust, or the Trustees of the trust. If the beneficiaries are young children we would recommend they are named as lives assured, as this will make the possibility of a chargeable event on the death of a life assured less likely than if the lives assured were the, presumably, older Trustees.

Irish Life will need to see the document setting up the Trust, the Trust Deed. A copy of this document should be scanned to the file.

We need a copy of the Trust Deed to show who the nominated Trustees are and to confirm that they are allowed to invest the Trust proceeds in a Life Assurance contract.

Also, we need to check that there are no provisions in the Trust that we cannot comply with. For example, if there is a provision in the Trust Deed that each of the beneficiaries receive an amount on, say, their 18th birthday, but the Trustees are investing in a fixed term Tracker that will not have matured by the time the beneficiaries reach age 18 !!

Investments by a Trust - application procedure

For individual bond investors the life / lives assured and the proposer(s) / plan owner are usually the same. This is not the case for Investments by a Trust as the Trust is not an individual.

The correct application process is outlined below:

1. Life Assured

A life assurance plan must have an individual(s) as a life assured in order to pay a death benefit.

> **Insert the name or names of individuals who will be the life/lives assured in the 'Your name in full' and 'Second investor's name in full' spaces.**

The lives assured can either be the beneficiaries of the trust, or the Trustees of the trust. If the beneficiaries are young children we would recommend they are named as lives assured, as this will make the possibility of a chargeable event on the death of a life assured less likely than if the lives assured were the, presumably, older Trustees.

Remember the lives assured will not be the legal owners of the plan. The Trustees of the Trust are the legal owners of the plan.

We cannot accept more than two lives assured.

2. Proposer / Policy Owner

This field must always be completed where a Trust is investing money in a life assurance plan. In some cases where a Trust is investing the name of the life assured and the Trust may be the same.

> *Example:*   *John Doyle – Life Assured*
> *The John Doyle Trust – Proposer / plan owner*

We still need to insert the name of the Trust in the 'Proposer' space because John Doyle and The John Doyle Trust are two separate legal entities. If there are no separate 'proposer' inserted then it will be assumed that the contract is to be owned by the named life / lives assured personally.

> **Insert the name of the "Trust" on the proposal form in the section 'Proposer (Only fill in these details if the proposer is different from 'you')'.**

> **Remember** to insert the address of the Trust – It could be the solicitors address.

3. Declaration Under Regulation 6(3) of the Life Assurance Regulations, 2001.

The Declaration needs to be signed by the proposer / plan owner as they are our client (the money is being invested by 'the Trust') and specifically by the person who is authorised to sign for and on behalf of the Trust – the nominated trustees.

> *Example:*   *Mary Doyle*
> *for and on behalf of the John Doyle Trust.*

4. Applicant Declaration

For all business proposed by a Trust this declaration is required to be signed by an authorised signatory of the Trust i.e.

> *Example:*   *Mary Doyle*
> *for and on behalf of the John Doyle Trust.*

> *Remember, we will need a copy of the Trust Deed for our records.*

Information is correct as at 3 January 2012 but is subject to change.