PHOENIX WEALTH

INVESTMENT BOND

DISCRETIONARY TRUST DEED OF APPOINTMENT AND/OR RETIREMENT OF ADDITIONAL TRUSTEE(S)

Phoenix Wealth, Unit Linked Life & Pensions, PO Box 1393, Peterborough, PE2 2TP.

Note

This document is provided on the strict understanding that it is presented as a draft to be considered by the Appointor and his/her/their legal advisers. Ultimately its legal and tax effect will depend on the circumstances of each particular case. Accordingly, neither Phoenix Life Limited nor any of its representatives, officials or employees can accept any responsibility for any loss occasioned as a result of its use in any circumstances whatsoever.

What is this form for?

The relevant parts of this form should be completed where Additional Trustee(s) are being added to the discretionary trust deed, and/or a Trustee is to stop acting.

It is made up of two parts:

- PART 1: Discretionary Trust Deed of Appointment of Additional Trustee(s)
- PART 2: Discretionary Trust Deed of Retirement of Additional Trustee(s)

If an appointment is being made and a Trustee is to stop acting, the whole form must be completed.

If your Investment Bond policy is in Trust, Trust Registration Service evidence will be required, if not already provided to us, to reflect the changes you are requesting so we can accurately record them in our records.

PART 1 – TRUST DEED OF APPOINTMENT OF ADDITIONAL TRUSTEE(S)

Completion guide

If, after seeking legal advice, no alterations are to be made to this Discretionary Trust Deed of Appointment of Additional Trustee(s), the following sections need to be completed:

1. Declaration

You must include:

- The date the Deed is made at the beginning of this section.
- The name(s) and address(es) of the Appointor. The Appointor will be the Settlor/Settlor(s) under the Trust Deed or, in the event that the Settlor/Settlor(s) has/have both died, the existing Trustee(s) of the Trust.
- Where the Settlor/Settlor(s) is/are the Appointor, the name(s) and address(es) of any other existing Trustee(s) of the Trust must be added as Continuing Trustee(s).
- The name and address of each Additional Trustee being appointed. At least one Trustee must be resident in the UK and it is preferable for administrative and taxation purposes that Additional Trustees are also resident in the UK.

2. Recital

The date of the Trust Deed, the name of the Settlor/Settlor(s), the name of the Trust and the Bond policy number must be inserted.

3. Signatures

The Deed must be signed by the Appointor(s), the Continuing Trustee(s) (if applicable) and the Additional Trustee(s). All the signatures must be witnessed.

4. Identity verification certificate

A separate Identity verification certificate must be completed for each Additional Trustee. You can use a photocopy of the page and attach it to this form.

If the Trust is a Passive Non-Financial Foreign Entity, each additional Trustee is required to complete a **Self-Certification - Individual** form.

1. DECLARATION

This Deed of Appointment is made this	
day of	in the year 20

BETWEEN

The Appointor

which expression if there is more than one Appointor shall apply to both such Appointors) of the first section and, where the Appointor is the Settlor and there are any other existing Trustees of the Trust.

Last name	
All first names	
Permanent home address (inc postcode)	

Last name	
All first names	
Permanent home address (inc postcode)	

The Continuing Trustee(s) of the second section

Last name	
All first names	
Permanent home address (inc postcode)	

Last name	
All first names	
Permanent home address (inc postcode)	

And the Additional Trustees of the second or third section as appropriate

Last name	
All first names	
Permanent home address (inc postcode)	
Country of residence	
Nationality	
Date of birth	☐☐ / ☐☐ / ☐☐☐☐

Last name	
All first names	
Permanent home address (inc postcode)	
Country of residence	
Nationality	
Date of birth	☐☐ / ☐☐ / ☐☐☐☐

2. RECITAL

1. **By a Trust Deed dated:** ☐☐ / ☐☐ / ☐☐☐☐

and made by	("the Settlor/Settlor")
a trust known as the	Trust ("the Trust")
was created of Bond policy number	☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

(hereinafter called **"the Policy"** – which expression where there is more than one policy specified shall apply to all such policies), effected with Phoenix Life Limited.

2. The power of appointing new or additional trustees under the Trust is vested in the Settlor during his lifetime and where there is more than one Settlor in them jointly during their joint lives and thereafter in the survivor of them during his lifetime and thereafter in the trustees of the Trust from time to time. Such person or persons being defined in the Trust as "the Appointor".
3. The Appointor and the Continuing Trustees (if applicable) are the existing trustees of the Trust ("the Trustees").
4. The Appointor wishes to appoint the Additional Trustee(s) to be trustee(s) of the Trust and to act jointly with the Trustees in the execution and administration thereof.
5. The Additional Trustee(s) will accept his/their appointment as trustee(s) of the Trust.
6. The legal ownership of the Policy rests with the Trustees. This Deed of Appointment extends legal ownership of the Policy to the Additional Trustee(s). Such ownership shall be held jointly by the Trustees and the Additional Trustee(s).

Now this Deed Witnesses as follows:

(i) The Appointor being duly authorised by the Trust and in pursuance of every other power so enabling him/them hereby appoint(s) the Additional Trustee(s) to be (a) trustee(s) to act jointly with the Trustees for all the purposes of the Trust.

(ii) The Trustees hereby assign the legal and beneficial title in the Policy to themselves and the Additional Trustee(s) jointly so that the Policy shall henceforth be in the legal ownership of the Trustees jointly with the Additional Trustee(s) as trustees of the Trust.

(iii) The Trustees and the Additional Trustee(s) hereby agree to notify Phoenix Life Limited of any changes of trustees under the Trust.

Data protection

Phoenix Life Limited, a member of the Phoenix Group, will hold and use the personal information you provide to set up and administer the Bond and for business analysis. Your information may be sent for the above reasons to companies within the Phoenix Group in the UK and also to other companies acting on our instructions, including those outside of the European Economic Area.

By signing this form you consent to the use of this personal data for the reasons set out above. You also agree to Phoenix Life Limited passing this information onto: (1) your professional adviser(s) as you notify to us from time to time; and (2) such other third parties as may be necessary in connection with the provision and administration of the Bond, including our professional advisers.

We would like to use your contact details and share them with companies within the Phoenix Group (or other carefully selected companies) to enable us and them to send you information about other products and services. You may be contacted by post, telephone or email.

If you do not wish us to do this please tick the appropriate box below your signature. Otherwise we will assume that you are happy to receive this information and to be contacted in this way for the time being. Personal information regarding beneficiaries will not be used for marketing purposes.

You may change your mind at any time by writing to the Data Protection Officer, 10 Brindleyplace, Birmingham, B1 2JB.

Financial Crime (verifying your identity to prevent Fraud & Money Laundering)

To verify your identity and prevent financial crime we may use and share your information with any company within the Phoenix Group, with companies who work for us and with appropriate organisations.

We may also search, send your details to, and use information from third party verification service providers and financial crime and credit reference agencies (Third Parties). This involves checking your details against databases these Third Parties use. The Phoenix Group and these Third Parties may keep a record of the search, the results of the search, any suspicions of financial crime and the details may be used to assist other companies for verification and identification purposes. This search is not a credit check and your credit rating should be unaffected.

By signing this form you are giving your consent to these activities which will make it easier for you to do business with us and help prevent financial crime. For more information, please write to the Money Laundering Reporting Officer, 10 Brindleyplace, Birmingham, B1 2JB.

3. SIGNATURES

In **Witness Whereof** the parties hereto have executed this Deed the day and year first above written

Appointor(s)

Signed as **a Deed** and **Delivered** by the said	(the Appointor)
Appointor signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Second Appointor if appropriate)
Appointor signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Continuing Trustee(s)

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Additional Trustee(s)

Signed as **a Deed** and **Delivered** by the said	(the Additional Trustee)
Additional Trustee's signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Additional Trustee)
Additional Trustee's signature	✖

☐ Please tick this box if you wish us to send you information about other products and services.

In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

IDENTITY VERIFICATION CERTIFICATE

Private individual

Introduction by an FCA-regulated firm

1. Details of individual (see explanatory notes below)

Full name of Trustee	
Date of birth	☐☐ / ☐☐ / ☐☐☐☐
Current address (inc postcode)	
Previous address if Trustee has changed address in the last three months (inc postcode)	

2. Confirmation

I/we confirm that:

a. the information in section 1 above was obtained by me/us in relation to the Trustee;

b. the evidence I/we have obtained to verify the identity of the Trustee:

- meets the standard evidence set out within the guidance for the UK Financial Sector issued by JMLSG; or
- exceeds the standard evidence (written details of the further verification evidence taken are attached to this confirmation).

3. Details of introducing firm (or sole trader)

Signature:

✖

Date:

☐☐ / ☐☐ / ☐☐☐☐

Name:	
Position:	
Full name of regulated firm (or sole trader)**:**	
FCA reference number:	

Explanatory notes

1. A separate confirmation must be completed for each customer (e.g. joint holders, trustee cases and joint life cases). Where a third party is involved, e.g. a payer of contributions who is different from the customer, the identity of that person must also be verified, and a confirmation provided.
2. This form cannot be used to verify the identity of any customer that falls into one of the following categories:

- those exempt from verification as being an existing client of the introducing firm prior to the introduction of the requirement for such verification;
- those whose identity has not been verified by virtue of the application of a permitted exemption under the Money Laundering Regulations; or
- those whose identity has been verified using the source of funds as evidence.

3. This confirmation must carry an original signature, or an electronic equivalent.

PART 2 – TRUST DEED OF RETIREMENT OF ADDITIONAL TRUSTEE(S)

Important Notes

This Deed may need to be amended for the required number of names and signatures.

Please note – A Trustee can only retire where at least two Trustees (or a Trust Corporate) will remain following the retirement.

Completion guide

If, after seeking legal advice, no alterations are to be made to this Discretionary Trust Deed of Retirement of Additional Trustee(s), the following sections need to be completed.

1. Deed of Retirement

You must include:

- The date the Deed of Retirement is made.
- The name(s) and address(es) of the Continuing Trustees.
- The name and date of the original Trust.
- The name and current address of the Trustee retiring.

2. Signatures

The Deed must be signed by the Continuing Trustee(s) and the Retiring Trustee. All the signatures must be witnessed by an independent person(s) who is/are 18 or over, not a party to this Deed, or a Beneficiary.

1. DEED OF RETIREMENT

This Deed of Appointment is made this	
day of	in the year 20

The Continuing Trustee(s)

Full name	
Permanent home address (inc postcode)	

Full name	
Permanent home address (inc postcode)	

Full name	
Permanent home address (inc postcode)	

Full name	
Permanent home address (inc postcode)	

Whereas by Trust:

Named	
Dated:	☐☐ / ☐☐ / ☐☐☐☐ was created

The Retiring Trustee (as defined overleaf), wishes to retire as Trustee and be discharged from the Trust.

The Trustee retiring

Full name of Trustee	(the "Retiring Trustee")
Permanent home address (inc postcode)	

Now this Deed Witnesses as follows:

1. The Retiring Trustee retires as a trustee of the Trust and is discharged from the Trust.
2. The Continuing Trustees declare that the Trust Assets shall remain vested in the Continuing Trustee(s) alone and that they shall continue to hold them under the terms of the Trust.
3. Governing Law and Jurisdiction
   This Deed and any dispute or claim arising out of or in connection with it or its subject matter shall be governed by and construed in accordance with the law of England and Wales. The Courts of England and Wales will have exclusive jurisdiction to settle any dispute which arises out of or in connection with this Deed and the parties agree to submit to that jurisdiction.

2. SIGNATURES

In **Witness Whereof** the parties hereto have executed this Deed the day and year first above written

Continuing Trustee(s)

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖
In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖
In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖
In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Continuing Trustee)
Continuing Trustee's signature	✖
In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Retiring Trustee

Signed as **a Deed** and **Delivered** by the said	(the Retiring Trustee)
Retiring Trustee's signature	✖
In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Signed as **a Deed** and **Delivered** by the said	(the Retiring Trustee)
Retiring Trustee's signature	✖
In the presence of:	
Witness name	
Witness address (inc postcode)	
Witness occupation	
Witness signature	✖

Phoenix Life Limited, trading as Phoenix Wealth, is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Phoenix Life Limited is registered in England and Wales No. 1016269 and has its registered office at: 10 Brindleyplace, Birmingham, B1 2JB.

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