**TRUST Questionnaire**

**INFORMATION REQUIRED TO ASSIST WITH THE PREPARATION OF FRENCH TRUST REPORTS AND TO ADVISE ON THE IMPACT OF THE FRENCH TAX LAW ON FRENCH CONNECTED TRUSTS**

**- SUBJECT TO THE TERMS OF OUR LETTER OF ENGAGEMENT**

|  |  |
| --- | --- |
| **FULL NAME OF TRUST (as on Trust Deed):** | **DATE:** |
| Where did you hear about us? |
| 1. **ABOUT THE TRUST (OR SIMILAR ENTITY SUCH AS FOUNDATION...)**
 |
| 1.1 Date of establishment of trust (as per deed): |  |
| 1.2 Place of Registration for the trust: *(please provide a structure chart where there are underlying entities and specify their places of incorporation)* |  |
| 1.3 Type of trust (discretionary, life interest, will, etc): |  |
| 1.4 Revocable / irrevocable: |  |
| 1.5 Registration or other identifying number: |  |
| 1.6 Applicable Law: |  |
| 1.7 Your risk rating of the trust relationship:***If you consider the engagement to be high risk, specify the reasons for this and provide a file note to support this. We reserve the right to request further information to satisfy AML procedures.*** |  |
| 1.8 A full description of the origin of the initial funds.*The origins of the wealth should be identified. Generally, simple one-word answers will be unacceptable, for example, “income”, “dividends”, “Bill Smith” or “work”. A brief description to give a fuller picture is expected, for example, “sale of UK private company in 1997”, “lifetime savings of settlor who was a doctor”, “inheritance from parents’ UK estate” and “UK property development over the last 10 years”. Information concerning the geographical sphere of origin is also relevant.* |   |
| 1.9 Any additions to the Trust and the date and origin (source of funds) of such additions, as well as the full identity of the person who added the funds if not the original settlor. |  |
| 1.10 A summary of the main objectives/purpose of the Trust.*A description of the nature and purpose of the trust should be provided. If the activity is of a commercial nature, then additional information may be required.* |  |
| 1.11 Does the trust own, or is the trust owned, by any trading entities? |  |
| 1.12 Does the trust own, or is the trust owned, by any entities with bearer shares or bearer warrants? |  |
| 1.13 Does the trust own, or is the trust owned, by any entities with nominee shareholders? |  |
| 1.14 Date of termination of the trust (if applicable). |  |
| 1.15 For the possible “reportable events”: Details of any changes to the Trust since 31 July 2011 if there are French resident parties - or during the period while the trust holds/held French financial assets (from 2019) - including:* Settled funds into the Trust and origin of these funds
* Income/capital **(please specify)** distributions from the Trust
* Trust termination or creation
* Change of residence - to and from France - of any trust party
* Any change to the Trustee – change of address / change of name
* New trustee
* Removal or addition of beneficiaries
* Death of any of the parties to the Trust

This list is not exhaustive. Please specify the date of each “event” and provide a certified copy of any alterations which have necessitated a revised deed since 31 July 2011. |  |
| 1. **ABOUT THE TRUSTEE**
 |
| 2.1 Full details of **Trustee**:**CORPORATE TRUSTEE(S)** | 2.2**PERSONAL TRUSTEE(S)** |
| Name of Trust Company: Company registration no: Date of appointment: Registered address:  | Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address:  |
| Name of Trust Company: Company registration no: Date of appointment: Registered address: \*If the trustee has changed between July 2011 to date, please provide details of this by way of DORA or equivalent\* | Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address:  |
| *PLEASE REFER TO SECTION 7 FOR TRUSTEES’ AML REQUIREMENTS* |
| 1. **ABOUT THE PARTIES TO THE TRUST –** Kindly complete in full and identify any politically exposed persons if applicable. Please do not refer us to the trust deed, which may not contain the full, relevant details.
 |
| * 1. Name and residence of the True Economic\* Settlor(s) at the time the Trust was established and current tax residence of the Settlor(s).

If corporate settlors, please include the company registration number and registered address.\* Economic Settlor – we need to ensure we have the **original source of funds**, e.g. if the Settlor of this trust is *another* trust, specify the name of *that* trust’s settlor – i.e. the person(s) who settled the funds originally. | Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address: If the Settlor’s address was different when the trust was established, please provide here:If Settlor is deceased, please provide:Date of death:Place of death (town & country):(Note: Please provide a certified copy of the Death Certificate) |
| 3.2 For the Bailiwick’s AML/CFT purposes, please provide details of the **ultimate beneficial owner(s)** of the **corporate trustee** if registered outside of the Bailiwick of Guernsey.This information is not required where the corporate trustee is listed on a recognised stock exchange, or ultimately owned by such a listed entity.See section 7 below for details of the documentation to be provided with this form. | Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address:  |
| Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address:  |

|  |
| --- |
| 3.3 Details for **ALL** Beneficiaries, their dates and place of birth and full current residential address. Contingent beneficiaries must also be included even if they have not yet benefitted. Where a beneficiary is a politically exposed person, please confirm this fact, together with details of their associated jurisdiction/function, under ‘Occupation’. |
| Date of Appointment:Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address and if in France please specify date of arrival in France:  | Date of Appointment:Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address and if in France please specify date of arrival in France:  |
| Date of Appointment:Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address and if in France please specify date of arrival in France:  | Date of Appointment:Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address and if in France please specify date of arrival in France:  |
| Date of Appointment:Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address and if in France please specify date of arrival in France:  | Date of Appointment:Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address and if in France please specify date of arrival in France:  |
| 3.4 A description of the rights of the Beneficiaries  |  |
| 3.5 If life-interest trust, who is the Life Tenant? Is it a protected life interest right? |  |
| 3.6 Date of arrival in France of each French resident party. |  |
| 3.7 Dates of exclusion of any French resident beneficiaries since 31 July 2011. Specify if the exclusion is revocable or irrevocable and if it was reported to the French Tax Authorities? |  |
| 3.8 Name, date of birth, current residential address and date of appointment of the **protector** (if applicable). | Title: Surname:Forenames:Maiden/Other Name(s): Date and Place of Birth: Nationality/ies: Occupation (inc. Employer): Current Address: Date of appointment: |
| 1. **ABOUT THE TRUST’S ASSETS**
 |
| 4.1 Financial Information: **i) *IF THE TRUST HAS AT LEAST ONE FRENCH RESIDENT PARTY (SETTLOR, TRUSTEE OR BENEFICIARY):*** Kindly provide a list of **ALL** the Trust’s underlying assets and **market** values as of 31st December for the last ten years. If the only party in France arrived within the last ten years, the information will only be relevant from that year onwards. List the nature, addresses of financial establishments and of any underlying entities, references, registration number) **or** copies of French tax reports filed to date and provide: \*Financial statements to support the above.\*Portfolio(s) valuations as at the above dates.\*Cash at bank – full name, address and account number of the bank (s)\*Full details of any real estate  We can accept a spreadsheet with the above information for each relevant year, but please include the supporting evidence as listed above. |
| 4.2 ***IF THE TRUST HAS NO FRENCH RESIDENT PARTIES:******i) FRENCH FINANCIAL ASSETS HELD AS AT 1st JANUARY OF ANY OF THE FOLLOWING YEARS 2019 to 2024:*** **e.g. ABCFrance Ltd FR0000123 €123,000**

|  |  |  |  |
| --- | --- | --- | --- |
| **YEAR** | **NAME OF ASSET(S)** | **REFERENCE/****ISIN NO** | **MARKET VALUE(S) AND CURRENCY** |
| 2019 (value 31.12.2018) |  |  |  |
| 2020 (value at 31.12.2019) |  |  |  |
| 2021 (value at 31.12.2020) |  |  |  |
| 2022 (value at31.12.2021) |  |  |  |
| 2023 (value at 31.12.2022) |  |  |  |
| 2024 (value at 31.12.2023) |  |  |  |

***ii) FRENCH REAL ESTATE (DIRECTLY OR INDIRECTLY HELD):***Please provide the full details of the French property(ies), their market values as of 1st January for all relevant tax years in the period from 2012 to date and structure chart of the holding underlying entities. Specify if the properties are rented out (furnished /unfurnished). If relevant, please confirm if the French 3% tax filing is up to date and provide copies of the returns for the above period.***iii) OTHER NON-FINANCIAL FRENCH SITUS ASSETS (e.g. artwork, vehicles, chattels …)***Full details of the relevant non-financial assets situated in France, including their market value as of 1st January for all relevant tax years in the period from 2012 to date.  |
| Please provide full, signed copies of any French trust reports you have already filed with the French Tax Authorities even if in letter format. |

|  |
| --- |
| ADDITIONAL INFORMATIONPlease use this section to identify any additional information/documentation that you feel is pertinent to our relationship and the provision of services by BDO Limited. |
|  |

|  |
| --- |
| 7. AML/CFT REQUIREMENTSUNDER CURRENT LEGISLATION, PLEASE NOTE THAT WE CANNOT COMMENCE ANY WORK UNTIL WE RECEIVE ALL OF THE RELEVANT CDD DOCUMENTS LISTED BELOW.Scanned copies of the certified CDD documentation can be sent to us by e-mail. However, the regulated trust company must confirm to us in writing that it holds the original CDD on its files. Chains of certified documentation cannot be accepted. We reserve the right to request further information/CDD. |
| **FOR ALL TRUSTS:*** 1. Certified copy of any relevant extracts of the Trust Deed and any amending Deeds.
	2. Certified copy of any relevant extracts of deeds of appointment and any deed affecting the running of the Trust.
	3. Certified copy of the trust’s latest financial statements.
	4. If the structure includes underlying entities, please provide a structure diagram.
	5. Certified copies of a passport and utility bill or bank statement for the Protector(s), all Beneficiaries, Settlor(s) and individual current and former Trustee(s). Previously certified documentation should be re-certified and dated and accompanied by a confirmation from the certifier that they have actually seen the original documentation and that they met the individual in question and if so, that the photo is a true likeness. Please note, if the settlor is deceased, we also require a certified copy of their death certificate. For beneficiaries who have taken benefit and have passed, we would require the same or, if this is not available, we will accept some evidence from the estate/probate/letter from the solicitor, etc.
 |
| * 1. If the trustees are **regulated** by the Guernsey Financial Services Commission (GFSC), we should not require any further CDD, unless if, after review, our compliance department requests further clarification.
 |
| * 1. If the trustees are **regulated** in an Appendix C jurisdiction (as listed below) then all we require is a structure chart or a summary sheet to enable us to verify the identity of the ultimate beneficial owner of the company. We will print out the company registration from details from our office; however, if the regulatory body website does not allow us access to this, we will request the appropriate certificate of incorporation to verify this.

**Appendix C jurisdictions are as below:**Australia, Austria, Belgium, Bermuda, Bulgaria, Canada, Cyprus, Denmark, Estonia, Finland, France, Germany, Gibraltar, Greece, Hong Kong, Ireland, Isle of Man, Italy, Japan, Jersey, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Portugal, Singapore, Slovenia, South Africa, Spain, Sweden, Switzerland, United Kingdom |
| * 1. The Bailiwick’s Handbook on Countering Financial Crime and Terrorist Financing places a requirement on firms to identify and verify the identity of the ultimate beneficial owners of **non-Appendix C** located trustees. If you are non-Appx C regulated (see 7.7 for list), please provide:
* A certified copy of the trustee’s Authorised Signatories List;
* A structure chart detailing the ownership of the trustee;
* Certified CDD for all ultimate beneficial owners of the trustee (including proof of address and photographic ID); and
* A certified copy of the Register of Shareholders.
 |

OUR SERVICES For further information or advice, please contact:

We offer personal tax services for foreigners Virginie Deflassieux,

resident in France, comprising: Catherine Le Pelley or Charlotte Hanscotte

 Tel: +44 (0) 1481 724561

* + French tax planning Email: french.tax@bdo.gg
	+ Completion of annual tax returns
	+ Advice on the ownership of French property BDO Limited
	+ Estate planning PO Box 180
	+ Future capital gains tax exposure Second Floor
	+ Wealth tax Plaza House
	+ Advice on treatment of trusts Admiral Park
	+ General advice on French investments St Peter Port
	+ French trust reporting Guernsey GY1 3LL