



TRUST ADMINISTRATION SERVICES

COSTS/CHARGING STRUCTURE

There are three usual common elements on which this firm may be required to undertake work, being:

- 1. GENERAL (ONGOING) TRUST ADMINISTRATION**
- 2. REQUEST FOR CONSENT AND/OR REMOVAL OF A TRUSTEE RESTRICTION AT HMLR**
- 3. RETIREMENT OF TRUSTEESHIP OR APPOINTMENT OF NEW TRUSTEES**

In each case, a similar charging structure is applicable but with varying work requirements. In any of the circumstances below, it may be applicable to instruct accountants, solicitors or other professionals in the discharge of delegated trustee duties and such costs or disbursements shall be payable additionally. Although fees and charges are based according to likely time to be required to be spent (hourly rate charges), it is possible to agree fixed cost charges based on a reasonable estimate of likely time to be involved.

1. GENERAL (ONGOING) TRUST ADMINISTRATION

Charging Structure: hourly rate basis

Hourly Charge:

Robert Cartmell:		£250+vat per hour
Trust Administration Team:	from	£130+vat per hour

Care and Conduct Charges:

If a trust administration has particular complexity, whether legally or factually, or whether Robert is a named trustee, there may be a separate charge made for care and conduct to take account of this. If this is likely to arise, it shall where possible always be discussed with trustees.

Circumstances

General administration charges apply where Robert has been appointed a trustee of a trust and delegates the work and administration to this firm or undertakes the work himself but through this firm or through a firm of Solicitors or Chartered Accountants, subject to any further fees or disbursements that such firm may charge.

Or

Where trustees (other than Robert) appoint Robert or this firm to assist them in the discharging of their trustee duties. That may be in terms of trust and taxation advice, assistance with document preparation or decision making as to continuing with a trust, closing down a trust or passing assets to beneficiaries in the most appropriate ways.

The work undertaken varies according to:

- The quantity and type of assets to be managed and administered;
- The number of co-trustees to communicate with and advise;
- The number of beneficiaries and potential beneficiaries;

The frequency and nature of reviews of financial investment;
The frequency and nature of reviewing the trust further to requests for assistance from the Trust by any of its beneficiaries;
The number and frequency of overall communications received;
If there are any specific trust issues or matters to investigate or address (such as acts of previous trustees).

Likely Work Involved (annually):

Usually the basic processes would involve:

A quarterly review of the Trust file (estimate: ½ hour review)	2 hours per annum
An annual meeting with co-trustees and with relevant beneficiaries (where applicable) (estimate: 1 hour)	1 hour per annum
Communications with co-trustees and advisors regarding asset management, fund switches/changes, requests from beneficiaries (estimate: 1 hour per 6 months)	2 hours per annum
Arranging preparation or execution of appropriate documentation (estimate: 1 hour per annum)	1 hour per annum
Review of taxation of the Trust and assisting with preparation of appropriate tax returns (estimate: 1 hour per annum)	1 hour per annum

Alternatively, the firm charges according to fixed fees which are agreed with the Trustees according to likely work and overall responsibility.

2. REQUEST FOR CONSENT AND/OR REMOVAL OF A TRUSTEE RESTRICTION AT HMLR

Charging Structure: hourly rate basis

Hourly Charge:

Robert Cartmell:		£250+vat per hour
Trust Administration Team:	from	£130+vat per hour

Care and Conduct Charges:

If a trust administration has particular complexity, whether legally or factually, or whether Robert is a named trustee, there may be a separate charge made for care and conduct to take account of this. If this is likely to arise, it shall where possible always be discussed with trustees.

Circumstances

This most usually applies where a trust is a Discretionary Trust or a Life Interest Trust and the general circumstances are such that the assets are vested in a named beneficiary (or beneficiaries) who themselves manage the assets – the trust itself being largely dormant save for a restriction notice protecting a Trust interest in a loan advancement or life interest to such beneficiary.

When a sale of property takes place, the process is to seek a consent to the sale from the trustees of the Trust and that process can include a full removal of the restriction notice or indeed a removal and replacement of the notice to a new property purchased out of the proceeds of sale.

The work required can include:

Holding a meeting or discussion with co-trustees; undertaking a process of evaluation below and agreeing a course of action:

Evaluation Process

Value of the Trust Fund being protected by the restriction:

Current Legal Owner(s) of the property:

Names of beneficiaries who are currently protected by the restriction:

Reason for the request for consent or removal: Is the property being sold, or re-mortgaged?

Is there going to be a sale, and then a related purchase?

If so, will the new owner(s) be prepared to accept an Equitable Charge restriction on the new property?

What are the wishes and instructions of other co-Trustees?

Do the remainder beneficiaries know and consent to the removal or consent?

What are the instructions contained in the Trust; particularly the Memorandum of Wishes or Supplemental Trust Deeds?

Is there any other existing security for the loan or value of the Trust Fund? (this could be a restriction on another property for example)

If not, are there any other assets on which security or restriction notices could be placed?

Options

Consenting to a re-mortgage.

Retaining the existing restriction.

Consenting to removal of the restriction:

On condition that a new Equitable Charge restriction notice is placed on the new property purchased from the proceeds or other suitable property.

Removal

And agreement that no further Equitable Charge or restriction shall be entered and/or instead that a Deed of Promissory Note executed to replace the existing restriction and Equitable Charge.

Likely Work Involved

Usually the process would involve:

A review of the Trust

(estimate: ½ hour review)

½ hour

A discussion or meeting with any co-trustees and with relevant beneficiaries (where applicable)

(estimate: 1 hour)

1 hour

Completion of Minute of Decision covering all aspects

(estimate: ½ hour)

½ hour

Communications with any co-trustee on decision and subsequent documentation

(estimate: ½ hour)

½ hour

Assisting with preparation or execution of appropriate documentations

(estimate: 1-2 hours)

1-2 hours

3. RETIREMENT OF TRUSTEESHIP OR APPOINTMENT OF NEW TRUSTEES

Charging Structure: hourly rate basis

Hourly Charge:

Robert Cartmell:

£250+vat per hour

Trust Administration Team:

from

£130+vat per hour

Care and Conduct Charges:

If a trust administration has particular complexity, whether legally or factually, or whether Robert is a named trustee, there may be a separate charge made for care and conduct to take account of this. If this is likely to arise, it shall where possible always be discussed with trustees.

Circumstances

Like any appointed trustee or executor, Robert has a duty to those people who appointed him personally to act. Robert is happy to retire from any trusteeship or executorship where it is appropriate to do so, where it is requested by all relevant parties and where it is in the best interests of proper administration of a Trust or estate. Such retirement is usually on the basis that an appropriate person or Trust company is chosen in his place (for insurance reasons primarily) and where appointment of a new trustee is reasonably deemed more cost-effective.

Likely Work Involved

Usually the process would involve:

A review of the Trust (estimate: ½ hour review)	½ hour
A discussion or meeting with any co-trustees and with relevant beneficiaries (where applicable) (estimate: 1-2 hours)	1-2 hours
Communications to establish who would be appointed and ensuring suitability (estimate: 1-2 hours)	1-2 hours
Arranging preparation or execution of appropriate documentations (including asset documentation) to transfer trusteeship (estimate: 1-2 hours)	1-2 hours

Completed By: Robert Cartmell

Dated/Updated: 4th May 2021

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