

DOMESTIC TRUST REGISTRY

On October 9, 2013 the Trusts Act, Chapter 202 of the Laws of Belize, Revised Edition, 2002 was amended by Act No. 16 of 2013, Trusts (Amendment) Act, 2013 to provide for the mandatory registration of all domestic trust and matters connected therewith and incidental thereto.

A domestic trust is defined under the Act as *“an express trust made in writing, the proper law of which is the law of Belize, but does not include an international trust (or offshore trust) as defined in section 64(1) of this Act.”*

The Act also includes savings and transitional provisions to facilitate the registration within a 6 months period of domestic trusts created prior to the passing of the amendment, and sets out the effects of failure to register after the 6 months period lapses. These provisions are clearly stated in section 5 and read as follows-

(1) Any domestic trust that had been created but had not been registered prior to the commencement of this Act, the settler or trustee thereof shall apply to the Registrar for registration within six months from the date of the commencement of this Act.

(2) Any domestic trust not registered pursuant to this Act shall cease to be valid and enforceable domestic trust under the laws of Belize.

An application for the registration of a domestic trust must be made on the form provided herein, submitted to the General Registry and must be accompanied by:

- A certified copy of the instrument creating the trust (if any); and
- The prescribed fee of \$200.00 (BZD)

Once the trust meets the requirements for registration, it is registered in the Domestic Trust Register and a certificate of registration by the Registrar is issued to the settlor or the trustee. The Domestic Register is not open for public inspection. However, a settlor or trustee can, by authorization in writing, allows a person to inspect the entry for that particular trust in the register.
