

How to set up a corporate trustee for your family trust



General information

- 1 To incorporate a company, go to the Companies Office website at www.business.govt.nz/companies or www.companies.govt.nz.
- 2 Incorporating a company has several stages:
 - Obtain approval for your company name (“reserve company name”)
 - Apply to incorporate the company (“start a company”)
 - Complete and return the director and shareholder consent forms
 - Receive the certificate of incorporation.
- 3 You will need to log on with a RealMe account. Follow the links on the Companies Office website to set up a RealMe account if you don’t already have one. If you would prefer not to use your personal RealMe account, you can set up a new account to incorporate and manage your new company. Just make sure you remember your login credentials.

Reserving the company name

- 4 First, choose a company name. We recommend that your company name should be different from the name of the trust so that it is easy to distinguish between them. For instance if you have “Joe Bloggs Family Trust”, do not call your trustee company “Joe Bloggs Trustee Company Limited”.
- 5 Next, search the Companies Register to check that there are no other companies with a similar name. If another company has a very similar name, the Companies Office will reject your proposed name and ask you to choose another one.
- 6 If the name is available, click on “Reserve company name”. Follow the instructions, enter the proposed name of your company and make the necessary credit card payment.
- 7 The webpage will show that approval of your name is pending. This takes a few minutes. You’ll get an email to confirm whether it is approved. Alternatively, you can check back on the website. Once the name is approved, move to the next step and incorporate your company.

Incorporating the company

- 8 You need to incorporate your company within one month of obtaining name approval.
- 9 You will need various pieces of information to complete the process. You can go back and fill in uncompleted information later, but it is more convenient to have it all available when you start. Have your credit card handy.
- 10 Use your home address for the company’s registered office unless there are good reasons for using a different address (such as privacy reasons). Or use our address if you want us to look after the annual formalities for you.

- 11 For each director you will need to enter:
- Full name
 - Address
 - Email address
 - Date of birth, and place of birth
 - (Entering a phone number is optional).
- 12 Once you have completed the information for the first director, move to the screen for the next director.
- 13 Next, go to the screen on shareholding. If there is more than one shareholder, select “one or more shareholders in some share allocations”. The number of shares should be 120 and all shares should be owned jointly by all shareholders.
- 14 The type of company is “trustee service”. You may be able to select this from the drop-down list, which will then provide the appropriate code.
- 15 If asked, your trustee company does not employ anyone.
- 16 As a corporate trustee, the company does **not** have to have a constitution, be registered for tax or have a GST number.
- 17 Once you have completed all the information, you’ll be asked to pay the fee to incorporate the company.

Completing and lodging consents

- 18 The next step is to download the consent forms for each director and shareholder (just select “download all”). Print these forms, check them carefully and get each director to sign their forms.
- 19 You will need to return them to the Companies Office to complete the incorporation. If possible, scan them and upload them to the website, otherwise send them to the fax number provided.

Certificate of incorporation

- 20 Once your incorporation is approved, the Companies Office will email you the certificate of incorporation. Please forward it to us so we can complete our documents.

We can help

- 21 If you have any issues, please contact us.
- 22 We can incorporate the company if you prefer. Our fee would be \$345 including GST. The Companies Office fees would be additional (currently \$10.22 to reserve a company name and \$150 to register a company).