
Additional Permitted Subscription (APS) Allowance Application & Transfer Process Guidelines

Process overview

This process allows investors the choice to select which ISA provider they want to accept their APS allowance based on the investor's requirements and what is offered by their existing ISA provider.

Once any subscription to an APS allowance has been made the APS allowance cannot be transferred, however once subscribed, the investments may be transferred or withdrawn in the usual manner.

This process involves the passing of APS allowance information between ISA providers only at the request of the investor.

There are two allowable scenarios within this process, investors can:

- a) Subscribe their APS allowance with the existing ISA provider (the existing provider holding the ISA of the spouse at death)
- b) Transfer their APS allowance to a new ISA provider (in full and once only), where the deceased held multiple ISAs with their existing ISA provider, one aggregate APS allowance is transferred

Per existing ISA guidance, ISA providers are not obliged to accept any ISA subscriptions or any transfers of APS allowances. ISA providers **must** allow the transfer out of an APS allowance.

Where multiple APS allowances are transferred to a new ISA provider, the provider should amalgamate all transferred allowances into one single APS allowance. As the APS allowance cannot be transferred in part, all relevant ISAs or continuing accounts must be closed to allow calculation of the appropriate APS allowance and facilitate the transfer.

Where an APS allowance is transferred to a new ISA provider already holding an APS allowance for the surviving spouse that has not previously been transferred (i.e. the ISA provider of the deceased spouse), the provider should monitor transferred and existing APS allowances separately. Once an APS allowance subscription has been made to an existing APS allowance, the provider may amalgamate all allowances into one single APS allowance. It is for each provider to decide how to do this in practice.

The ISA provider accepting the APS allowance subscription is responsible for all ID&V checks on the surviving spouse and for the retention of the information and declarations.

The ISA provider transferring the APS allowance must ensure the correct deceased spouse's ISA(s) is identified and should provide the required information to the new ISA provider (any standard and existing requirements for retaining sufficient records in relation to a transfer request will apply).

Where the deceased spouse ISA provider has not been informed of the death prior to an APS allowance transfer request being received, the transfer request should be rejected or pended (to allow for the 30 day clock being stopped). Where the transfer request has been rejected the new ISA provider should ask the surviving spouse or executor to make notification of death to the deceased spouse ISA provider before the APS allowance transfer can be made. Where the transfer request has been pended the deceased spouse ISA provider should ask the surviving spouse or executor to make notification of death

Guideline contents

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Subscribe to APS allowance with existing ISA provider - process guidelines

This provides an overview of the APS allowance subscription process where a subscription is made by the surviving spouse to the deceased spouse's ISA provider.

The guidelines should be considered a minimum process as ISA providers may want to include additional steps or requirements per their individual terms and conditions.

The deceased spouse's ISA provider should ensure that the surviving spouse is fully informed of any restrictions before an APS allowance subscription is made (such as, but not limited to, only allowing a one-off APS allowance subscription rather than instalments, and where only a one-off APS allowance subscription is allowed that any balance will be lost).

1. Surviving spouse approaches deceased ISA provider to request details of their APS allowance and to make an APS allowance subscription
2. Deceased spouse's ISA provider calculates the APS allowance value (determining the appropriate APS allowance value for investors who have died from 6 April 2018) informs the surviving spouse of their APS allowance following receipt of the required information and declarations.
 - a. All ISAs held by the deceased spouse with the same ISA provider must be amalgamated into one APS allowance.
3. Surviving spouse completes an APS application form (see appendix A) and submits to deceased spouse's ISA provider (now the ISA provider)
 - a. The APS application form may be written or non-written
 - b. The APS application form may be completed on behalf of the surviving spouse by someone else in line with current ISA guidance
 - c. If the deceased investor details do not match exactly those held by the ISA provider, the ISA provider may use their discretion and judgement to ensure the correct deceased spouse's ISA is identified
4. ISA provider creates a new account (or updates an existing ISA) with APS allowance information
 - a. The ISA may be opened on a provisional basis for 30 days where all required personal information or declarations have not been received per existing ISA guidance
5. APS allowance subscription is made and allocated (may be made in cash or in specie)
 - a. Standard cancellation / withdrawal rights may apply to APS allowance subscriptions as they do for normal ISA subscriptions under FCA rules
 - b. Where an ISA has been opened on a provisional basis, an APS allowance subscription can be provisionally accepted*
6. Provider records APS allowance subscription and initiates APS allowance monitoring process
7. Provider flags APS allowance subscription received in current tax year for ISA reporting to HMRC
8. Any further APS allowance subscriptions to be accompanied by an APS Additional Subscription Eligibility Declaration Form (see appendix B)
 - a. Further APS allowance subscriptions can be provisionally accepted* without an APS Additional Subscription Eligibility Declaration Form
 - b. Where those further APS allowance subscriptions are received in a different tax year to the first subscription, the provider must flag the APS allowance subscription as received in the current tax year for ISA reporting to HMRC

**Any subscriptions accepted on a provisional basis must be voided where the required documentation or information is not received within 30 days*

Transfer APS allowance to new ISA provider - process guidelines

This provides an overview of the APS allowance transfer process where an APS allowance is transferred by the surviving spouse to a new ISA provider.

The guidelines should be considered a minimum process as ISA providers may want to include additional steps or requirements per their individual terms and conditions.

The new ISA provider should ensure that the surviving spouse is fully informed of any restrictions before an APS allowance subscription is made (such as, but not limited to, only allowing a one-off APS allowance subscription rather than instalments, and where only a one-off APS allowance subscription is allowed that any balance will be lost). In addition the new ISA provider should clearly identify that APS allowance subscriptions can only be made in cash following transfer and also highlight that once transferred, the APS allowance cannot be transferred again regardless of whether any APS subscription has been made.

1. Surviving spouse approaches new ISA provider to make an APS allowance transfer request
2. Surviving spouse completes an APS transfer authority form (see appendix C) and submits to the new ISA provider
 - a. The APS transfer authority form should be written with a wet signature as industry standard (unless there is a bi-lateral agreement in place between the two ISA providers)
 - b. The APS transfer authority form may be completed on behalf of the surviving spouse by someone else as per the usual ISA guidance
3. New ISA provider contacts deceased spouse's ISA provider to request APS allowance transfer (per current ISA transfer process the original transfer request will likely be required by the deceased spouse's ISA provider)
 - a. A 'wet signature' should be sent to the deceased spouse's ISA provider (the new ISA provider will retain an imaged copy of the form)
 - b. If the deceased investor details do not match exactly those held by the ISA provider, the ISA provider may use their discretion and judgement to ensure the correct deceased spouse's ISA is identified
 - c. If unable to identify the deceased investor, the deceased spouse's ISA provider should contact the new ISA provider in the first instance for additional information
4. Deceased spouse ISA provider completes APS allowance transfer declaration (see appendix D)
 - a. Deceased spouse's ISA provider calculates the APS allowance value (determining the appropriate APS allowance value for investors who have died from 6 April 2018).
 - b. All ISAs held by the deceased spouse with the same ISA provider must be amalgamated into one APS allowance
5. Deceased spouse's ISA provider records that APS allowance has been transferred (to indicate APS allowance subscriptions cannot be accepted and APS allowance transfers cannot be made) and for investors who have died from 6 April 2018, that the final APS allowance has been calculated.
6. New ISA provider informs surviving spouse of their APS allowance (including any aggregation information)
7. Surviving spouse completes APS application form(s) (see appendix A) and submits to the new ISA provider
 - a. The APS application form may be written or non-written
 - b. The APS application form may be completed on behalf of the surviving spouse by someone else per the usual ISA guidance
8. ISA provider creates a new account (or updates an existing ISA) with APS allowance information

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- a. The ISA may be opened on a provisional basis for 30 days where all required personal information or declarations have not been received per existing ISA guidance
9. APS allowance subscription (cash only) is made to the new ISA provider and allocated
 - a. Standard cancellation / withdrawal rights may apply to APS allowance subscriptions as they do for normal ISA subscriptions under FCA rules
 - b. Where an ISA has been opened on a provisional basis, an APS allowance subscription can be provisionally accepted*
10. Provider records APS allowance subscription and initiates APS allowance monitoring process
11. Provider flags APS allowance subscription received in current tax year for ISA reporting to HMRC
12. Any further APS allowance subscriptions to be accompanied by an APS Additional Subscription Eligibility Declaration Form (see appendix B)
 - a. Further APS allowance subscriptions can be provisionally accepted* without an APS Additional Subscription Eligibility Declaration Form
 - b. Where those further APS allowance subscriptions are received in a different tax year to the first subscription, the provider must flag the APS allowance subscription as received in the current tax year for ISA reporting to HMRC

**Any subscriptions accepted on a provisional basis must be voided where the required documentation or information is not received within 30 days*

General

- First class post or equivalent should be used (unless there is an agreement in place between the ISA providers that would provide a better service, such as by electronic means).
- Providers may combine the APS allowance transfer authority form and application forms.
 - It should be noted that this may lead to additional burden on the surviving spouse to identify APS allowances before transfer if this is required.
 - Subscriptions may be accepted on a provisional basis before the APS allowance information is received from the deceased spouse's ISA provider however it should be noted that any subscriptions accepted on a provisional basis may need to be voided or excess removed should the APS allowance be lower than the provisional APS allowance subscriptions received.
 - Consideration should be given to what information would be sent to the deceased spouse's ISA provider on the transfer request and any potential breach of data protection.
 - Where providers offer more than one product that may be used for an APS allowance subscription (e.g. different ISA types), a combined form may not be practical as multiple application forms may be required.

Cancellation of transfer

The surviving spouse may request to cancel a transfer of an APS allowance while it is in the process of being transferred.

Where a transfer cancellation request is received, the ISA providers should speak to each other to determine the stage of the transfer and whether there is the willingness or ability to cancel the transfer. It should be noted that where the transfer process has been initiated (i.e. the transfer request has been sent by the new ISA provider) neither party is obliged to cancel the transfer and therefore either party may insist on completion of the transfer process.

It is not possible to cancel a transfer of an APS allowance where the transfer is complete (i.e. the deceased spouse's ISA provider has sent the APS allowance transfer declaration).

Template forms explanatory notes

This section aims to provide details of where each template form should be used.

All template application and transfer forms provided are for guidance only and ISA providers may adapt as required. The template forms as shown meet all requirements under the ISA regulations and any adaptations should be reviewed by the ISA provider to ensure their adherence to regulations and guidance.

APS Application Form template (appendix A)

- Completed by the surviving spouse and submitted to the ISA provider accepting the APS allowance subscription
- Used for initial APS allowance subscription and account opening
 - May be adapted where provider does not offer in-specie subscriptions
 - Declaration and authority should be adapted for different ISA types as appropriate
- Where providers offer APS allowance subscriptions in instalments, the wording at the APS allowance subscription information section may be amended
- May be made in writing or not in writing

APS Additional Subscription Eligibility Declaration Form template (appendix B)

- Completed by the surviving spouse and submitted to the existing ISA provider that has received the initial APS allowance subscription
- Used for further APS allowance subscriptions (those received after the initial APS allowance subscription and account opening)
 - May be adapted where provider does not offer in-specie subscriptions
- May be made in writing or not in writing

APS Transfer Authority Form template (appendix C)

- Completed by the surviving spouse and submitted to the new ISA provider
- Used for APS allowance transfers
- May only be made in writing as industry standard (unless there is a bi-lateral agreement in place between the two ISA providers)
- May be combined with APS application form to create a transfer application to allow subscriptions and transfer under one combined form (see general notes on Transfer APS allowance to new ISA provider - process guidelines)
 - Where a transfer application is used, declaration and acceptance sections may be adapted to use past rather than future tense regarding subscriptions to be made

APS Allowance Transfer Declaration template (appendix D)

- Completed by the deceased spouse's ISA provider and submitted to the new ISA provider
- Should be sent by post in written form unless there is an alternative agreement between the transferring ISA providers

Appendix A - APS Application Form template (to be amended as appropriate per ISA type)

Investor Details

Investor full name: _____

Investor permanent residential address: _____

Investor date of birth: _____

Investor national insurance number: _____ or confirmation that the investor does not have one: ___

Details of the Deceased

Deceased full name: _____

Permanent residential address of the deceased at their date of death: _____

Deceased date of birth: _____

Deceased national insurance number (if known): _____

Date of death: _____

Date of marriage or civil partnership between the investor and the deceased: _____

Deceased existing ISA account number(s): _____

Please note if multiple ISAs were held by the deceased with the ISA provider their value will be combined to form one APS allowance

APS Allowance Subscription Information

I (the investor) wish to subscribe £_____ from my APS allowance in respect of the deceased and wish to make my subscription to a **Insert ISA Type** ISA:

- **In cash**, Or;
- Where the APS allowance has not been transferred, **in specie** (by the transfer of existing ISA investments that have remained with the ISA provider or his nominee) to the above amount or value as at date of death if lower

Please be aware that once a subscription to an APS allowance has been made, any future subscriptions under that APS allowance MUST be made to this ISA provider and be accompanied by an APS Subscription Eligibility Declaration.

Not all ISA providers allow for multiple subscriptions to an APS allowance and where only a one-off APS allowance subscription is allowed any unused balance will be lost.

APS Eligibility Declaration

This section must be completed to confirm the investor named on this application is eligible to make an additional permitted subscription to an ISA in respect of the deceased named on this application.

I (the investor) declare that:

- I am the surviving spouse / civil partner of the deceased
- I was living with the deceased within the meaning of Section 1011 of the Income Tax Act 2007 at the date of the deceased's death (we were not separated under a court order, under a deed of separation, or in circumstances where the marriage or civil partnership had broken down)
- the subscription is made under the provisions of regulation 5DDA of the ISA regulations (additional permitted subscription)
- the subscription is being made
 - in the case of 'in specie' subscriptions, within 180 days of beneficial ownership passing to me, and
 - in the case of cash subscriptions, within 3 years of the date of death, or if later, 180 days of the completion of the administration of the estate
- I am aged 16 years of age or over [cash ISA] or, I am aged 18 years of age or over [non cash ISA]
- All subscriptions made, and to be made, belong to me

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I authorise [ISA provider's name]

- to hold my cash subscription, ISA investments, interest, dividends and any other rights or proceeds in respect of those investments and any other cash

or

- if the ISA is a cash ISA invested in a deposit account, to hold my cash subscriptions and any interest earned on those subscriptions

or

- where the ISA provider is an insurer-manager to hold my cash subscription, any other proceeds in respect of my ISA investments and any other cash;

and

- to make on my behalf any claims to relief from tax in respect of ISA investments.

I agree to the ISA terms and conditions.

I declare that this APS application form has been completed to the best of my knowledge and belief.

Signed Date

Appendix B - APS Additional Subscription Eligibility Declaration Form template (to be amended as appropriate per ISA type)

Investor Details

Investor full name: _____

Investor permanent residential address: _____

Investor account number: _____

Details of the Deceased

Deceased full name: _____

APS Allowance Subscription Information

I (the investor) wish to subscribe an additional £_____ from my APS allowance in respect of the deceased and wish to make my subscription to a **Insert ISA Type** ISA:

- **In cash**, Or;
- Where the APS allowance has not been transferred, **in specie** (by the transfer of existing ISA investments that have remained with the ISA provider or his nominee) to the above amount or value as at date of death if lower

APS Subscription Eligibility Declaration

I (the investor) declare that:

- the subscription is made under the provisions of regulation 5DDA of the ISA regulations (additional permitted subscription)
- the subscription is being made
 - in the case of 'in specie' subscriptions, within 180 days of beneficial ownership passing to me, and
 - in the case of cash subscriptions, within 3 years of the date of death, or if later, 180 days of the completion of the administration of the estate
- All subscriptions made, and to be made, belong to me

I agree to the ISA terms and conditions.

I declare that this APS application form has been completed to the best of my knowledge and belief.

Signed Date

Appendix C - APS Transfer Authority Form template (to be amended as appropriate per ISA type)

Investor Details

Investor full name: _____
Investor permanent residential address: _____
Investor date of birth: _____
Investor national insurance number: _____ or confirmation that the investor does not have one: ___

Details of the Deceased

Deceased full name: _____
Permanent residential address of the deceased at their date of death: _____
Deceased date of birth: _____
Deceased national insurance number (if known): _____
Date of death: _____
Date of marriage or civil partnership between the investor and the deceased: _____
Deceased existing ISA account number(s): _____
Please note if multiple ISAs were held by the deceased with the ISA provider their value will be combined to form one APS allowance

APS Allowance Transfer Information

Name of deceased ISA provider: _____
Address of deceased ISA provider: _____
Please be aware that an APS allowance can only be transferred once and only where no subscriptions have been made under that APS allowance. Once transferred subscriptions may only be made in cash.

APS Eligibility Declaration

This section must be completed to confirm the investor named on this authority is eligible to transfer an additional permitted subscription allowance in respect of the deceased named on this authority.

I (the investor) declare that:

- I am the surviving spouse / civil partner of the deceased
- I was living with the deceased within the meaning of Section 1011 of the Income Tax Act 2007 at the date of the deceased's death (we were not separated under a court order, under a deed of separation, or in circumstances where the marriage or civil partnership had broken down)
- I have not subscribed to and will not subscribe to the additional permitted subscription allowance with the existing ISA provider of the deceased named on this application
- I intend to make an additional permitted subscription application to [new ISA provider's name]

I authorise the existing ISA provider of the deceased as specified above to provide [new ISA provider] with any information, written or non-written, concerning the APS allowance and former ISA in respect of the myself (the investor) and the deceased and to accept any instruction from them relating to the APS allowance being transferred.

I declare that this APS transfer application form has been completed to the best of my knowledge and belief.

Signed Date

Transfer Acceptance

We [new ISA provider] are willing to accept this APS allowance transfer in line with the investors instructions above. We confirm that, subject to relevant checks, we are willing to accept an additional permitted subscription application from the investor.

Name of new ISA provider: _____

Appendix D - APS Allowance Transfer Declaration template

Investor Details

Investor full name: _____

Investor date of birth: _____

Investor national insurance number: _____

Details of the Deceased

Deceased full name: _____

Permanent residential address of the deceased at their date of death: _____

Deceased date of birth: _____

Deceased national insurance number (if known): _____

Date of death: _____

Deceased ISA account number(s): _____

Appropriate aggregated value of APS allowances in respect of ISAs held by the deceased at their date of death or point the ISA(s) ceased to be a continuing account (APS value): £_____

Notes to aggregation (if relevant) _____

I declare the information to be correct and confirm that the APS allowance transferred has not previously been subscribed to or transferred from or to another provider and that I [ISA provider] will not accept such subscriptions and will not transfer this APS allowance to another provider in the future.

Date of completion of declaration: _____