

Our ref: Fol/202100227558

David

Email: [request-778409-c8113f9f@whatdotheyknow.com](mailto:request-778409-c8113f9f@whatdotheyknow.com)

3 August 2021

Dear David,

**Request under the Freedom of Information (Scotland) Act 2002 (FOISA)**

Thank you for your request date 1 August 2021 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked “Can you tell me who creates/owns the Cestui Que Vie Trust when children are signed over/registered by their parents when they are born?”

Response to your request

Under the Freedom of Information (Scotland) Act 2002 (FOISA) a request is not valid if it does not, in accordance with section 8(1)(b), state the name of the applicant and an address for correspondence. As your request provides only your first name we do not consider it to be a valid request. Accordingly, we are not obliged to respond to it and we would usually ask you to provide your name (a surname and title, eg Mr or Ms, is sufficient).

However, we think it is simpler if we explain now that National Records of Scotland (NRS) does not hold any information relating to the ‘Cestui Que Vie Trust’ and we do not know who creates or owns it.

This is a formal notice under 17(1) of FOISA that National Records of Scotland does not hold the information requested.

For information on the application of the Cestui Que Vie Act 1666 in Scotland today you could try contacting the Justice Department of the Scottish Government. You should address your request to the Central Enquiry Unit: [ceu@gov.scot](mailto:ceu@gov.scot)

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to:

Information Governance Team  
National Records of Scotland

Ladywell House  
Ladywell Road  
Edinburgh  
EH12 7TF

Email: [foi@nrscotland.gov.uk](mailto:foi@nrscotland.gov.uk)

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Yours sincerely,

NRS FOI Team