



AUTHOR / KEY CONTACT

# Medallion Signature Guarantees



Luke Marshall  
Senior Associate

✉ Luke.Marshall@La-law.com  
☎ 01202 702615

As an authorised provider of medallion signature guarantees (medallions), our international solicitors assist a wide range of clients from around the world.

Traditionally, our medallion service has focused on assisting executors dealing with estates, which contain North American shares. In recent years, we have been assisting an increasing number of “transfer on death” beneficiaries to receive North American assets. We can also assist corporate entities and trustees with transferring North American shares.

This note provides a brief overview of how we can help “transfer on death” beneficiaries, corporate entities and trustees.

## Medallions for “transfer on death” (TOD) beneficiaries

It is common for owners of North American assets such as investment accounts, savings accounts, checking accounts and retirement accounts (also known as IRA’s), to name designated individuals on their accounts to inherit in the event of their death.

Where a TOD beneficiary is named on an account, that asset will automatically pass to them instead of being distributed in accordance with the deceased’s Will (for testate estates) or relevant intestacy laws (for intestate estates). The asset is considered as falling outside of the estate for distribution purposes and, as a result, a grant of probate is not usually required for these types of accounts.

To accept their entitlement over a deceased’s account, a TOD beneficiary is usually required to complete a change of ownership and/ or account registration form. As part of this process, the TOD beneficiary is usually required to have their signature authenticated by a medallion signature guarantee.

The medallion verifies the authenticity of the person signing the paperwork. By providing a medallion, we are verifying that we have carried out the necessary due diligence to identify the TOD beneficiary, that the signature is genuine and that the person signing has the authority to sign. The medallion serves to protect the asset holder from transferring an asset to the wrong person.

## Medallions for corporate entities and trustees

Companies that own North American shares may also face the requirement for a medallion when transferring or selling.

A company may be required to transfer or sell North American shares for a number of reasons, including the following:

- Company restructure;
- Winding-up;
- Payments to members or directors;
- Generating cash.

When providing a medallion for corporate entities, we have to conduct enhanced due diligence, which usually involves the following work:

- Reviewing the constitution of the company and checking to see the current status, for example, active or in liquidation;
- Identifying the company directors/ authorised signatories and obtaining the necessary identification documents;
- Ensuring that the company directors/ authorised signatories signing the transfer paperwork have the requisite authority to do so under the company's constitution and/ or relevant company legislation applying to that jurisdiction; and
- Requesting company resolutions and/ or board minutes approving the proposed transaction (if necessary).

The medallion verifies the authority of the person(s) signing the paperwork. With corporate entities, this will usually be two directors of the company, or a lawfully appointed agent or attorney.

Fees for this service are quoted on a case-by-case basis.

As well as corporate entities, we also assist trustees with transferring or selling North American shares that may be held in trust. Our due-diligence for these cases will include the following:

- Reviewing the trust deed;
- Checking the current trustees and reviewing any previous retirements and appointments;
- Identifying the trustees;
- Checking any minutes or resolutions prepared by the trustees in connection with the proposed transfer or sale.

If you are a TOD beneficiary, corporate entity or trustee and require assistance with a medallion, you are most welcome to contact us and provide details of your requirements. It would be our pleasure to outline how we can help.

Details of our general service for providing medallions and the procedures that we follow can be found by [clicking here](#). Please contact our specialist [international lawyers](#) by calling 01202 786194 or by emailing [online.enquiries@la-law.com](mailto:online.enquiries@la-law.com)