Minor Trust Deduction Guidelines – North Carolina

Trust Deductions for North Carolina Minors
As of 2010, under North Carolina General Assembly 48A-11, all un-emancipated minors that are employed in the state of North Carolina must have 15% of their gross earnings deducted and placed in approved trust accounts in the child’s state of residence. Entertainment Partners (EP) and the State of North Carolina require that blocked trust account information be provided to deposit money into the minor’s trust account within seven business days after the employment contract is signed. In order for EP to make the necessary deposit, the attached form must be completed and returned to EP. Please note, however, that no authorization is actually needed to deduct the statutory 15%. EP will automatically deduct 15% of gross earnings from each minor’s check.

North Carolina General Assembly 48A-16: It is solely the responsibility of the parent and/or guardian to establish the blocked trust account for their minor child: When EP deducts the 15% required by law and no trust account has been set up, EP will deposit those monies into a non-interest bearing account. If a trust account is subsequently set up, then EP will deposit all monies for that minor into that Blocked Trust Account. If no trust account is set up, EP will keep the funds in its non-interest bearing account for up to 90 days of employment. North Carolina General Statue 116B-59(b) requires that these funds be turned over to “North Carolina Department of State Treasurer” as trustee. Also, if EP is not aware that the employee is a minor and payments are processed without deducting the 15%, as soon as EP is notified of minor status, past deductions due will be recouped from current payments if possible. If not possible, then EP will look to the production company to pay the full deduction amount into the minor’s trust account.

What Parents Need to Know

- Earnings are considered the separate property of the child and cannot be accessed until the child reaches 18 or becomes emancipated.
- The parent/guardian must provide a certified copy of the child’s birth certificate to EP indicating that the child is a minor.
- The parent/guardian must obtain a Minor’s Work Permit from Youth Employment Certificate from County Social Services. A copy of this permit must be submitted to EP.
- Even though the Law requires the parent/guardian to set up this trust account within seven (7) days after the child’s contract is signed by the minor and employer, EP requests that the blocked account be set up prior to the minor actually performing the contracted work.
- The parent/guardian must set up such trust account at a bank, savings and loan or credit union and the account must be insured by the Federal Deposit Insurance Corporation (FDIC), the Securities Investor Protection Corporation (SIPC), or the National Credit Union Share Insurance Fund (NCUSIF). This account may be set up in any state, territory, province or country.
- In the event that a trust account is not established, EP is required to forward the amounts withheld to North Carolina Department of State Treasurer. EP has no further duty or obligation with respect to the earnings upon the state treasurer transfer.
- The parent/guardian must submit along with the attached form, a true and accurate photocopy of any information received from the financial institution confirming the creation of the account, such as the account agreement, passbook or a similar writing.
- If any changes are made to the trust account, including changing the financial institution or account number, the parent/guardian must immediately notify EP in writing of such changes.
General Information

Once money has been deposited into a blocked account, it cannot be withdrawn without a court order. Please be sure to let us know immediately of any check that has a trust deduction, which is wrong or void. If an error is found subsequent to the deposit, we will cancel the original check and bill you for the deducted amount. Your company is a party to the contract and is therefore responsible for arranging with the bank for reimbursement.

If you have any questions, please do not hesitate to contact Sandra Criscione in Employee Services at 818 955.6099 or Evelina Karadavoukian at 818 955.6098.
State of North Carolina
Trust Fund Deduction Information

I hereby acknowledge that under the North Carolina General Assembly 48A, Entertainment Partners and its subsidiaries will withhold a sum equal to the mandatory 15% of the gross earnings of my minor child whose name appears below. This acknowledgment will remain in effect only in connection with his/her services on the project presently entitled:

____________________________________________________________________________________

Said deductions should commence effective as of the minor’s date of hire and shall continue until completion of all services on the above referenced project. EP agrees to deposit all sums to the established Block Trust Account within fifteen days of payroll check date. I am aware that funds cannot be deposited until EP receives the bank information. Further, I fully understand that if bank information is not received within 90 days of employment, all sums withheld will be sent to “North Carolina Department of State Treasurer” as trustee of those funds and EP shall have no further obligation or duty to monitor or account for those funds. No interest will be accrued or paid while these sums are being held pending the setup of the trust account.

I am aware that in accordance with North Carolina state law, EP does not need my authorization to deduct the 15% from my minor child’s gross earnings. I am also aware that it is my responsibility to have the proper trust fund account set up prior to the employment of my minor child. I understand that if I do not have the proper documentation for my minor child’s earnings to be placed in a Block Trust Account, EP will still deduct the 15% and place it in a non-interest bearing account until the documentation is received. If bank information is not provided within 90 days, I understand that sums withheld will be remitted to “North Carolina Department of State Treasurer” as trustee. In accordance with the attached trust fund documents, please arrange for deposit of these deductions to the following account:

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Minor: ___________________________ SSN: ____________ Birth Date: ____________
Bank: ___________________________ Account #: _________________________
Bank Address: _________________________________
City, State, Zip: ________________________________
Attention: ___________________________ Telephone: _________________________
Executed this ______ day of ____________, 20_______
At: ________________________________

I declare under penalty of perjury under laws of the state of North Carolina that the foregoing is true and correct.

____________________________________  __________________________________________
Printed Name  Signature

Phone

2835 North Naomi Street Burbank, CA 91504-2024
PHONE 818.955.6098   FAX 818.848.0254   www.ep.com

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