

Application by a Discretionary or Accumulation Trust to receive interest without tax taken off.

Read the notes carefully before completing the form. Return the completed form to your building society, bank or other deposit-taker. You may wish to take a copy for your records.

Trust details

Name of trust

Account details

Name of building society, bank or other deposit-taker

Branch name (if appropriate)

Account number

Sort code (if applicable)

Name of account

Details of person signing this form

Full name

Principal residential address (This is the address where you usually live. A foreign PO Box address can be given if this is the address to which your mail is sent and is a recognised residential address in the country where you live.)

or,
a business address if you are acting in a professional capacity

Declaration and Undertaking

It is a serious offence to make a false declaration

I declare that

- the interest on the account belongs to a discretionary or accumulation trust, **and**
- the trustees are not resident in the UK at the date of this declaration, **and**
- to the best of my knowledge and belief all the beneficiaries of the trust are individuals who are not ordinarily resident in the UK and / or companies which are not resident in the UK at the date of this declaration

I undertake that I will notify the building society, bank or other deposit-taker without delay if

- the trustees of the trust become resident in the UK, **or**
- any beneficiary of the trust becomes ordinarily resident in the UK (if an individual) or resident in the UK (if a company), **or**
- an individual who is ordinarily resident in the UK or a company which is resident in the UK becomes a beneficiary of the trust.

✓ one box only

I am a trustee of the trust

I am not a trustee of the trust but the interest is payable to me

Signature

Date

The Inland Revenue may check that these details are correct and that the trust is entitled to receive interest without tax taken off.

When you should use this form

Building societies, banks and other deposit-takers in the United Kingdom (UK) will normally deduct tax at the lower rate from interest paid or credited to an account. However,

- if each beneficiary of the trust is **not ordinarily resident** in the UK (if an individual) or **not resident** in the UK (if a company), **and**
- the trustees of the trust are **not resident** in the UK

the trustees can arrange for the interest to be paid without tax taken off.

Throughout this form 'interest' includes dividends paid by a building society.

Trustees' residence position

The trustees of a discretionary or accumulation trust will not be resident in the UK if

- they are all not resident in the UK, **or**
- one or more of them is not resident in the UK and none of the persons who directly or indirectly provided property for the trust was, at the time the provision was made, resident, ordinarily resident, or domiciled in the UK.

If you are unsure about residence or domicile issues you should seek professional advice or contact 'Centre for Non-Residents 2 (Foreign Law Unit)' at the address shown under 'Enquiries about residence'.

Beneficiaries

For the purposes of this form, a beneficiary of a discretionary or accumulation trust is any person who at the time the declaration is made is

- actually within the class of beneficiaries defined in the trust document, **and**
- capable of receiving income from it (whether in the form of income or as accumulated or capitalised income).

Change in status

If at any time after the date on which the declaration on this form is made

- a beneficiary of the trust becomes, in the case of an individual, ordinarily resident in the UK, or, in the case of a company, resident in the UK, **or**
- an individual who is ordinarily resident in the UK, or a company which is resident in the UK, becomes a beneficiary of the trust, **or**
- the trustees become resident in the UK

the person signing this form must notify the building society, bank or other deposit-taker immediately.

Who should sign this form?

A trustee of the trust should sign this form. If the interest is payable to someone else the form may instead be signed by the person to whom the interest is payable. The person signing the form should give their full name and principal residential address (or business address if acting in a professional capacity).

Beneficiaries that are companies

A company is usually regarded as **not resident** in the UK if it is neither

- incorporated in the UK, **nor**
- has the central management and control of its business located in the UK.

Beneficiaries who are individuals

An individual may be regarded as **not ordinarily resident** in the UK, if

- **their home, employment and centre of life has always been abroad, and**
 - they visit, or intend to visit, the UK only for short periods, *for example on holiday or irregular business visits* which average less than 91 days a tax year, **or**
 - they have come to the UK to work or live and intend to stay here for less than 3 years, do not own (or hold on a lease of 3 years or more) accommodation here for their use, and on leaving the UK intend to visit only for short periods which will average less than 91 days a tax year, **or**
 - they have come to the UK for a period of study or education and intend to stay here for less than 4 years, do not own (or hold on a lease of 3 years or more) accommodation here for their use, and on leaving the UK intend to visit only for short periods which will average less than 91 days a tax year

or

- **they are a former UK resident, and**
 - they have left for permanent residence abroad, and their visits to the UK average less than 91 days a tax year, **or**
 - they are currently working full-time abroad under a contract of employment, and both their absence from, and employment outside the UK average less than 91 days a tax year, **or**
 - they accompany or later join their husband or wife, who is working full-time abroad, and meets the conditions for being not ordinarily resident, their absence from the UK will last at least a full tax year, and their visits average less than 91 days a tax year.

Whether an individual is ordinarily resident or not ordinarily resident in the UK depends on all their particular circumstances. The above notes are for guidance only. More general information on residence can be found in the Inland Revenue booklet IR20, *Residents and Non-residents*, which can be obtained from any Inland Revenue Enquiry Centre or on the Internet at <http://www.inlandrevenue.gov.uk/pdfs/ir20.pdf>

Enquiries about residence

Contact

Centre for Non-Residents 2
(Foreign Law Unit)
St John's House
Merton Road
BOOTLE
Merseyside
L69 9BB

Tel 0151 472 6238

Fax 0151 472 6145

Minicom 0151 472 6112

Enquiries about this form

Contact

Savings & Pension Schemes
Technical Advice
(Address above)

Tel 0151 472 6155

Fax 0151 472 6003

Minicom 0151 472 6112