

United Kingdom/United States of America Double Taxation Convention (SI 2002 Number 2848)
Claim to repayment of United Kingdom income tax deducted from property income dividends paid by UK Real Estate Investment Trusts ('UK-REITs')

This form is for use by a US Company, Mutual Fund, Pension Scheme, Charitable Organisation or Trust.

Please

- give **all** the information requested in this form and attach supporting documents where necessary.
- use the **US-Company UK-REIT Notes** at the end of this form to help you. If you need more room, attach a separate sheet
- remember to sign the declaration in **Part F**, giving details of the capacity in which you sign
- see note **5** in the **US-Company UK-REIT Notes** about residency certification by the US Internal Revenue Service.

If you need help or more information about claiming relief from UK tax on property income dividends under a double taxation treaty

- visit our website: **www.hmrc.gov.uk** and look for **non-residents** in the *Search* facility
- or phone **+44 115 974 0022** if calling from outside the UK, or **0115 974 0022** if calling from the UK.
- or write to **HM Revenue & Customs, Trusts & Estates, Ferrers House, Castle Meadow Road, Nottingham, England NG2 1BB.**

Part A Details of the US claimant and tax adviser (if any)

Full name of the US company, etc

Full registered address (*do not use 'care of' address*)

Phone number _____

Fax number _____

Your reference (if any)

If the US company etc. has a tax adviser or other authorised person whom HM Revenue & Customs may contact, please give details below.

Adviser's name

Address

Phone number _____

Fax number _____

Reference (*if any*) or contact name

Please give

- your US Employer's Identification Number,
- the location of the Service Center where the latest tax return was filed, *and*
- the date on which it was filed.

If you file a consolidated tax return in the United States, please give:

- the name of the parent company, *and*
- its Employer's Identification Number.

For use by the United States Internal Revenue Service

Please affix your official stamp and attach form 6166. Then send this form to:

HM Revenue & Customs, Trusts & Estates, Ferrers House, Castle Meadow Road, Nottingham, England, NG2 1BB.

You may wish to take a copy of this form for your records.

Please '✓'

Official Stamp

Form 6166 attached.

Part B Questions

Please answer **all** of the questions in **Part B1** then follow the instructions below. Some questions relate to Article 23 of the Double Taxation Convention.

Part B1

| | | |
|---|------------------------------|-----------------------------|
| B1.1 Is this the claimant's first claim of this kind? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| If ' No ', please enter the reference number used before for correspondence (begins '13/...'). | 13/_____ | |
| B1.2 Is the claimant (a) a body corporate or (b) an entity that is treated as a body corporate for United States tax purposes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B1.3 Is any of the income to which this claim refers paid under, or as part of, a 'conduit arrangement' as defined in Article 3(1)(n) of this Double Taxation Convention? (See Note 8.) (Article 10(9)) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

INSTRUCTIONS

If you answered '**Yes**', to either **B1.2(a)** or **B1.2 (b)**, please go to **Part B2**.

If you answered '**No**' to **B1.2(a)** and **B1.2(b)**, please go to

Part B3 for a **Mutual Fund**, or

Part B4 for a **Pension Scheme, etc.**, or

Part B5 for a **Charitable Organisation**, or

Part B6 for a **Trust**.

Part B2: Claimant is a United States Company

| | | |
|---|------------------------------|-----------------------------|
| B2.1 Is the company (a) managed in the United States? (b) incorporated in the United States? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B2.2 Is the company liable to tax in the United States in respect only of income from sources in the United States? (See Article 4(1) of the Double Taxation Convention) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B2.3 Does the company carry on business through a permanent establishment situated in the United Kingdom? If ' Yes ', is the income that is included in this form attributable to the permanent establishment? If you answer ' Yes ', please say on a separate sheet why the company believes that it is entitled to relief from UK tax. (See Article 11(3) and Article 12(3) of the Double Taxation Convention) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B2.4 Is the principal class of shares of the company listed or admitted to dealings on a recognised stock exchange in either the UK or the United States? (See Article 23(2)(c)(i) of the Double Taxation Convention) If ' Yes ', go to question B2.5. If ' No ', go to question B2.6. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B2.5 Are those shares regularly traded on a recognised stock exchange? (See Article 23(2)(c)(i) of the Double Taxation Convention) If ' No ', go to question B2.6. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Part B2 (continued)

Only answer this question if you have answered 'No' to either Question B2.4 or B2.5.

B2.6 Are shares representing at least 50% of the aggregate voting power and value of the company owned directly or indirectly by **five or fewer** companies whose shares are quoted on a recognised stock exchange in either the UK or the United States? (See Article 23(2)(c)(ii) and Article 23(7)(a)(i) and (ii) of the Double Taxation Convention)

Yes No

If **'Yes'**, give on a separate sheet the full names and registered addresses of all the direct and intermediate shareholders, stating the name of the stock exchange on which the shares are quoted.

If **'No'**, go to question B2.7.

Only answer this question if you have answered 'No' to Question B2.6.

B2.7 On at least half the days of the taxable period, was at least 50% of the voting power and value of the shares owned by persons who separately qualify for benefits under the Double Taxation Convention? (See Article 23(2)(c)(ii) and Article 23(2)(f)(i) of the Double Taxation Convention)

Yes No

If **'Yes'**,

- give on a separate sheet the full names and registered or residential addresses of those 'qualified persons' **and**
- answer question B2.8.

If **'No'**, and the company considers itself to be a 'qualified person' for the purposes of Article 23 (3) or (4) of the Double Taxation Convention, say why on a separate sheet.

B2.8 In respect of the company's gross income for that taxable period, please as appropriate the box next to whichever of the following statements is true:

Less than 50% of the company's gross income was paid or accrued directly or indirectly to persons who are not residents of either the UK or the United States.

50% or more of the company's gross income was paid or accrued directly or indirectly to persons who are not residents of either the UK or the United States.

(See Article 23(2)(f)(ii) of the Double Taxation Convention)

Part B3: Claimant is a United States Mutual Fund

(See Article 23(2)(d) of the Double Taxation Convention)

B3.1 Is the principal class of units in the mutual fund listed or admitted to dealings on a recognised stock exchange in either the UK or the United States?

Yes No

If **'Yes'**, go to question B3.2.

If **'No'**, go to question B3.3.

B3.2 Are those units regularly traded on a recognised stock exchange?

Yes No

If **'No'**, go to question B3.3.

B3.3 Are the direct or indirect owners of at least 50% of the beneficial interests in the mutual fund qualified persons by reason of Article 23(2)(c)(i) or 23(2)(d)(i)?

Yes No

If **'No'**, say on a separate sheet why the mutual fund is a 'qualified person' for the purposes of Article 23(2) or is otherwise entitled to benefit under the terms of this Double Taxation Convention. (See Note 7)

Part B4: Claimant is a United States Pension Scheme, etc.

(as defined at Article 3(1)(o) of the Double Taxation Convention)

| | |
|---|--|
| B4.1 Is the claimant a pension scheme? (Article 4(3)(a)) If 'Yes', go to question B4.5. If 'No', go to question B4.2. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| B4.2 Is the claimant a plan, scheme, fund, trust, company or other arrangement established in the United States? (Article 4(3)(b)) If 'No', say on a separate sheet why the claimant is a 'qualified person' for the purposes of Article 23(2) or is otherwise entitled to benefit under the terms of this Double Taxation Convention. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| B4.3 Is the plan, scheme, fund, trust, company or other arrangement operated exclusively to administer or provide employee benefits? (Article 4(3)(b)) If 'No', say on a separate sheet why the claimant is a 'qualified person' for the purposes of Article 23(2) or is otherwise entitled to benefit under the terms of this Double Taxation Convention. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| B4.4 Is the plan, scheme, fund, trust, company or other arrangement exempt from income taxation in the United States? (Article 4(3)(b)) If 'Yes', go to question B4.5. If 'No', <ul style="list-style-type: none">• give details on a separate sheet.• then go to question B4.5. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| B4.5 Are more than 50% of the beneficiaries, members or participants of the pension scheme or plan, etc., individuals who are residents of either the UK or the United States? (Article 23(2)(e)) If 'No', give details on a separate sheet. | Yes <input type="checkbox"/> No <input type="checkbox"/> |

Part B5: Claimant is a United States Charitable Organisation

(See Article 23(2)(e) and Article 4(3)(c) of the Double Taxation Convention)

| | |
|---|--|
| B5.1 Is the organisation established exclusively for religious, charitable, scientific, artistic, cultural or educational purposes? (Article 4(3)(c)) If 'Yes', go to question B5.2. If 'No', <ul style="list-style-type: none">• give details on a separate sheet.• then go to question B5.2. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| B5.2 Is the organisation resident in the United States according to its laws? (Article 4(3)(c)) If 'Yes', go to question B5.3. If 'No', <ul style="list-style-type: none">• give details on a separate sheet.• then go to question B5.3. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| B5.3 Is the organisation exempt from tax on its income under the laws of the United States? (Article 4(3)(c)) If 'No', give details on a separate sheet. | Yes <input type="checkbox"/> No <input type="checkbox"/> |

Part B6: Claimant is a United States Trust

(See Article 23(2)(g) of the Double Taxation Convention)

B6.1 Is at least 50% of the beneficial interest in the trust held by persons who are 'qualified persons' by reason of Article 23(2) (a), (b), (c)(i), (d)(i), or (e) of the Double Taxation Convention? Yes No

If **'Yes'**,

- give, on a separate sheet, the full names and residential addresses of the beneficiaries (or registered addresses if not individuals) and the nature and extent of their interest in the trust
- then go to question B6.3.

If **'No'**, go to question B6.2.

B6.2 Is at least 50% of the beneficial interest in the trust held by persons who are 'equivalent beneficiaries' as defined at Article 23(7)(d) of the Double Taxation Convention? Yes No

If **'Yes'**,

- give, on a separate sheet, the full names and residential addresses of the beneficiaries (or registered addresses if not individuals) and the nature and extent of their interest in the trust
- then go to question B6.3.

If the answers to questions B6.1 and B6.2 are both **'No'**, say on a separate sheet why the trust qualifies for benefits under the terms of this Double Taxation Convention. Then go to question B6.3.

B6.3 Was less than 50% of the gross income arising to the trust in the taxable period(s) covering the income shown on this form paid or accrued, directly or indirectly, to persons who are not residents of either the UK or the United States? Yes No

If **'No'** say on a separate sheet why the trust qualifies for benefits under the terms of this Double Taxation Convention.

Go to **Part C** on the next page.

Part C Details of property income dividends from UK Real Estate Investment Trusts

Please

- include only **property income dividends** paid by UK companies that are **real estate investment trusts**
- do not include**
 - ordinary dividends paid by the UK-REIT, or dividends paid by any member of a Group UK-REIT other than the principal company of the group
 - any other dividends or other sources of income.

| For each property income dividend please give <ul style="list-style-type: none"> the full name of the UK real estate investment trust and the number of shares owned by the claimant. | Date(s) of payment of property income dividend(s) | Amount(s) of property income dividend(s) before UK income tax £ | Amount(s) of UK income tax taken off £ |
|--|---|--|---|
| | | | |
| Totals | | | |

Part D Authority to make the repayment to a nominee

Complete this part if you want us to make the repayment to a **bank** or **other nominee**. If you leave this part empty, the repayment will be made direct to the company or concern at the address you have shown in **Part A** of this form.

I,
(Enter your full name)

as
(Enter status - for example, company secretary, treasurer, or authorised agent)

of
(Enter name of the claimant company or concern)

authorise the **bank** or **other nominee** below to receive the amount due on the company's or concern's behalf.

Name of bank or other nominee

Address of bank or other nominee

Postal code

Account number UK sort code (if appropriate)

Nominee's reference number (if there is one) for the company.

Signature _____ (Now also complete and sign the **Declaration** in **Part E** below)

Part E Declaration

IMPORTANT: Please read note 3 in the US-Company UK-REIT Notes before completing the declaration.

'✓' as appropriate

1. The information I have given on this claim/application is, to the best of my knowledge and belief, correct and complete
2. I have considered the guidance on beneficial ownership published at INTM332040 by HM Revenue & Customs and have concluded that
 - (a) the company or unincorporated concern is beneficially entitled to the property income dividends included in this form, or otherwise meets the conditions for relief in the Double Taxation Convention between the United Kingdom and the United States
 - or**
 - (b) the company or concern is not the beneficial owner of the property income dividends but is entitled to relief from UK tax under the Double Taxation Convention for the reason(s) I have given in the attached note.

On behalf of the company or unincorporated concern

'✓' as appropriate

- I claim repayment of UK income tax and
- (a) have worked out that the amount payable to the company or concern is

| | |
|----|--|
| *£ | |
|----|--|

**Enter the amount repayable that you have worked out. Leave the box empty if you want HM Revenue & Customs to work out the amount.*

or

- (b) want HM Revenue & Customs to work out the amount payable to the company or concern.

Signature _____ Date _____

Please print your name below and enter your status.

| |
|--|
| |
|--|

For use by HM Revenue & Customs

Examined _____ Amount repaid £ _____ : _____

Authorised _____ HMRC date stamp

US-Company UK-REIT Notes

Use these Notes to help you complete form US-Company UK-REIT. If you need help or further information, see Note 7.

1. Property income dividends paid by UK real estate investment trusts ('UK-REITs')

A 'UK-REIT' is a company which has a property business. It must be resident in the UK and be listed on a recognised Stock Exchange. A UK-REIT can also be a group of companies. In this case, the principal (parent) company of the group must be UK resident and stock exchange listed. Under the UK-REIT regime, the UK-REIT pays no tax on its qualifying property income, but the company (principal company for a Group REIT) will withhold UK income tax at the basic rate when making a distribution out of its qualifying property income, a '**property income dividend**'. It is obliged to distribute most of its profits as property income dividends.

UK dividends from which no income tax is withheld

The company (principal company of a Group REIT) may also pay ordinary company dividends from which no income tax is withheld. Other members of a Group REIT may also pay dividends. These will always be ordinary company dividends from which no income tax is withheld. UK company dividends from which no income tax is withheld have an additional amount attached to them (but not paid to the shareholder) called a tax credit. **It is not possible for a claim to be made under the terms of the UK/USA Double Taxation Convention for payment of the tax credit.**

2. Purpose of form US-Company UK-REIT

Form **US-Company UK-REIT** allows you to claim repayment of some or all of the income tax deducted from property income dividends that are paid by real estate investment trusts after 1 January 2007.

Please do not include in your claim any other sources of UK income, such as dividends paid by UK companies that are NOT property income dividends of a UK real estate investment trust. Claim forms for DT treaty relief from UK income tax on UK interest and royalties are available from www.hmrc.gov.uk or from the address in Note 7.

3. Beneficial ownership

The UK/USA Double Taxation Convention provides for relief to be available to the **beneficial owner** of the income. Where a claimant is required to pass on the income in respect of which the claim is made it may not be the beneficial owner of the income for the purposes of the Double Taxation Convention. Please see the HM Revenue & Customs guidance published in our International Manual (INTM). To read the guidance online go to www.hmrc.gov.uk and look for **INTM332040** in the *Search* facility.

Where the company or concern does **not** satisfy the 'international fiscal meaning' of beneficial ownership but believes that because of the policy statements that are made in the guidance it is still able to obtain treaty benefits, you should

- tick box **2(b)** in the declaration in **Part E** of the form
- include with the claim a note giving the information mentioned at INTM332070, under the heading 'Applications to HM Revenue & Customs' – reproduced below for ease of reference:

'Where structures are within the ambit of the Indofood decision, that is to say the structure has the accessing of treaty benefits as one of its effects, it is possible that applications to HM Revenue & Customs for benefits under a Double Taxation Convention (DTC) will fall at the first hurdle unless the applicant can demonstrate beneficial ownership. The application might simply be regarded as invalid and never reach the stage where it can be considered in terms of the object and purpose of the particular DTC under which the application is made.'

However, where the claimant Special Purpose Vehicle (SPV) does not satisfy the “international fiscal meaning” of beneficial ownership but believes that it is still able to obtain treaty benefits because of the policy confirmed in this guidance, it should make its claim and include a note to that effect. To ease consideration of the claim, the note should include full details as to

- A full structure diagram and explanation of the capital and interest flows;
- why the SPV is considered to be the beneficial owner within the “international fiscal meaning”; or
- demonstrate that the structure does not abuse the DTC under which the claim is made either relating the structure to the examples at INTM332080 or otherwise.”

Where a claim to repayment of UK tax is made by a partnership or other concern that is not a taxable person or is otherwise ‘transparent for tax purposes’ under the law of the United States, you should tick box **2(b)** in the declaration in **Part E** of the form US-Company UK-REIT and provide additional information as outlined in the HMRC guidance at INTM335500.

4. Claims on behalf of partnerships and LLCs

US **partnerships** and **LLCs** should complete the form US-Company UK-REIT as follows:

Parts A and **B1** in full

Part C

Part D if appropriate

Part E in full, with the general or managing partner/member signing the declaration.

The following additional information is also needed:

- Where the partnership or LLC is established in the United States and all of the partners/members are resident for tax purposes in the United States, attach to the claim a list of the names and addresses of the partners/members. The list should show residential addresses for individuals and registered addresses where the partners/members are companies.
- Where any partner/member is resident for tax purposes in a country other than the United States, attach the list described above. The list must also include for each member/partner their respective percentage share of the income that is the subject of the claim. Any partner/member resident for tax purposes outside the United States should make a separate claim to relief from UK tax under the terms of any relevant DTC. The Digest of Double Taxation Treaties lists all of the UK’s comprehensive DTCs. To read the DT Digest online go to **www.hmrc.gov.uk** and look for *DT Digest* in the *Search* facility.

5. Residence in United States and where to send the completed form

It is a condition of relief from UK income tax under the terms of the Double Taxation Convention that the beneficial owner of the income is resident in the United States.

If this is the company’s first claim

If this is the first claim by the company to repayment of tax deducted from dividends paid by real estate investment trusts, send the completed claim form with the US **Form 8802, Application for United States Residency Certification**, and the applicable user fee to:

Internal Revenue Service
P.O. Box 71052
Philadelphia, PA 19176-6052

The Application for U.S. Residency Certification and its instructions are available at **www.irs.gov**.

In making this claim, you are consenting to the transmission of a US Form 6166 for the applicant/claimant to HM Revenue & Customs in the UK.

If this is NOT the company’s first claim

If the company has made a previous claim for repayment of tax deducted from distributions by real estate investment trusts and

- the company remains resident in the USA, and
 - there has been no change in the company’s tax position,
- you do not need to get this form certified by the US Internal Revenue Service. Send the form direct to HM Revenue & Customs at the address in Note 7.

6. Text of the UK/USA Double Taxation Convention

To read the full text of the Convention (SI 2002 Number 2848) online, go to www.hmrc.gov.uk and in the **Search** box enter **Tax Treaties in force - USA**. On the page that opens, click the 'Tax Treaties in force – USA' link. At the next page, click the link to '2001 USA-UK Double Taxation Convention (Consolidated Version)'. This will open a PDF file of the Convention.

7. Help or more information

If, after using these Notes you need help or more information, please

- visit the HMRC home page www.hmrc.gov.uk and search for **non-residents**
- phone HMRC: **+44 115 974 0022** if calling from outside the UK, or **0115 974 0022** if calling from the UK
- or write to **HM Revenue & Customs, Trusts & Estates, Ferrers House, Castle Meadow Road, Nottingham, England NG2 1BB**.

Please quote our reference number (for example '13/A/123456') whenever you contact us.

8. Completing the form US-Company UK-REIT

Part A: Details of the company or concern and tax adviser

Please give all the details asked for. If the company or concern has a tax adviser, include the tax adviser's details. All the information that you provide to HM Revenue & Customs is confidential. We can therefore only discuss the tax affairs of the company or concern with

- an officer of the company and/or
- any tax adviser or agent who is nominated by the company or concern.

We cannot disclose to the UK payer of the income or their tax adviser any information relating to the claimant company or concern.

Part B: Questions

- For **all claimants** – please answer the questions in **Part B1**
- If you answered 'Yes', to either **B1.2(a)** or **B1.2 (b)**, go to **Part B2**.
- If you answered 'No' to **B1.2(a)** and **B1.2(b)**, go to
 - **Part B3** for a **Mutual Fund**, or
 - **Part B4** for a **Pension Scheme, etc.**, or
 - **Part B5** for a **Charitable Organisation**, or
 - **Part B6** for a **Trust**.

Part B2, question B2.2

This note applies only if you answer 'Yes' to question B2.2

Relief from UK tax is available under the Double Taxation Convention only to residents of the United States.

If you answer 'Yes' to question B2.2, you are saying that the claimant company or concern is liable to United States tax in respect **only** of income from sources in the United States or profits attributable to a permanent establishment in the United States, and this will mean that the company does not meet the definition of 'resident of a Contracting State' found at Article 4(1) of the Double Taxation Convention (most typically, where the claimant is a branch of a non-US enterprise).

If answering "Yes" please therefore detail on a separate sheet why you believe that the claimant is entitled to repayment of UK tax, notwithstanding that it is not to be considered as a resident of the United States.

Article 23 of the Double Taxation Convention and the questions in Part B of the form

If in order to be able to benefit from the Double Taxation Convention the claimant is required to be a 'qualified person', (as defined in Article 23 of the Double Taxation Convention) or if not a 'qualified person', then fulfil certain other tests in respect of an item of income whose source is in the UK. The questions in Part B of the form seek to establish whether the claimant is a qualified person or otherwise entitled to the benefits of the Double Taxation Convention.

If you are claiming that repayment of UK tax should be allowed under the terms of Article 23(6) of the DTC you should complete this claim form and send it in the normal way to the United States Internal Revenue Service (see note 5). At the same time, you should write to HM Revenue & Customs, Frontiers & International Tax Treaty Team, 100 Parliament Street, Westminster, London, England SW1A 2BQ. Your letter should clearly state that you are asking the "competent authority" of the United Kingdom to deal with your claim under the terms of Article 23(6) of this treaty. A copy of your letter to the competent authority should be attached to the claim form US-Company UK-REIT.

'Conduit arrangement'

Question B1.3 on form US-Company UK-REIT asks whether any income to which the claim refers is paid under a 'conduit arrangement'. The definition in Article 3(1)(n) of the Double Taxation Convention is as follows:

"(n) the term "conduit arrangement" means a transaction or series of transactions:

- (i) which is structured in such a way that a resident of a Contracting State entitled to the benefits of this Convention receives an item of income arising in the other Contracting State but that resident pays, directly or indirectly, all or substantially all of that income (at any time or in any form) to another person who is not a resident of either Contracting State and who, if it received that item of income direct from the other Contracting State, would not be entitled under a convention for the avoidance of double taxation between the state in which that other person is resident and the Contracting State in which the income arises, or otherwise, to benefits with respect to that item of income which are equivalent to, or more favourable than, those available under this Convention to a resident of a Contracting State; and
- (ii) which has as its main purpose, or one of its main purposes, obtaining such increased benefits as are available under this Convention."

Part C: Details of property income dividends from UK Real Estate Investment Trusts

Include only property income dividends paid by UK companies that are real estate investment trusts (UK-REITs).

Do not include

- ordinary dividends paid by the UK-REIT, or dividends paid by any member of a Group UK-REIT other than the principal company of the group
- any other dividends or other sources of income.

Part D: Repayment instructions

You should only complete **Part D** if you want HM Revenue & Customs to make any repayment to a bank, tax adviser or other person on the company's or concern's behalf.

If you want repayment to be made to the company's tax adviser, please give the reference number (if any) that the tax adviser uses.

You must also sign the declaration at **Part E** if you sign the authorisation in **Part D**.

Part E: Declaration

The declaration in **Part E** should be completed and signed after reading **note 3 'Beneficial ownership'** in these Notes.

Who may sign:

- **For a company or fund**, a responsible officer of the company or fund may sign. An agent (tax adviser), 'custodian' or other duly authorised person acting with the authority of the company may also sign on the company's behalf.
- **For a partnership**, the senior, general or managing partner (as appropriate) may sign in the name of the partnership. Please see note 4 for further information.

How to work out the amount of UK income tax repayable to the company or concern

- Follow **Steps One** and **Two** and if appropriate, **Steps Three** to **Five** below.
- If you do not wish to work out the repayment and do not enter an amount in **Part E (a)** of the form US-Company UK-REIT, HM Revenue & Customs will work out any repayment that is due.

Step One: Enter in box 1 the total amount of property income dividends before UK tax and in box 2 the amount of UK tax taken off. Take these figures from the totals boxes in **Part C** of the form US-Company UK-REIT.

| Income before tax | | UK income tax | |
|-------------------|---|---------------|---|
| 1 | £ | 2 | £ |

Step Two:

- If this claim is being made by a US pension fund that has answered the questions at Part B.4 of the claim form US-Company UK-REIT and is entitled to claim full relief from UK tax, enter the total amount of tax on the form US-Company UK-REIT at **Part E (a)**.
- In all other cases the double taxation treaty provides for UK tax of 15% to be retained. Follow **Steps Three** and **Four** to work out the amount repayable.

Step Three: Calculate the appropriate percentage rate of the total amount of property income dividends (in box 1) and enter the result in box 3

| | |
|---|---|
| 3 | £ |
|---|---|

For example, the box 1 figure is £100.00 and the rate shown in the Digest of Double Taxation Treaties is 15%. So, 15% of £100.00 = £15.00 in box 3.

Step Four: Deduct the amount in box 3 from the amount in box 2 and enter the result in box 4.

| | |
|---|---|
| 4 | £ |
|---|---|

Step Five: Finally, take the amount you have shown in box 4 and enter it on the form US-Company UK-REIT at **Part E (a)**. This is the amount of UK income tax repayable to the company.

These notes are for guidance only and reflect the UK tax position at the time of writing. They do not affect any rights of appeal.