

Use this form **only** where the **whole** of an interest distribution made to, or received under, a trust (other than a unit trust scheme) which is not a bare trust is

- income of a person(s) other than the trustees of the trust, and
- all those persons are entitled to payment without deduction of tax, and
- some or all of those persons satisfy the residence requirement (*see note 1*) to obtain payment without deduction of tax.

Read the notes overleaf carefully before completing the form in CAPITAL letters.

**Give the completed form to the trustees of the authorised unit trust. The Inland Revenue may inspect this form.**

## Declaration and undertaking

### Details of the authorised unit trust (AUT) and registered unit holder(s)

Name of trustees of authorised unit trust	
Name of authorised unit trust ( <i>see note 2</i> )	
Full name(s) of registered unit holder(s)	
Designation recorded against unit holding ( <i>see notes 2 and 9</i> )	Account number for unit holding, if any ( <i>see notes 2 and 9</i> )

### Details of the trust to or under which interest distribution made

◆ Full name of trust

## Declaration of Non Residents

**The person(s) named at \* below declare(s) that**

- the registered unit holder(s) named above holds/hold units in the authorised unit trust named above, **and**
- the income arising in respect of the share of the investments in that unit trust to which those units relate is made to, or received under, the trust named at ◆ above, **and**
- the **whole** of that income is, or falls to be treated as, or is deemed for tax purposes to be, income of a person or persons other than the trustees of the trust named at ◆ above, **and**
- at the date of this declaration **all** of those persons are entitled to payment of interest distributions without deduction of tax, **and**
- the persons named at \* below are at the date of this declaration not ordinarily resident in the UK (*see note 6*) and are **all** the persons entitled to payment without deduction of tax by virtue of the residence requirement.

**The person(s) named at \* below undertake(s) that**

if, at any time after the date of this declaration, any of them becomes ordinarily resident in the UK, the person or persons concerned will notify the trustees of the authorised unit trust of that fact without delay (*see note 8*)

Full names and addresses ( <i>see note 3</i> )	
* (1) _____ _____ _____	* (3) _____ _____ _____
* (2) _____ _____ _____	* (4) _____ _____ _____

Signatures (*see note 4*)

1
2
3
4

Full names and capacities in which signed (*see note 5*)

1
2
3
4

If more than four persons, tick the box (*see note 3*)

Date

/      /

## 1. Who should use this form

Only persons that satisfy the residence requirement in circumstances described below should complete this form.

Trustees of an authorised unit trust in the UK will normally deduct income tax from interest distributions paid to unit holders. If the income arising in respect of a share of the investments in the AUT is:

- made to, or received under, a trust (other than a unit trust scheme) which is not a bare trust, **and**
- the **whole** of that income is, **or** falls to be treated as, **or** is deemed for tax purposes to be, income of one or more persons (who satisfy the *proviso* below) other than the trustees of the trust,

then those persons can arrange for interest distributions to be paid with no tax deducted.

The *proviso* is that **all** of the persons whose income the interest distribution is satisfy a condition for payment of interest distributions without deduction of income tax (see paragraphs 10.6 - 10.9 of the *Interest Distribution Guidance Notes*).

**All** those persons that satisfy the residence requirement should complete this form. That requirement is that he/she is not ordinarily resident in the UK. A person who satisfies a condition other than the residence requirement but also satisfies the residence requirement need not complete this form.

The trustees of the trust are not subject to the residence requirement.

### The form must be completed in full.

If, at any time after the date of this declaration, there is any change in ownership of the units to which it relates, the declaration will cease to be valid. In such circumstances a new declaration should be made. The declaration will also become invalid if any person entitled to payment without deduction of tax for reasons other than the residence requirement ceases to be so entitled.

This form must not be used if only part of an interest distribution falls into the category described here - a different form is available in such circumstances.

## 2. Multiple unit holdings

Where units are owned by the same person or persons in a number of UK AUTs, a single declaration may be made to cover all those AUTs if

- they are all managed by the same management company,
- they all have the same trustees,
- the records of all the AUTs are held in the same place, and
- where the units are held by agents, nominees, or bare trustees on behalf of the persons referred to at \* overleaf, they are all held by the same agents, nominees or bare trustees.

The spaces on the form for 'name of the authorised unit trust', 'designation recorded against unit holding' and 'account number for unit holding' should be noted 'See attached list'. A separate sheet showing those details for each AUT should be attached to the form.

The sheet must be dated and signed by the person or persons who sign the declaration.

## 3. Names and addresses

The full names of **all** the persons referred to at paragraph 4 of Note 1 must be entered on the form at places marked by \* overleaf. Names of individuals and companies must be given in full. The address given by an individual must be the individual's principal residential address (that is the place where that person usually lives), and not, for example, his/her employer's address. The address given for a company must be the full address of its registered or principal office. A Post Office box number, a 'care of', or other correspondence address is not acceptable.

### If, at any time after making the declaration

- a person named at a place marked by a \* ceases to belong to the category of persons described at Note 1, in respect of any of the unit holdings to which the declaration relates,
- or, part or all of an interest distribution paid in respect of any of the unit holdings to which the declaration relates is, or falls to be treated as, or is deemed for tax purposes to be, income of a person not named at a place marked \*, the declaration will become invalid in respect of the unit holdings concerned. In such circumstances, the trustees of the relevant AUTs should be notified without delay and, if appropriate, a new declaration should be made.

## 4. Signatures

All individuals named in the declaration at places marked by \* must sign the form, except where such a person is

- a child under 14 years of age on the date the declaration is made, in which case the form may be signed by one of the child's parents or guardians on his/her behalf, or
- physically or mentally incapacitated and incapable of signing the form, in which case the form may be signed by a person holding power of attorney to act on his/her behalf.

Where a company is named, the declaration must be signed by the company secretary or a person authorised by the company. The form must **not** be signed by an agent, nominee, or bare trustee who holds the units on behalf of the named persons.

The form must **not** be signed by the trustees of the trust or by any agents, nominees, or bare trustees who hold the units on behalf of the trustees of the trust or the persons referred to at \*.

## 5. Names and capacities in which signed

A person who signs the form on behalf of a child or a physically or mentally incapacitated person **must** in the space next to the signature, write his/her name in full and state the capacity in which the form is being signed.

A person who signs the form in the capacity of a company secretary or other person authorised by a company, must give his/her name in full and state the capacity in which the form is being signed.

### 6. 'Not ordinarily resident' (individuals)

The United Kingdom includes UK territorial waters, but does not include the Channel Islands and the Isle of Man.

An individual whose permanent place of residence and place of employment are outside the UK will be regarded as not ordinarily resident in the UK if he/she does not have accommodation in the UK, or visit the UK for anything other than short periods which total no more than 91 days a year on average. If you are unsure about whether you are not ordinarily resident in the UK you should seek professional advice before making a declaration.

### 7. 'Not resident' (companies)

The United Kingdom includes UK territorial waters, but does not include the Channel Islands and the Isle of Man.

A company is usually regarded as not resident in the UK for tax purposes if it is

- **neither** incorporated in the UK,
- **nor** has the central management and control of its business located in the UK.

If you are unsure whether the company is not resident in the UK for tax purposes, you should seek professional advice before making a declaration.

### 8. Residence - General

Whether a person is ordinarily resident or not ordinarily resident, or in the case of a company resident or not resident, in the UK depends on all the relevant particular circumstances. Notes 6 and 7 above are for guidance only and more information on residence or ordinary residence can be found in *Residents and non-residents* (Booklet IR20) which is available on the Internet at [www.inlandrevenue.gov.uk](http://www.inlandrevenue.gov.uk) or from any Inland Revenue Enquiry Centre in the UK. If you are unsure about whether you are not ordinarily resident in the UK, or in the case of a company not resident, you should seek professional advice before making a declaration.

If you become ordinarily resident, or in the case of a company resident, in the UK at any time after you make this declaration it will become invalid and the trustees of the authorised unit trust must be informed of that fact immediately.

### 9. Designation and account number

If there is any designation, such as the name of a child, recorded against the unit holding, or an account number applicable to it, these details should be entered in the appropriate box. This information is for the use of trustees of AUTs and management companies, and completion of these boxes is not an Inland Revenue requirement.