

Use this form **only** where **some or all** 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 the trustees of the trust, and
- the trustees and all the beneficiaries of the trust satisfy the residence requirement (*see note 1*)

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 (*see note 2*)

Full name(s) of registered unit holder(s)

Designation recorded against unit holding (*see notes 2 and 12*)

Account number for unit holding, if any (*see notes 2 and 12*)

Details of the trust and beneficiaries (see notes 3 and 4) to or under which interest distribution made

◆ Full name of trust

Full names and addresses of beneficiaries of trust

* (1) _____	* (3) _____
_____	_____
_____	_____
* (2) _____	* (4) _____
_____	_____
_____	_____

If more than four beneficiaries, tick this box (*see note 4*)

Declaration of Trustees

The trustees of the trust named at ◆ 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 ◆.

In addition, the trustees of the trust named at ◆ declare that at the date of the declaration

- they are not resident in the UK (*see note 10*) **and**
- the persons named above as beneficiaries are **all** the beneficiaries of the trust known to the trustees, **and**
- those persons are, in the case of an individual not ordinarily resident, or in the case of a company not resident, in the UK (*see notes 8 and 9*).

The trustees for the time being of the trust named at ◆ undertake that if, at any time after the date of this declaration,

- they become resident in the UK, or
- any person named as a beneficiary becomes, in the case of an individual ordinarily resident, or in the case of a company resident, in the UK, or
- any person who becomes a beneficiary of the trust either is at the time of becoming a beneficiary, or subsequently becomes, in the case of an individual ordinarily resident, or in the case of a company resident, in the UK, they will notify you of that fact without delay.

Please turn over

Declaration of Trustees continued

Full names of trustees (see note 5)

(1)

(2)

Addresses (see note 5)

(1)

(2)

Signatures (see note 6)

(1)

(2)

If there are more than two trustees, tick the box (see note 5)

Date

/ /

1. Who should use 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**
- that income is not wholly, or does not wholly fall to be treated as, or is not wholly deemed for tax purposes to be, income of one or more persons other than the trustees of the trust,

the trustees of that trust can arrange for interest distributions to be paid with no tax deducted by completing this form, providing that the following residence requirement is satisfied.

That requirement is that the trustees are not resident in the United Kingdom, and that each beneficiary of the trust (*see note 3*) is, in the case of an individual not ordinarily resident, or in the case of a company not resident, in the UK.

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.

This form must not be used where the whole of an interest distribution 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 - 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 trustees and/or the beneficiaries of the trust, 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. Beneficiaries

For the purposes of this form, a beneficiary of a trust is any person who is known to the trustees of that trust to be either

- a person who is, or will or may become, entitled to any income of the trust, whether in the form of income or not, or
- a person to whom any such income may be paid, or for whose benefit any such income may be applied, whether in the form of income or not, in the exercise of a discretion by the trustees.

If you are unsure whether, according to this definition, a person is a beneficiary of the trust, you should obtain professional advice before making a declaration.

4. Details of trusts and beneficiaries

The full name of the trust must be entered at the place marked ♦ on the form. The full names and addresses of **all** the beneficiaries of the trust (*see note 3*) must be entered on the form. If there are more than four beneficiaries, tick the box on the form, and attach a list giving the full names and addresses of the other beneficiaries. This list must be dated and signed by all the persons who sign the form. The address given for a beneficiary who is an individual must be his/her principal residential address (that is the place he/she usually lives) and not an employer's address. Where a beneficiary is a company, the address of its registered or principal office must be given. A Post Office box number, a 'care of', or other correspondence address is not acceptable.

5. Names and addresses of trustees of the trust

The full names and addresses of the trustees of the trust must be entered in their declaration. In the case of a trustee who is an individual, the address given 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. Where the trustee is a company, the address 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 the date on which the declaration is made,

- the trustees of the trust become resident in the UK, or
- a person named as a beneficiary of the trust named at ♦ above becomes, in the case of an individual ordinarily resident, or in the case of a company resident, in the UK, or
- any person who becomes a beneficiary of the trust either is at the time of becoming a beneficiary, or subsequently becomes, in the case of an individual ordinarily resident, or in the case of a company resident, in the UK,

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.

6. Signatures

All the trustees of the trust must make the declaration. Where the trustee is a company, the form must be signed by the company secretary or some other person authorised by the company, and in such circumstances, the person who signs the form must state below his/her signature, the capacity in which he/she is signing the form. All other trustees must sign the form themselves. If there are more than two trustees, tick the box at the bottom of the declaration and use additional forms to give the signatures and details of the other trustees (these should be attached together). If a separate sheet is to be attached (*see note 2 and 4*), it must be dated and signed by all the persons who sign the forms. The form must **not** be signed by any agents, nominees, or bare trustees who hold the units on behalf of the trustees and/or beneficiaries of the trust.

7. 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.

8. '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.

9. '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.

10. Not resident - trustees

The trustees will be regarded as being not resident in the United Kingdom if

EITHER

- all of them are not resident in the United Kingdom.

OR

- one or more of them is not resident in the United Kingdom, and
- none of the persons who directly or indirectly provided property for the trust was, at the time when the provision was made, resident, ordinarily resident, or domiciled in the United Kingdom.

If you are unsure about whether the trustees are not resident in the United Kingdom you should seek professional advice or contact the Inland Revenue at the following address:

**Inland Revenue
The Centre of Non-Residents
(Non-resident trust)
St John's House
Merton Road
BOOTLE, Merseyside, L69 9BB**

The telephone number for enquires is **0151 472 6300**.

11. 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 8, 9 and 10 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 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.

12. 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.