



# Income Tax (Trading and Other Income) Act 2005

## 2005 CHAPTER 5

### PART 5

#### MISCELLANEOUS INCOME

#### CHAPTER 5

#### SETTLEMENTS: AMOUNTS TREATED AS INCOME OF SETTLOR [<sup>F1</sup>OR FAMILY]

*Income treated as income of settlor: [<sup>F1</sup>relevant] children*

#### **630 Exception for gifts to charities**

- (1) The rule in section 629(1) does not apply to any qualifying income which arises under a UK trust if—
  - (a) it is given by the trustees to a charity in the tax year in which it arises, or
  - (b) it is income to which a charity is entitled under the terms of the trust.
- (2) Subsection (3) applies if in any tax year qualifying income which arises under a UK trust from different sources exceeds the total of—
  - (a) the amount of that income which falls within subsection (1), and
  - (b) the amount of that income which falls within section 628(1) (comparable exception for income where settlor retains an interest).
- (3) The amount of the qualifying income from different sources which falls within subsection (1) above is rateably apportioned between those sources.
- (4) This does not affect the operation of any requirement that the whole, or any specified part, of the income from a particular source is to be given to a charity.

**Changes to legislation:** *There are currently no known outstanding effects for the Income Tax (Trading and Other Income) Act 2005, Section 630. (See end of Document for details)*

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- (5) In this section “charity”, “qualifying income” and “UK trust” have the same meaning as in section 628.

**Changes to legislation:**

There are currently no known outstanding effects for the Income Tax (Trading and Other Income) Act 2005, Section 630.