



# Income Tax Act 2007

## 2007 CHAPTER 3

### PART 9

#### SPECIAL RULES ABOUT SETTLEMENTS AND TRUSTEES

### CHAPTER 2

#### GENERAL PROVISION ABOUT SETTLEMENTS AND TRUSTEES

#### *Trustees*

#### **475 Residence of trustees**

- (1) This section applies for income tax purposes and explains how to work out, in relation to the trustees of a settlement—
  - (a) whether or not the single person mentioned in section 474(1) is UK resident, and
  - (b) whether or not that person is ordinarily UK resident.
- (2) If at a time either condition A or condition B is met, then at that time the single person is both UK resident and ordinarily UK resident.
- (3) If at a time neither condition A nor condition B is met, then at that time the single person is both non-UK resident and not ordinarily UK resident.
- (4) Condition A is met at a time if, at that time, all the persons who are trustees of the settlement are UK resident.
- (5) Condition B is met at a time if at that time—
  - (a) at least one person who is a trustee of the settlement is UK resident and at least one such person is non-UK resident, and
  - (b) a settlor in relation to the settlement meets condition C (see section 476).

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**Status:** Point in time view as at 21/07/2009. This version of this provision has been superseded.

**Changes to legislation:** There are currently no known outstanding effects for the Income Tax Act 2007, Section 475. (See end of Document for details)

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- (6) If at a time a person (“T”) who is a trustee of the settlement acts as trustee in the course of a business which T carries on in the United Kingdom through a branch, agency or permanent establishment there, then for the purposes of subsections (4) and (5) assume that T is UK resident at that time.

**Status:**

Point in time view as at 21/07/2009. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Income Tax Act 2007, Section 475.