



HM Revenue  
& Customs

# Guidance notes for form R43(2016)

These notes will help you to claim  
a tax repayment using form R43(2016)

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## 1 Introduction

These notes are about claiming UK tax allowances as an individual who is **not** resident in the United Kingdom (UK).

Don't use these notes if you are resident in the UK.

These notes will help you:

- claim UK tax allowances as a non-resident
- if you are not entitled to UK tax allowances, claim repayment of some of the UK tax you have paid

Please note that the tax rates and allowances shown in these notes relate to 2016 to 2017 tax year. For current rates and allowances, go to [www.gov.uk/income-tax-rates](http://www.gov.uk/income-tax-rates)

To make a claim, you need to fill in and sign form **R43(2016)**. The form asks for details of **all** your UK income, allowable expenses and deductions. If you left the UK part way through the year, please show on the form your income for the whole of the tax year, including income received from 6 April to the date of your departure.

If there is not enough space on the form for you to enter the details asked for, make a list of the items on a separate sheet of paper, put the total on the claim form and send the list with your claim. Your reference number is in the top-right corner of the front page of the form. Write this number on all lists that you attach.

If you received income from:

- employment
- occupational pension
- Incapacity Benefit
- Employment Support Allowance
- Jobseeker's Allowance
- flexible pension payment

send the form to:

**Pay As You Earn  
HM Revenue and Customs  
BX9 1AS  
United Kingdom**

If you have received income from any other source, send the form to:

**HM Revenue and Customs  
Leicester and Northants (Claims)  
Saxon House  
1 Causeway Lane  
LEICESTER  
LE1 4AA  
United Kingdom**

Please quote your reference number when contacting us. You can:

- go to, [www.gov.uk/personal-tax/living-working-abroad-offshore](http://www.gov.uk/personal-tax/living-working-abroad-offshore)
- phone us on **+44 135 535 9022 (0300 200 3300** if phoning from the UK)
- write to us at the above address

### Enquiries

We may ask you to send us evidence of UK tax taken off, such as tax deduction vouchers.

## 2 Liability to UK tax as a non-resident Income Tax

As a non-resident, you are liable to UK Income Tax on income you receive from UK sources. You are not normally liable to UK Income Tax on income from:

- interest, dividends or other annual payments payable from sources outside the UK
- certain pensions paid out of UK funds for government service in Commonwealth countries

### Interest from UK government FOTRA securities ('gilts') acquired on or after 6 April 2013

If you are not resident in the UK, you are not liable to UK Income Tax on interest from UK government FOTRA securities, sometimes called 'gilts', if you have acquired them on or after 6 April 2013. FOTRA stands for 'Free of Tax to Residents Abroad'. Interest on FOTRA securities is normally paid with no UK Income Tax taken off. You don't need to enter details of interest on FOTRA securities acquired from 6 April 2013 onwards. But if you receive interest on FOTRA securities with UK tax taken off, and you acquired the securities on or after 6 April 2013, enter the income and tax in part E of form R43(2016) to claim repayment of the tax.

### Interest from UK government FOTRA securities ('gilts') acquired before 6 April 2013

If you are not ordinarily resident in the UK you don't need to enter details of this interest on the claim form R43(2016). But if you receive interest on FOTRA securities with UK tax taken off, and you acquired the securities before 6 April 2013, answer the question and enter the income and tax in part E of form R43(2016) to claim repayment of the tax.

### Relief under a double taxation treaty

If you are a resident of a country which has a double taxation treaty with the UK, you may be able to apply for some of your income to be paid with no

UK tax (or a reduced rate of UK tax) taken off. The types of UK income for which this can usually be done are pensions, interest, royalties, flexible pension and trivial commutation payments.

For more information:

- go to [www.gov.uk/government/publications/double-taxation-treaties-territory-residents-with-uk-income](http://www.gov.uk/government/publications/double-taxation-treaties-territory-residents-with-uk-income)
- contact HM Revenue and Customs (read page 3 for our address and phone number) and tell us your country of residence and what UK income you receive we will send you a claim form

## Capital Gains Tax

You make a gain or loss if you sell or pass on all, or part of, something you own (an asset), such as company shares or property. You are not normally liable to UK Capital Gains Tax if you are not resident and not ordinarily resident in the UK. Although from 6 April 2015 you are required to notify HMRC and will be liable for gains arising on the disposal of interests in residential property located in the UK. Further information can be found at Capital Gains Tax for non-residents: UK residential property, go to [www.gov.uk/guidance/capital-gains-tax-for-non-residents-uk-residential-property](http://www.gov.uk/guidance/capital-gains-tax-for-non-residents-uk-residential-property)

Helpsheet 278, 'Temporary non-residents and Capital Gains Tax', available from [www.gov.uk/government/publications/temporary-non-residents-and-capital-gains-tax-hs278-self-assessment-helpsheet](http://www.gov.uk/government/publications/temporary-non-residents-and-capital-gains-tax-hs278-self-assessment-helpsheet) gives details of the circumstances in which temporary non-residents may be liable to Capital Gains Tax.

## 3 Claims for allowances

As a non-resident of the UK, you can claim the same UK tax allowances as a UK resident if, at any time in the tax year, you meet any of the following conditions:

- a. you are a British citizen or a national of another member state of the European Economic Area (EEA); the EEA countries are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK
  - b. you are resident in the Isle of Man or the Channel Islands
  - c. you have previously resided in the United Kingdom and are resident abroad for the sake of
    - your health
    - the health of a member of your family who is resident with you
  - d. you are or have been employed in the service of the British Crown
  - e. you are employed in the service of any territory under Her Majesty's protection
  - f. you are employed in the service of a missionary society
  - g. you are a widow, widower or surviving civil partner whose late husband, wife or civil partner was employed in the service of the British Crown
- i. If you are a **national who is a resident** of any of the following countries, you must get a certificate from the tax authority of your country of residence stating that you are resident there for tax purposes for the period of your claim and have a document (for example, a passport) that shows you are a national of that country: Argentina, Australia, Azerbaijan, Bangladesh, Belarus, Bolivia, Bosnia-Herzegovina, Botswana, Canada, China, Croatia, Egypt, Gambia, India, Indonesia, Ivory Coast (Cote d'Ivoire), Japan, Jordan, Kazakhstan, Korea (Republic of), Lesotho, Malaysia, Montenegro, Morocco, New Zealand, Nigeria, Oman, Pakistan, Papua New Guinea, Philippines, Russian Federation, Serbia, South Africa, Sri Lanka, Sudan, Switzerland, Taiwan, Tajikistan, Thailand, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, Uzbekistan, Venezuela, Vietnam or Zimbabwe.
  - j. If you are a **resident** of any of the following countries, you must get a certificate from the tax authority of your country of residence stating that you are resident there for tax purposes for the period of your claim: Austria, Barbados, Belgium, Burma, Fiji, Greece, Ireland, Kenya, Luxembourg, Mauritius, Namibia, Netherlands, Portugal, Swaziland, Sweden or Zambia. (If you are a resident, but not a national, of any of the following countries you are not entitled to personal allowances if your income consists solely of dividends, interest or royalties, or any combination of those sources of income: Austria, Belgium, Kenya, Luxembourg, Mauritius, Portugal, Sweden, Switzerland or Zambia.)

**Please note** from 6 April 2010 (tax year 2010 to 2011 onwards) UK tax allowances are not available solely on the grounds of being a Commonwealth citizen. If you don't meet any one of the conditions at (a) to (g) above, you can claim the same UK tax allowances as a UK resident if you meet any one of the conditions at (h), (i) or (j) below. You will need to have, or get, the documents mentioned below. **Don't send these documents with your claim.** Keep them in case we ask to see them in support of your claim.

- h. If you are a **national** of any of Israel or Jamaica you must have a document (for example, a passport) that shows you are a national of that country.

## 4 When you can claim

You can use this form if you want to make a claim for tax years ending 2013 to 2017.

You may claim for the tax year from 6 April 2015 to 5 April 2016 at any time up to 5 April 2020.

You can claim before 5 April 2017, for example, as soon as you have received all of your taxed income for the tax year 2016 to 2017.

If you are filling in the form **part way** through the tax year 2016 to 2017 and you expect to receive more income before the year end (5 April 2017), please enclose an estimate for the whole year for each type of income that you expect to receive. Make sure you note this clearly 'estimate for the whole tax year'. We may ask for confirmation of these figures after 5 April 2017.

## **5 Married couples and civil partners – joint income**

You and your spouse or civil partner are treated separately for UK tax purposes. If you both wish to claim a tax repayment, each of you will need to fill in a form R43(2016).

If you and your spouse or civil partner live together, income from investments held in joint names is usually treated as if it belonged to the two of you in equal shares. This rule applies even if you own the investments in unequal shares. If you do hold investments jointly in unequal shares and you are entitled to the income arising in proportion to those shares, then you may make an election to be taxed on the actual basis. This election cannot be backdated. If you would like more information or an election form, please contact HM Revenue and Customs. Our phone number and postal address are on page 3 of these notes.

## **6 Tax vouchers**

There is no need to send tax vouchers with your claim, but you should keep them safe in case we ask you for them. If you have any doubt about how you have filled in the form, send your vouchers to us if you think it will help.

## **7 How to fill in the form R43(2016)**

Complete the year to 5 April boxes with the year you are claiming for.

### **A Residence**

Tick the box that applies to you and give any additional information asked for.

### **Question A1**

When deciding your residence position for UK tax purposes, the number of days you are present in the UK is only one of the factors to take into account. If you are in the UK for 183 days or more in the tax year, you will always be resident here. There are no exceptions to this. You count the total number of days you spend in the UK – it does not matter if you come and go several times during the year or if you are here for one stay of 183 days or more. If you are here for less than 183 days, you might still be resident for the year.

Just leaving the UK to live or work abroad does not necessarily prove that you are no longer resident here if, for example, you keep connections in the UK such as property, economic interests, available accommodation, and social activities or if you have children in education here. For example, if you are someone who comes to the UK on a regular basis and have a settled lifestyle pattern connecting you to the UK, you are likely to be resident here. From 2016 to 2017, when in the UK, if you spent more time in Scotland than in any other part of the UK you will pay tax at the Scottish rates.

Guidance on 'The Statutory Residence Test' will help you to decide your residence status. Go to [www.gov.uk/tax-foreign-income/residence](http://www.gov.uk/tax-foreign-income/residence) If, after reading the guidance, you need more information about UK residence, phone our helpline on **+44 135 535 9022** (from outside the UK) or **0300 200 3300** (from the UK).

## B Personal details of claimant

Fill in all the details asked for, including your:

- address where you are currently living
- date of birth
- UK National Insurance number (if you have one)
- nationality
- phone number, including International Dialing Code
- tax adviser's name, address and phone number

## C Income from the UK

### C1 Dividends from shares in UK companies, distributions from UK authorised unit trusts and open-ended investment companies

#### Boxes C1.1 and C1.2

Your dividend vouchers show the amount of the dividend paid. For dividends paid before 6 April 2016 they will also show the amount of tax credit given. From 6 April 2016 dividends are paid without a tax credit.

#### Box C1.1

Enter the total of your dividends. The dividend is the amount you actually receive.

#### Box C1.2

Enter the total of your tax credit and any notional Income Tax.

Include here dividend distributions from UK authorised unit trusts and open-ended investment companies (including distributions reinvested in units) if your voucher shows a tax credit.

Please note that:

- tax credit on UK dividends are not payable to you
- the notional Income Tax on stock dividends (extra shares received instead of a cash dividend) is not repayable

## Property income distributions paid by UK Real Estate Investment Trusts (UK-REITs) or Property Authorised Investment Funds (PAIFs)

Don't include in boxes C1.1 and C1.2 any property income distributions paid by UK Real Estate Investment Trusts (UK-REITs) or Property Authorised Investment Funds (PAIFs). Enter the details at part C7 'Other UK income'.

### C2 Interest and alternative finance receipts from UK banks, building societies and other deposit takers

#### Interest and alternative finance receipts that have not had tax taken off

#### Boxes C2.1, C2.5 and C2.9

If no tax has been taken off, include:

- interest from accounts with National Savings & Investments (NS&I)
- interest and alternative finance receipts from UK banks and/or building societies including UK internet accounts

#### Box C2.1

Enter here the total of any interest received from National Savings & Investments:

- Investment Accounts
- Fixed Rate Savings Bonds and Income Bonds – give the amount as shown on your statement

#### Box C2.5

From 6 April 2016 building societies, banks and other deposit takers no longer take tax off interest paid on many types of account. For tax years before 6 April 2016 or for other accounts not included above, enter the total of the amounts of interest or alternative finance receipts received with no tax taken off because you have declared to the payer that you are not ordinarily resident in the UK. Include your share of interest on a joint account (read note 5 on page 6 of

these notes) Remember that you must tell the building society, bank or other deposit taker if you become ordinarily resident in the UK.

### **Box C2.9**

Enter here the amount of any other UK interest or alternative finance receipts with no tax taken off. If tax has been taken off it will be shown on the certificate sent to you by the payer.

The following are not taxable and you shouldn't include:

- interest on National Savings & Investments (NS&I) Savings Certificates
- any interest from an Individual Savings Account (ISA)
- interest awarded by a UK court as part of an award of damages for personal injury or death

Interest on all UK government FOTRA securities beneficially owned by persons not ordinarily resident in the UK and acquired before 6 April 2013, is not liable to UK tax. If you are not ordinarily resident in the UK, you don't need to show such income on the form.

Interest on all UK government FOTRA securities beneficially owned by persons not resident in the UK and acquired on or after 6 April 2013, is not liable to UK tax. If you are not resident in the UK, you don't need to show such income on the form.

**Interest and alternative finance receipts that have had tax taken off boxes C2.2, C2.3, C2.4, C2.6, C2.7, C2.8, C2.10, C2.11 and C2.12**

**Interest from National Savings & Investments (NS&I)**

Show interest from National Savings & Investments (NS&I) Fixed Rate Savings Bonds as follows.

### **Box C2.2**

Enter the total of gross amounts of interest (box C2.3 plus box C2.4).

### **Box C2.3**

Enter the total of the amounts received after tax has been taken off.

### **Box C2.4**

Enter the total amount of tax taken off the interest. Where tax has been taken off:

- interest and alternative finance receipts from UK banks, building societies and other deposit takers
- interest distributions from UK authorised unit trusts and open-ended investment companies

enter the amounts as follows.

### **Box C2.6**

Enter the total of the gross amounts of interest (box C2.7 plus box C2.8).

### **Box C2.7**

Enter the total of the amounts of interest received or credited to your account(s) or unit holding(s).

### **Box C2.8**

Enter the total tax taken off the interest or alternative finance receipts.

### **Other taxed interest**

Interest received from other UK sources, for example loan interest, should be shown as follows.

### **Box C2.10**

Enter the total of gross amounts of interest (box C2.11 plus box C2.12).

### **Box C2.11**

Enter the totals of the amounts received after tax has been taken off.

### **Box C2.12**

Enter the total amount of tax taken off the interest.

## **C3 Property in the UK**

If you have received:

- rents with no tax taken off, fill in boxes C3.1, C3.2 and C3.3
- rents with tax taken off, fill in boxes C3.4, C3.5, C3.6 and C3.7

### **Box C3.1 or box C3.4 Gross income including premiums**

Enter the gross income from property in the UK including premiums. Rents or other receipts from any right or interest you hold personally in UK land or property are treated as arising from a single rental business.

All income arising to your business from any land and property in the UK forms part of that business. Income is taxed when it is earned, even if you don't receive the money or goods until later. Profits from a Rent-a-Room furnished letting exceeding the exemption limit will be added to your other rental business income (if any).

### **Box C3.2 or box C3.5 Expenses and allowances**

You are entitled to deduct from your income any expenses incurred for the purpose of earning the rental business profits. You cannot deduct costs which you expend for a non-business purpose, such as your own personal expenses. And you cannot deduct costs such as expenditure relating to the purchase of land or property, or any loss you make on the sale of property. The main allowable expenses include rent, Council Tax, insurance, ground rents, repairs and finance charges, including interest, and the cost of any services provided to tenants. Where a property is partly let, you should include only the expenses attributable to the part of the accommodation that is let.

### **Box C3.3 or box C3.6 Income after expenses**

Enter the net income after deducting expenses (box C3.1 minus box C3.2 or box C3.4 minus box C3.5).

### **Box C3.7 Income Tax taken off**

Enter the amount of tax taken off your UK property income. If your letting agent or tenant has taken off Income Tax from your property income, they must provide you with a certificate showing the amount of the tax taken off. This will not be the same as your Income Tax liability for your property income because the rules applied by your letting agent or tenant under the Non-resident Landlord Scheme are different from the rules for working out your property income. You should enter the amount shown on the certificate.

### **Property let jointly**

If you own and let property jointly with one or more other persons, you will need to work out the overall profit or loss arising from that property for the year separately from any other property income to arrive at your share. If you don't have any other income from land and property in the UK, that share alone will form your rental business. If, however, you do have other income from land and property in the UK, whether in your name alone or jointly owned with other people, your share from the jointly owned property will form a part of your rental business along with the other income and expenditure for your other properties.

### **Different rental business**

Rental business activities are treated as parts of a single business where the activities are carried on by the same person. Where different legal capacities are involved (such as trustees, executors and partners) different rental businesses will result.

## Furnished holiday letting

Special rules apply if you receive income from the letting of furnished holiday accommodation. Ask us or your tax adviser for more information if you receive any income from the letting of furnished holiday accommodation.

## C4 UK State Pension and benefits from the Department for Work and Pensions (DWP)

### Box C4.1

Enter the full amount of UK State Pension you were entitled to receive for the year (not the weekly or 4-weekly amount), but don't include:

- any addition for a dependent child (but do include any addition for a dependent adult)
- the Christmas bonus
- the Winter Fuel payment
- pension credits
- Disability Living Allowance
- Attendance Allowance

If you have reached State Pension age **but you don't** receive payments of the State Pension, please tick the box in part C4.

## State Pension lump sum

### Boxes C4.1A and C4.1B

If you have received a State Pension lump sum, please:

- enter in box C4.1A the amount of the lump sum
- enter in box C4.1B the amount of Income Tax taken off
- attach a photocopy of the notification of the lump sum award that you received from the Pension Service

If tax has not been taken off the lump sum at the correct rate for your income, we can adjust the tax to the correct amount.

## Incapacity Benefit

### Boxes C4.2 and C4.3

Enter here the amount of any taxable Incapacity Benefit you received (all benefit awarded, except benefit paid during the first 28 weeks of incapacity).

If you were claiming on 5 April, the Department for Work and Pensions will give you a form P60. If you stopped claiming before 5 April, they will have given you a form P45. These forms will also give you the 'tax taken off' figure to go in box **C4.3**.

## Other state benefits

### Box C4.4

If you received any of the following, add them up and put the total in box C4.4. Show the type of benefit in the box provided:

- Bereavement Allowance or Widow's Pension
- Widowed Parent's Allowance or Widowed Mother's Allowance (excluding any child dependency increase)
- Industrial Death Benefit Pension (excluding Industrial Death Benefit Child Allowance)
- Jobseeker's Allowance – if you were claiming on 5 April, the Department for Work and Pensions will give you a P60 – put the taxable amount on your form – if you stopped claiming during the year, you will have been given a P45 that tells you the taxable amount – if you had more than 1 claim during the year, add up all the taxable amounts
- Carer's Allowance – include any amount for a dependent adult but ignore any for a dependent child
- Statutory Sick Pay, Statutory Maternity or Paternity Pay, but only if we, HM Revenue and Customs (HMRC), paid you (not your employer) – ignore Maternity Allowance – it is not taxable

## **C5 Work pensions and retirement annuities**

### **Box C5.1**

Enter your total pension before any deductions (include pensions for service in the armed forces) and enter the name of the payer of your pension in the box provided. Enclose a separate note with your claim form giving full details of any extra pension you get for injuries at work, or for work-related illness, including the payer's name and address.

Don't include non-taxable pensions. These include war widow's pensions and certain pensions for wounds or disability caused or aggravated by military service or for other war injuries.

### **Trivial pension commutation payments**

Registered pension schemes and life insurance companies can pay 'trivial pension commutation payments'. This means that instead of receiving a small annual pension or annuity, a single lump sum is paid. UK tax is taken off these amounts under the normal PAYE (Pay As You Earn) rules.

If you have received a trivial pension commutation payment, please:

- include the amount of the lump sum in the total figure that you enter in box C5.1 and the tax taken off in box C5.2
- attach Parts 2 and 3 of form P45 that you received from the payer of the lump sum
- don't include any flexible pension payments – include these in part C7

### **Pension Flexibility**

People will be counted as flexibly accessing their pension if they receive any of the following on or after 6 April 2015:

- a payment from a flexi-access drawdown fund, including a payment from a capped drawdown fund that would breach the cap
- an uncrystallised funds pension lump sum (UFPLS)

- a payment under a flexible annuity contract
- a payment of a money purchase scheme pension where the scheme has fewer than 11 other pensioner members and they became entitled to the scheme pension on or after 6 April 2015
- a stand-alone lump sum from a money purchase arrangement where the individual was entitled to primary protection but not enhanced protection, that is where Circumstance A in article 25B(2) of the Taxation of Pension Schemes (Transitional Provisions) Order 2006 applies.

In addition any person who had a valid notification for flexible drawdown before 6 April 2015, will be deemed to have flexibly accessed their rights at the start of 6 April 2015.

UK tax is taken off these amounts under the usual PAYE (Pay As You Earn) rules.

If you have received a Pension Flexibility payment, please:

- include the total amount of payments received in the total figure that you enter in box C5.1 and the tax taken off in box C5.2
- attach parts 2 and 3 of form P45 that you received from the payer of the Pension Flexibility payment

### **Box C5.2**

Enter here the amount of any tax taken off by the payer of your pension or trivial pension commutation payment.

### **Double taxation treaty claim**

If you have previously claimed exemption from UK tax under a double taxation (DT) treaty for any of the pensions or benefits you have shown in parts C4 or C5 of form R43(2016), enter in the boxes at C5:

- your reference number with HM Revenue and Customs (HMRC)
- the date you made your claim

You can find out about DT treaty claims online. Go to, [www.gov.uk/government/publications/double-taxation-treaties-territory-residents-with-uk-income](http://www.gov.uk/government/publications/double-taxation-treaties-territory-residents-with-uk-income) to check if the UK has a DT treaty with your country of residence. The Digest will tell you if exemption is available from UK tax on your pensions, flexible pension payments or benefits. You can also download a claim form. If you need more help, contact HMRC. The phone number and postal address are on page 3 of these notes. When contacting us, please tell us your country of residence.

## **C6 Income from trusts or settlements, or from the estates of deceased persons**

### **Boxes C6.1 and C6.2**

Enter details in the boxes in part C6 if you received a payment or were entitled to income from a discretionary or accumulation or interest in possession trust, or from a settlement or from the estate of a deceased person. Don't enter income from unit trusts in this part of the form.

### **Trust income**

The information you need to enter will be on form R185(Trust Income) given to you by the trustees of the trust. If you don't have form R185(Trust Income) ask your trustees to let you have one. You don't have to send a form R185(Trust Income) with your claim. But we may be able to deal with your claim more quickly if you do send us a copy of a form R185 (Trust Income).

If you are the beneficiary of a **bare trust**, where you have an absolute right to the income and capital from the trust, don't include this income here. You should include it in the boxes on the form that deal with the type of income concerned (for example, you should enter details of building society interest in the boxes in part C2).

### **Settlement income**

Settlements include trusts and non-trust arrangements. If you have provided funds for a settlement, its income may be treated as yours for tax purposes.

For example if:

- you or your spouse or civil partner can benefit from a trust of which you are the settlor (one where you provided funds)
- capital or income of the settlement is paid to, or for the benefit of, your or your civil partner's minor children (under the age of 18) that are neither married nor in a civil partnership

You can find more information in Helpsheet 270, 'Trusts and settlements – income treated as the settlor's'. Go to, [www.gov.uk/government/publications/trusts-and-settlements-income-treated-as-the-settlors-hs270-self-assessment-helpsheet](http://www.gov.uk/government/publications/trusts-and-settlements-income-treated-as-the-settlors-hs270-self-assessment-helpsheet)

### **Estate income**

This is income from the estate of a deceased person. If you receive either a specific sum of money or a specific asset from someone who has died, you don't pay tax on these, so you shouldn't include them on form R43(2016). If the asset is one that produces income (for example, a bank account or a property that is let) and you are entitled to that income from the deceased's death, you should include it on form R43(2016), in the boxes that deal with the type of income concerned. For example, enter details of bank interest in the boxes in part C2 or gains realised on certain insurance policies in the boxes in part C8.

### **Residuary beneficiaries**

Special rules apply to the income from a deceased person's estate paid to you if you are a beneficiary who has an interest in the residue. The residue is what is left in the estate after the personal representatives have provided for all legacies and expenses. The personal

representatives should give you a statement on form R185(Estate Income) showing any payments to you treated as income and the tax treated as paid on that income. Please enter that information in part C6. You don't have to send an R185(Estate Income) with your claim, but you should keep it safe in case we ask to see it.

### **Absolute interests**

If you have an interest in the income and capital of the residue, you are treated as receiving an amount of income. This is based on your share of the estate income, after deducting allowable expenses. The personal representatives should give you a statement on form R185(Estate Income), showing the amount of income that should be included on your form and the tax treated as paid on that income. Please enter that information in part C6. You don't have to send an R185(Estate Income) with your claim, but you should keep it safe in case we ask to see it.

## **C7 Other UK income**

### **Box C7.1**

Enter flexible pension payments and all other income from UK sources that you have not included in parts C1 to C6 of the form. Use the box provided in part C7 to enter the type of income you received. For UK employment income, give your employer's name and address and your job title. Attach a separate sheet of paper if you need more space.

If you had income from more than one source and flexible pension payments are included, add up all the amounts of income, enter the total in box C7.1 and attach a separate sheet of paper giving full details of the flexible pension payment, ie, untaxed amount, taxable amount and tax deducted and your National Insurance number.

### **Box C7.2**

Enter the total amount of UK Income Tax paid or taken off the income you have entered in box C7.1.

If UK tax has been taken off any item at a reduced rate because Double Taxation Treaty Relief has been given, please enclose a note with your claim giving details of:

- the source of the income
- the amount of the income
- the reduced rate of tax taken off

Examples of the types of income to include at C7 are shown below.

### **Flexible pension payment**

From 6 April 2015, scheme members with money purchase pension savings in defined contribution schemes can access those pension savings as they wish, providing they have reached normal minimum pension age (currently age 55). Most payments apart from the right to 25% tax-free will be subject to their marginal rate of tax.

Scheme members can choose a number of options on how to take their pension benefits, although not all pension schemes will offer the flexibility options.

This could be a one or more payments a year for a number of years, several payments a year over a shorter timeframe or the full value of the fund in one payment.

### **Income from employment in the UK**

If you are not resident in the UK, you are liable to UK tax on the full amount of your earnings for duties carried out (or treated as carried out) in the UK. If you are in Crown employment, your earnings from that employment are subject to UK tax irrespective of your residence status or the place where the duties of the Crown employment were performed.

If you are employed in the UK, your employer must give you a record of your pay and tax, so if you were working on 5 April you will get a form P60, 'End of Year Certificate'. If you left your UK employment before 5 April, your employer will have given you a form P45 Part 1A. Enter at C7.1 of the form R43(2016) the amount of pay from either:

- the 'In this employment' box on the form P60
- the 'Total pay in this employment' box on the form P45

### **Income from a trade, profession or vocation**

Enter your profits for the year. However, if you started your business during the year you are claiming for and the first period for which you will make up accounts falls after the date of your claim, write 'profits to be agreed' in box C7.1. Enter the nature of trade or business (including farming, market gardening and the occupation of land for commercial purposes), the address and the business name if it is different from yours, in the box provided.

### **Other income from unit trusts**

Show income from UK unit trusts (including income reinvested in units) if your voucher shows Income Tax taken off at the basic rate.

### **Property income distributions paid by UK Real Estate Investment Trusts (UK-REITs) or Property Authorised Investment Funds (PAIFs)**

Show property income distributions paid by UK Real Estate Investment Trusts (UK-REITs) or Property Authorised Investment Funds (PAIFs). Property income distributions are paid with Income Tax taken off at the basic rate.

### **Other income**

Enter the total of any other taxable UK income you received in box C7.1, with the UK tax in box C7.2.

## **C8 Chargeable event gains on UK life insurance policies, life annuities or capital redemption policies, boxes C8.1 and C8.2**

Include at part C8 any gains from life insurance policies, life annuities or capital redemption policies taken out with a UK life insurance company or a UK friendly society.

In these notes, 'gains' are chargeable event gains which are taxable as income. They are included in income for all purposes, including entitlement to personal allowances. Insurers sometimes refer to them as 'chargeable gains' but they are not capital gains so reliefs allowable in working out capital gains cannot be set against them.

UK insurers are required by law to issue a certificate if they know a gain has been made on a life insurance policy, life annuity or capital redemption policy. In most cases therefore, if you have made a gain you will have received a certificate reporting the gain, either directly from the insurer or indirectly via trustees or a lender.

Not all payments from life insurance policies, life annuities and capital redemption policies give rise to gains. If your insurer has sent you a certificate in connection with a policy you own or used to own, or sent such a certificate to the trustees of a trust you created or contributed to, you will have made a gain which you should include at part C8 of form R43(2016). The certificate will tell you:

- the type of event giving rise to the gain and the date when it occurred
- the amount of the gain
- whether there is any lower rate 'tax treated as paid' on the gain and if so, the amount

First make sure the gain is taxable in the year of claim. The certificate may show one date relating to the event giving rise to the gain or it may include 2 dates.

If the certificate only shows one date, then this is the date of the event. If this is in the year ended 5 April for the year of the claim, enter the gain on form R43(2016).

If the certificate shows 2 dates relating to the event, then only enter the gain on form R43(2016) if the later date is the final day of the 'insurance year' (which may also be referred to as a 'policy year'). This is usually a 12-month period beginning on the anniversary of the date on which you took out the policy.

So, if the certificate shows that:

- there is no tax to be treated as paid on the gain, enter the amount of the gain in box C8.1
- tax is treated as paid on the gain, enter the amount of the gain in box C8.1 and the amount of tax treated as paid in box C8.2

Don't include at part C8 details of retirement annuities. Read part C5 'Work pensions and retirement annuities'.

For full details about chargeable event gains, read Helpsheet 320, 'Gains on UK life insurance policies', which is available online. Go to [www.gov.uk/government/publications/gains-on-uk-life-insurance-policies-hs320-self-assessment-helpsheet](http://www.gov.uk/government/publications/gains-on-uk-life-insurance-policies-hs320-self-assessment-helpsheet)

## **D Deductions paid out of income liable to UK tax, including donations to UK charities**

### **Charitable donations and gifts**

Gift Aid is a tax relief for cash gifts to UK charities and Community Amateur Sports Clubs (CASCs).

The charity or CASC will ask you to give a declaration that you pay UK Income Tax and/or Capital Gains Tax – they can then claim tax back from HM Revenue and Customs. If you have not paid an amount of Income Tax or Capital Gains Tax equal to the amount the

charity or CASC claims back on your gift, you may have to pay the difference to us.

If you have been making charitable payments under a deed of covenant since before 6 April 2000, those payments automatically come under Gift Aid. If you have entered into a deed since 6 April 2000, the charity should have asked you to make a declaration that you pay UK Income Tax or Capital Gains Tax.

If you pay tax at the higher rate you are entitled to tax relief. If you were born before 6 April 1948, your Gift Aid payments could reduce your tax bill.

### **Gift Aid payments made in the year of claim**

Show the name of the charity or CASC in the 'Nature of payment' box. Enter in box D1 the actual amounts given or covenanted; don't add on any tax relief that you think the charity will get. Don't include on the form any payments under Payroll Giving; those payments are taken off your salary or pension before your employer (or the payer of your pension) taxes it.

### **Gift Aid payments made in the year of claim but treated as if made in the preceding year**

If you have already asked us to treat payments made in the year of claim as if they had been made in the preceding year, show the name of the charity or CASC in the 'Nature of payment' box. Enter these payments in box D1 and provide additional information on a separate sheet of paper detailing the amounts of the Gift Aid payments made in the year of claim but already treated as if made in the preceding year, and the dates the Gift Aid payments were made.

### **Gift Aid payments made after the year of claim but to be treated as if made in the year of claim**

You can ask us to treat Gift Aid payments, made after the end of the year of claim but before the following 31 January, as if they were made in the year of claim. Show the name of the charity or CASC in the 'Nature

of payment' box. Enter these payments in box D1 and provide additional information on a separate sheet of paper detailing the amounts of the Gift Aid payments made between 5 April and the following January to be treated as if made in the year of claim, and the dates the Gift Aid payments were made.

### Loans qualifying for relief

You should also use part D to give details of interest or alternative finance payments on loans and alternative finance arrangements used to buy:

- shares in (or to fund) a 'close company'
- an interest in (or to fund) a partnership
- plant or machinery for your work

From 6 April 2013 there is a limit on some reliefs. For more information please read Helpsheet 204, 'Limit on Income Tax reliefs'. Go to [www.gov.uk/government/publications/limit-on-income-tax-reliefs-hs204-self-assessment-helpersheet](http://www.gov.uk/government/publications/limit-on-income-tax-reliefs-hs204-self-assessment-helpersheet) or contact HM Revenue and Customs.

### Legally binding maintenance, alimony or child support payments

Relief for maintenance payments is only available if you or your former spouse or former civil partner were born on or before 5 April 1935. For more information go to, [www.gov.uk/income-tax-reliefs/maintenance-payments-tax-relief](http://www.gov.uk/income-tax-reliefs/maintenance-payments-tax-relief) or contact HM Revenue and Customs.

### E Income from UK government FOTRA securities from which UK tax has been taken off

#### Box E1

Read note 2 on page 4 of these notes about interest from UK government FOTRA securities. If you receive interest on FOTRA securities with UK tax taken off and you acquired the securities before 6 April 2013, answer

the question at box E1 and enter in the box provided the title(s) of the security(ies). Then complete boxes E2 and E3.

#### Box E2

Enter the total amount of interest arising.

#### Box E3

Enter here the total of any UK Income Tax taken off the non-liable FOTRA income. If you receive interest on FOTRA securities with UK tax taken off and you acquired the securities on or after 6 April 2013, enter in the box provided at E1 the title(s) of the security(ies). Then complete boxes E2 and E3.

### F Claim for UK tax allowances

#### UK tax allowances

To claim any of the allowances described below onwards, read the appropriate note and give the details asked for in part F of form R43(2016). As a non-resident, you must satisfy one of the conditions listed in note 3 on page 4 of these notes to qualify for the allowances given to a resident of the UK.

If we have not done so before, we may ask you for evidence of your nationality (for example, a copy of a passport). If you are claiming under (h), (i) or (j) of note 3, you will need to get a certificate from the tax authority of your country of residence stating that you are resident there for tax purposes for the year of claim. Keep these certificates and documents in case they are we need them later.

#### The rates of Income Tax for 2015 to 2016 are:

	Taxable income band	
Starting rate for savings income (see * below)	0%	£1 to £5,000
Basic rate	20%	£1 to £31,785
Higher rate	40%	£31,786 to £150,000
Additional rate	45%	£150,001 and above

### \* Starting rate for savings income

For 2015 to 2016 the starting rate limit for savings is £5,000. Income ordering rules mean that savings income is charged to tax after non-savings income (for example, employment, trading profits or property income). Where non-savings income does not fully occupy the first £5,000 (£2,880 in 2014 to 2015) of chargeable income, the remainder of the starting rate for savings is still available for savings income and this income (up to the starting rate limit) will be charged at 10% in tax year 2014 to 2015 and 0% in 2015 to 2016.

### Dividend income

The rates of tax for dividends are:

#### 2016 to 2017

0% for income in the band £1 to £5000

7.5% for income up to the basic rate limit

32.5% for income above the basic rate limit

37.5% above the higher rate limit

#### 2014 to 2015 and 2015 to 2016

7.5% for income up to the basic rate limit

32.5% for income above the basic rate limit

37.5% above the higher rate limit

### F1 Personal Allowance

Non-residents who are entitled to UK allowances receive the same allowances as a UK resident.

In 2015 to 2016 there are 2 levels:

- a basic allowance of £10,600\* for people born after 5 April 1938
- a higher allowance of £10,660\* for people born before 6 April 1938

The higher level of allowance depends on your UK income. The allowance is reduced by £1 for every £2 of your total income which is more than the income limit. But the Personal Allowance cannot be reduced below the level of the basic allowance. The income limit is £27,700. To claim the higher allowance tick the box provided on the form.

- \* If your adjusted income is above £100,000, allowances are gradually reduced to nil at the rate of £1 of allowance for every £2 of income.

### F2 Married Couple's Allowance (MCA)

You can only claim Married Couple's Allowance if either you, your spouse or civil partner were born **before 6 April 1935**, and:

- you are a married man or married woman who married before 5 December 2005
- you are a married man, married woman or civil partner who married or formed a civil partnership on or after 5 December 2005

The allowance is made up of 2 amounts – a minimum amount (worth up to £322), plus an amount dependent on the income of the husband (for marriages before 5 December 2005) or the person with the higher income (for marriages and civil partnerships formed on or after 5 December 2005).

A married couple or civil partners who are both non-resident may be able to share the minimum amount of the allowance. But this will depend on which of the conditions listed in note 3 on page 4 of these notes are met by each spouse or civil partner and you must have asked us already (either before 6 April in the year of claim, or, if you married or formed a civil partnership during the year of claim, by that date) for the allowance to be shared. If you want to change the way the allowance is given for the tax year 2017 to 2018, please contact HM Revenue and Customs (the phone number and postal address are on page 3 of these notes).

If both you and your spouse or your civil partner were born **after 5 April 1935** you **cannot** claim Married Couple's Allowance. Don't enter anything in part F2 of form R43(2016).

### F3 Blind Person's Allowance

An eye specialist may use the term severely sight impaired rather than blind when discussing visual impairment.

Non-residents usually **don't** qualify for Blind Person's Allowance. To claim the allowance you must be either:

- ordinarily resident in the area covered by a local authority in England or Wales and registered blind, or severely sight impaired with that local authority
- ordinarily resident in Scotland or Northern Ireland and because of blindness, or severe sight impairment, unable to perform any work for which eyesight is essential

If, exceptionally, you think that you qualify for this allowance, tick box F4 and say why you qualify on a separate sheet of paper which you should attach to your form R43(2016).

### **If you want your spouse or civil partner to have your surplus allowance**

As explained above, non-residents are usually unable to claim Blind Person's Allowance. If, exceptionally, you think you qualify and you don't have enough taxable income to use all the allowance, you may be able to give your surplus allowance to your spouse or civil partner. But this will depend on which of the conditions listed in note 3 on page 4 of these notes are met by each spouse or civil partner. To request that your surplus allowance can be given to your spouse or civil partner, tick the box at F3 that asks for form 575(T) and we will send you a form to fill in.

### **F4 Not entitled to allowances**

If you don't satisfy any of the conditions shown in note 3 on page 4 of these notes, you are not entitled to UK tax allowances. Tick box F5 to claim repayment of any UK tax taken off in excess of your liability to tax in the UK.

## **G Payment details and authority**

### **G1 Payment to a nominee**

You should only fill in part G1 if you want HM Revenue and Customs (HMRC) to make any repayment to a bank, building society, tax adviser or other person on your behalf. If you want the repayment to be credited to a bank or building society account, the account holder's name must be the same as the name of the person entitled to receive the repayment. We will send the repayment by post so you will need to give the full postal address and other details asked for on the form.

### **G2 Payment made to you at another address**

If you want HMRC to send the repayment to you at an address that is not your residential address, give details in part G2.

## **H Declaration**

You must sign form R43(2016) personally on page 4. You may claim for:

- an unmarried minor (someone under the age of 18)
- an incapacitated person
- someone who has died

Claims should normally be made by:

- a parent or guardian for an unmarried minor
- the person authorised by the courts to look after the affairs of a mentally incapacitated adult
- the executor or administrator of the estate of someone who has died (the claim will relate to income from 6 April up to the date of death only)

Ask HMRC if you are in any doubt about whether you are the right person to make the claim.

Remember that in these guidance notes and in the form, references to 'you' and 'your' may equally apply to the person for whom you are claiming.

## **Your rights and obligations**

'Your Charter' explains what you can expect from us and what we expect from you. For more information go to, [www.gov.uk/government/publications/your-charter](http://www.gov.uk/government/publications/your-charter)

## **How we use your information**

HM Revenue and Customs is a Data Controller under the Data Protection Act 1998. We hold information for the purposes specified in our notification to the Information Commissioner, including the assessment and collection of tax and duties, the payment of benefits and the prevention and detection of crime, and may use this information for any of them.

We may get information about you from others, or we may give information to them. If we do, it will only be as the law permits to:

- check the accuracy of information
- prevent or detect crime
- protect public funds

We may check information we receive about you with what is already in our records. This can include information provided by you, as well as by others, such as other government departments or agencies and overseas tax and customs authorities. We will not give information to anyone outside HM Revenue and Customs unless the law permits us to do so.