



Use these notes to help you complete form UK-REIT DT-Company. If you need help or more information, see Note 6.

## 1. Property income dividends paid by UK Real Estate Investment Trusts (UK-REITs)

A 'UK-REIT' is a company which has a property business. It must be resident in the UK and be listed on a recognised Stock Exchange. A UK-REIT can also be a group of companies. In this case, the principal (parent) company of the group must be UK resident and stock exchange listed. Under the UK-REIT regime, the UK-REIT pays no tax on its qualifying property income, but the company (principal company for a Group REIT) will withhold UK Income Tax at the basic rate when making a distribution out of its qualifying property income, a 'property income dividend'. It is obliged to distribute most of its profits as property income dividends.

### UK dividends from which no Income Tax is withheld

The company (principal company of a Group REIT) may also pay ordinary company dividends from which no Income Tax is withheld. Other members of a Group REIT may also pay dividends. These will always be ordinary company dividends from which no Income Tax is withheld. UK company dividends from which no Income Tax is withheld have an amount attached to them (but not paid to the shareholder at the time of the dividend) called a tax credit. Some of the UK's DT treaties, which can be found at [www.gov.uk/government/collections/tax-treaties](http://www.gov.uk/government/collections/tax-treaties), provide for payment to a resident of the other country of part of the tax credit. But in practice, the amount that the UK retains under the DT treaty covers the whole of the tax credit. So if a shareholder were to make a DT treaty claim for payment of tax credit, there would be no balance of tax credit remaining for HM Revenue and Customs to pay.

## 2. Purpose of form UK-REIT DT-Company

Form UK-REIT DT-Company allows you to claim repayment of some or all of the Income Tax deducted from property income dividends that are paid by Real Estate Investment Trusts after 1 January 2007.

Double Taxation Treaties can be found at [www.gov.uk/government/collections/tax-treaties](http://www.gov.uk/government/collections/tax-treaties). Use the information about Real Estate Investments Trusts to help you complete form UK-REIT DT-Company.

Please do not include in your claim any other sources of UK income, such as dividends paid by UK companies that are not property income dividends of a UK Real Estate Investment Trust. Claim forms for DT treaty relief from UK Income Tax on UK interest and royalties are available from [www.gov.uk](http://www.gov.uk) or from the address in Note 6.

## 3. Who can sign the declaration on the form UK-REIT DT-Company

For a company or fund, a responsible officer of the company or fund may sign. An agent (tax adviser), custodian or other duly authorised person acting with the authority of the company may also sign on the company's behalf. We will need written authority from the company or fund, confirming a person acting can sign and receive the relief on their behalf.

For a partnership, the senior, general or managing partner (as appropriate) in the name of the partnership.

Please attach to the form a list giving the names and residential addresses (or registered business addresses if companies) of all the partners, and each partner's percentage share in the partnership.

## 4. Certification of the form by the tax authority of the company's country of residence

A requirement for relief under a DT treaty is that the tax authority of the company's country of residence regard it as resident there for the purpose of that country's taxation. Some DT treaties also require that the company must be 'subject to tax' (actually pay tax on the income in question) in the company's country of residence before it can get relief from UK Income Tax. The list of UK Double Taxation agreements can be found at [www.gov.uk/government/collections/tax-treaties](http://www.gov.uk/government/collections/tax-treaties)

### If this is the company's first claim

If this is the first claim by the company to repayment of tax deducted from dividends paid by Real Estate Investment Trusts, send the completed form UK-REIT DT-Company to the tax authority of the company's country of residence. By doing this you are consenting to the tax authority of the country of residence certifying to HM Revenue and Customs (the UK tax authority) that the company is resident in the other country within the meaning of the DT treaty between the UK and that country.

The tax authority of the country of residence will then either:

- send the certified form direct to HM Revenue and Customs in the UK
- return the form to you to send to HM Revenue and Customs, at the address in Note 6

In some cases, the tax authority of the company's country of residence may not wish to stamp and sign the form UK-REIT DT-Company. If so, please ask them to provide a separate 'stand alone' certificate to confirm that the company is resident for tax purposes in that country within the meaning of the DT treaty with the UK.

## **If this is not the company's first claim**

If the company has made a previous claim for repayment of tax deducted from distributions by Real Estate Investment Trusts, and:

- the company remains resident in the same country
- there has been no change in the company's tax position as a resident of that country

you do not need to get this form certified by the tax authority of the country of residence. Send the form direct to HM Revenue and Customs at the address in Note 6.

## **5. Confidentiality**

All the information that you provide to HM Revenue and Customs is confidential. We can therefore only discuss the tax affairs of the company or concern with either:

- an officer of the company or concern
- an agent (tax adviser) who is nominated by the company or concern

## **6. Help or more information**

If, after using these notes and the UK Double Taxation Agreements you need more information, please:

- visit the HM Revenue and Customs website, [www.gov.uk](http://www.gov.uk)
- phone us on +44 330 322 9433 if calling from outside the UK, or 0330 322 9433 if calling from the UK
- write to – HM Revenue and Customs, Trusts, BX9 1EL, United Kingdom

Please quote the company's HM Revenue and Customs reference number (for example, 99/A/123456) whenever you contact us.

## **7. Completing the form UK-REIT DT-Company**

Use the following notes to help you complete Parts A to E of the form. Please give all the information requested. If you need more space, attach a separate sheet and write the company's name and HM Revenue and Customs reference number on it.

### **Part A: Details of the company or concern and tax adviser**

Please give all the details asked for. If the company or concern has a tax adviser, please include the tax adviser's details.

### **Part B: About the company or concern**

Tick the boxes that apply and give any additional information asked for.

### **Part C: Details of property income dividends from UK Real Estate Investment Trusts**

#### **Tax vouchers**

Before you fill in Part C, the claimant company or concern must have documentary proof of the deduction of UK Income Tax from its property income dividends. Usually this proof is provided by the tax deduction certificates issued by the payers of the property income dividends.

You **do not** need to send tax certificates (vouchers) with the completed form UK-REIT DT-Company, but you should keep them safe in case we ask you to send them to us in support of the claim. If you have any doubt about how you have completed Part C you can send vouchers with the claim if you think it will help us.

Remember that you should only include property income dividends paid by UK Real Estate Investment Trusts (UK-REITs).

### **Part D: Authority to make the repayment to a nominee**

You should only complete Part D if you want HM Revenue and Customs to make any repayment to a bank, tax adviser or other person on the company's or concern's behalf.

If you want repayment to be made to the company's tax adviser, please give the reference number (if any) that the tax adviser uses. Please make sure written authority is provided from the company or concern with each submission.

You must also sign the declaration at Part E if you sign the authorisation in Part D.

### **Part E: Declaration**

A responsible officer of the company or concern should sign the declaration in Part E of the form UK-REIT DT-Company.

An agent (tax adviser), custodian or other duly authorised person acting with the authority of the company or concern may sign the declaration on behalf of the company or concern. Please make sure written authority is provided from the company or concern with each submission.

### How to work out the amount of UK Income Tax repayable to the company or concern

- Follow Steps 1 and 2 and if appropriate, Steps 3 to 5 below.
- Use the relevant UK Double Taxation Agreement, go to [www.gov.uk/government/collections/tax-treaties](http://www.gov.uk/government/collections/tax-treaties)
- If you do not wish to work out the repayment and do not enter an amount in Part E(a) of the form UK-REIT DT-Company, HM Revenue and Customs will work out any repayment that is due.

**Step 1** Enter in box 1 the total amount of property income dividends before UK tax and in box 2 the amount of UK tax taken off.

	Income before tax
<b>1</b>	£ <input type="text"/>

Take these figures from the totals boxes in Part C of the form UK-REIT DT-Company.

	UK Income Tax
<b>2</b>	£ <input type="text"/>

**Step 2:** Using the relevant UK Double Taxation Agreement, please apply the relief rate as outlined in the dividends article.

If the entry shows a percentage rate (for example, 15%) then follow Steps 3 and 4 to work out the amount repayable.

**Step 3:** Calculate the appropriate percentage rate of the total amount of property income dividends (in box 1) and enter the result in box 3

<b>3</b>	£ <input type="text"/>
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For example, the box 1 figure is £100.00 and the rate shown in the relevant UK Double Taxation Agreement is 15%. So, 15% of £100.00 = £15.00 in box 3.

**Step 4:** Deduct the amount in box 3 from the amount in box 2 and enter the result in box 4.

<b>4</b>	£ <input type="text"/>
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**Step 5:** Finally, take the amount you have shown in box 4 and enter it on the form UK-REIT DT-Company at Part E(a). This is the amount of UK Income Tax repayable to the company.