HMRC - CG34772 - Settlor Trusts: Cases Where Income Tax Ruling Inapplicable

The test in CG34770 does not always apply, but it should correctly identify most cases. There are some old cases, particularly marriage settlements, where either or both spouses have a life interest, but there is in fact no ruling in the file. If the settlor is, or in appropriate cases both settlors are alive and still life tenant(s), it may be assumed that Section 77 applies.

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