HMRC - CG34801 - Settlor Trusts: Meaning Of Settlor

In general if HMRC Trusts Head Office Bootle or Edinburgh, or their predecessorsFinancial Intermediaries and Claims Office or Claims Branch have advised or ruled that aperson is the settlor for Part XV ICTA88 or Part 5 Chapter 5 ITTOIA05 purposes then thesame person should be regarded as the settlor for the purposes of these provisions. Inexceptional cases, eg the assignment of a life interest, a person may have settled a rightto income under an existing settlement without thereby creating a new settlement for CGTpurposes. Although the Income Tax Settlements Legislation may apply as regards thatincome, that person is not thereby a settlor of the main settlement. It is also possiblein cases involving the variation, by a Deed of Family Arrangement before 6 April 2006, oftrusts established in a will that the settlors are different for Income Tax and CapitalGains Tax.

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