HMRC - CG34811 - Settlor Trusts: Death Of Spouse Or Civil Partner Or Child

TCGA92/S77 (6)

If it is the settlor’s spouse or civil partner (and not the settlor) who has the interest in, or derives the benefit from, the settlement the provisions will not apply to gains made in a year of assessment in which

the spouse or civil partner dies, or

they divorce or the civil partnership is dissolved.

If it is the settlor’s child or stepchild (and not the settlor or spouse or civil partner) who has the interest in, or derives the benefit from, the settlement the provisions will not apply to gains made in a year of assessment in which

the child dies and that child is the only relevant child, or

the child is a step-child and there is a divorce or the civil partnership is dissolved.

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