

Declaration of Residence Outside Ireland

i Individuals resident outside Ireland are required by the Irish Revenue Commissioners to make the following declaration, which is in a format authorised by them, in order to receive payments without deduction of Irish tax.

A. Declaration of Residence outside Ireland

I declare that

- I have read the explanation of the terms detailed in the note entitled "Residence Definitions" attached;
- I am the individual in respect of which this declaration is being made;
- I am not resident or ordinarily resident in Ireland;
- I hereby undertake to inform the insurance company of any change in my country of residence during the life of the policy.

Name and principal place of residence/address of individual

Signature of individual or authorised signatory

Capacity in which declaration is made	Date
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dd/mm/yy

Joint individuals Names & principal places of residence	Signatures

Notes

1. This form may be subject to inspection by the Irish Revenue Commissioners. It is an offence under Irish law to make a false declaration.
2. This declaration must be signed by individuals who are neither resident nor ordinarily resident in Ireland or by personal representatives signing on behalf of deceased persons. Where the individual is a company, the declaration must be signed by the company secretary or such other authorised officer. It may also be signed by a person who holds Power of Attorney from the individual. A copy of the Power of Attorney should be furnished with this declaration.
3. If the policy is assigned, the declaration must be signed by the individual and the assigned.
4. If the policy is written in Trust, the settlors must sign the Declaration of Residence.

B. Residence Definitions

Residence – Individual

An individual will be regarded as being resident in Ireland for a tax year if he:

- spends 183 days or more in the State in that tax year;

or

- has a combined presence of 280 days in the State, taking into account the number of days spent in the State in that tax year together with the number of days spent in the State in the preceding year.

Presence in a tax year by an individual of not more than 30 days in the State will not be reckoned for the purpose of applying the two-year test. Presence in the State for a day means the personal presence of an individual at any time during that day.

Ordinary Residence – Individual

The term “ordinary residence” as distinct from “residence” relates to a person’s normal pattern of life and denotes residence in a place with some degree of continuity.

An individual who has been resident in the State for three consecutive tax years becomes ordinarily resident with effect from the commencement of the fourth tax year.

An individual who has been ordinarily resident in the State ceases to be ordinarily resident at the end of the third consecutive tax year in which he is not resident. Thus, an individual who is resident and ordinarily resident in the State in 2004 and departs from the State in that year will remain ordinarily resident up to the end of the tax year in 2007.

Residence - Company

A company which has its central management and control in Ireland (the State) is resident in the State irrespective of where it is incorporated. A company which does not have its central management and control in Ireland but which is incorporated in the State is resident in the State except where:

- the company or a related company carries on a trade in the State, and either the company is ultimately controlled by persons resident in EU Member States or countries with which the Republic of Ireland has a double taxation treaty, or the company or a related company are quoted companies on a recognised Stock Exchange in the EU or in a tax treaty country;

or

- the company is regarded as not resident in the State under a double taxation treaty between the Republic of Ireland and another country.

It should be noted that the determination of a company’s residence for tax purposes can be complex in certain cases and declarants are referred to the specific legislative provisions which are contained in S23A Taxes Consolidation Act 1997.