

**Interest on Quoted Eurobonds**  
**Declaration of residence outside Ireland for the purposes of**  
**Section 64(7) Taxes Consolidation Act 1997<sup>1</sup>**

*Before completing this declaration, please consult the notes overleaf in relation to residence.*

**Declaration on own behalf**

I/we/the company\* declare that I am/we are/the company\* is beneficially entitled to the interest in respect of which this declaration is made and that

- I am/we are/the company is\* not resident in Ireland, and
- Should I/we/the company\* become resident in Ireland I will/we will\* so inform you, in writing, accordingly.

\*Delete as appropriate

**Declaration on behalf of beneficial owner<sup>2</sup>**

I/we/the company\* being the person to whom the interest is payable declare:

- That the person(s) named below is/are beneficially entitled to the interest to which this declaration refers;
- That the person(s) who is/are beneficially entitled to the interest is/are not resident in Ireland; and,
- I/we/the company\* will inform you in writing if I/we/the company\* become aware that the beneficial owner(s) of the interest becomes resident in Ireland.

\*Delete as appropriate

Name and address of beneficial owner: \_\_\_\_\_

Country of residence: \_\_\_\_\_

Name and address of the person to whom the interest is payable on behalf of the beneficial owner, (where applicable): \_\_\_\_\_

<sup>3</sup>Signature of declarer: \_\_\_\_\_ <sup>4</sup>Capacity \_\_\_\_\_

**IMPORTANT NOTES**

This is a Revenue authorised declaration. It is subject to inspection by Revenue. It is an offence to make a false declaration.

<sup>1</sup> This declaration must be made to the “relevant person”. (See overleaf for definition)

<sup>2</sup> This section applies where the interest is paid to a nominee, agent or trustee on behalf of the beneficial owner.

<sup>3</sup> This declaration must be signed by either the beneficial owner or the person to whom the interest is payable on behalf of the beneficial owner. In the case of a company the declaration must be signed by the company secretary or other such authorised officer. Where the declaration is signed under power of attorney, a copy of the power of attorney must be furnished in support of the signature.

<sup>4</sup> State whether you are signing as beneficial owner or as the person to whom the interest is payable on behalf of the beneficial owner.

## **A relevant person is:**

- (a) the person by or through whom the interest is paid, or
- (b) a banker or any other person in the State who receives or obtains payment of Eurobond interest for another person by means of presenting coupons, or
- (c) a bank in the state which sells or otherwise realises coupons and pays over the proceeds to another person or carries them into an account for another person, or
- (d) a dealer in coupons who purchases coupons.

## **Residence - Individual**

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

- 1) spends 183 days or more in the State in that tax year;
- 2) 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 the end of the day (midnight). From 1 January 2009, presence in the State for a day means the personal presence of an individual at any time during the day.

## **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 section 23A Taxes Consolidation Act, 1997.