

Revenue



Cáin agus Custaim na hÉireann
Irish Tax and Customs

Dividend Withholding Tax (DWT)

(as provided for by Chapter 8A, Part 6 of the Taxes Consolidation Act, 1997 - “the Act”)

EXEMPTION FROM DWT FOR A Qualifying Non-Resident Individual

IN RESPECT OF RELEVANT DISTRIBUTIONS

Please refer to Notes on Page 2 for guidance on completing this form

This exemption declaration form is valid from the date of issue of the certificate to the 31st day of December in the fifth year following the year in which the certificate was issued, i.e. the form is valid for the year in which it is signed plus five full calendar years after that. Once completed the form should be forwarded to relevant Paying Company/Qualifying Intermediary/Authorised Withholding Agent so that exemption can be put in place. Please note the form should not be sent to the DWT Unit for the purpose of gaining ‘exemption-at-source’.

DWT UNIT, November 2018

Notes

1. A “**qualifying non-resident person**” may receive relevant distributions from companies resident in Ireland without the deduction of DWT where the qualifying non-resident person is beneficially entitled to the relevant distributions and where a declaration has been made to the “relevant person”. For the purposes of this form a “qualifying non-resident person” is
 - an **individual** who is neither resident nor **ordinarily resident** for the purposes of tax in Ireland and who is resident for the purposes of tax in a “relevant territory”.
2. A “**relevant person**” is defined as:
 - a **company resident in Ireland** which makes a relevant distribution directly to the person beneficially entitled to the distribution;
 - a **qualifying intermediary**, where the relevant distribution has been made indirectly to the person beneficially entitled to the distribution via that qualifying intermediary;

in addition, where relevant distributions are made via an **authorised withholding agent**, that agent effectively steps into the shoes of the company and is the “relevant person” in relation to the distributions.

The Revenue Commissioners maintain a list of qualifying intermediaries and authorised withholding agents. If you want to find out whether the intermediary you wish to use in relation to relevant distributions has been authorised by the Revenue Commissioners for the purposes of the Act please consult the Revenue website at:

<https://www.revenue.ie/en/companies-and-charities/dividend-withholding-tax/index.aspx>

3. An exemption from DWT can only be obtained where a completed declaration has been given to the “relevant person”.

If the declarant is dealing directly with the Irish paying company, please forward this completed declaration to that paying company.

If the declarant is making this declaration via a qualifying intermediary or an authorised withholding agent, please return the completed declaration to that intermediary or agent.

4. A “**relevant territory**” is defined as:
 - a country (other than Ireland) which is a member of the European Union, or
 - a country with which Ireland has a Double Taxation Agreement.

For up-to-date information on the countries with which Ireland has a Double Taxation Agreement, please consult the Revenue website at -

<https://www.revenue.ie/en/tax-professionals/tax-agreements/index.aspx>

For guidance on completing this form contact - **DWT Unit, Revenue Commissioners, Government Offices, Nenagh, Co. Tipperary, E45 T611, Ireland.**
(Tel: +353 1 676 3105 / Fax: + 353 1 673 3822 / E-mail: infodwt@revenue.ie)

NOTE:

This blank form may be photocopied for use in relation to subsequent declarations. However, in all cases, declarations must be signed and dated by the declarant **in ink** to establish that the declaration is original. **Please also retain a copy of this form when completed, as it may assist you in claiming a refund of DWT deducted in certain circumstances.**

Exemption declaration for a **Qualifying Non-Resident Individual**

1. TO BE COMPLETED BY THE DECLARANT

Name of shareholder: _____

Address of shareholder: _____

Tax reference number in country of residence: _____

(Irish tax reference, if any, should also be provided): _____

- I declare that the above-named is beneficially entitled to the relevant distributions in respect of which this declaration is made.
- I also declare that, at the time of making this declaration, the above-named is a “qualifying non-resident person” for the purposes of Chapter 8A of Part 6 of the Taxes Consolidation Act, 1997.
- In support of this declaration, I attach a certificate from the tax authorities of _____ (insert name of country) which confirms that the above-named individual is resident in that country for the purposes of tax.
- I undertake that, in the event that the above-named ceases to be a “qualifying non-resident person” I will, by written notice, bring that fact to the attention of the “relevant person” in relation to the relevant distributions.

Authorised Signatory: _____ (Declarant) Title: (Mr./Ms. etc.) _____

Print name of Signatory here: _____ Date: ____/____/____
day / month / year

Part 1 of the form must be completed by the shareholder or by a person who holds power of attorney from the shareholder. Where appropriate, a copy of the power of attorney should be furnished and retained with this declaration.

Is this declaration signed under a Power of Attorney Y N

2. TO BE COMPLETED BY THE DECLARANT’S TAX AUTHORITY

I certify that the above-named shareholder is a resident of

_____ (insert name of country) for the purposes of tax.

The relevant tax reference number is _____

Signed: _____ Rank: _____ Date: ____/____/____
day / month / year

Official Stamp

IMPORTANT:

Part 2 of the form must be completed by the tax authority of the country in which the shareholder is resident for tax purposes. **It must then be returned to the shareholder who must forward it to the paying company, qualifying intermediary or authorised withholding agent as appropriate.** Where it is not practical for the tax authority to use the certificate of residence provided, a letter to the same effect from the tax authority will suffice, but a translation of such a letter into English must be provided.