



This disclosure form is to be completed by resident foreign trustees (including qualifying resident foreign trustees) as defined in the Tax Administration Act 1994.

Please read the notes on the back before completing this form. Once completed, remember to sign the declaration.

**1. Full name of foreign trust**

(where no name exists please state other identifying particulars)

**2. Trustee details**

Full name of resident foreign trustee

Address of the resident foreign trustee

Street address

Suburb or RD

Town or city

Postcode

Contact phone

**3. Is the settlor resident in Australia?**

☐ No

☐ Yes

**4. Are you a qualifying resident foreign trustee?**

☐ No—go to Question 5

☐ Yes—complete details below

Name of the approved organisation

Full name and contact details of the natural person who belongs to the approved organisation

Name

Street address

Suburb or RD

Town or city

Postcode

Contact phone

**5. Does the foreign trust have more than one resident foreign trustee?**

☐ No—go to 7

☐ Yes—complete Question 6

**6. Has one resident foreign trustee been appointed as an agent for the purposes of making disclosures and keeping records?**

☐ No—go to 7

☐ Yes—complete details below

Full name of the trustee appointed as agent

Full name of the appointing trustee

**7. Declaration**

Full name of authorised person

Designation or title

I declare that the information given on this form is true and correct.

Signature

Date

## Notes

This disclosure form is to be completed by resident foreign trustees (including qualifying resident foreign trustees) as defined in the Tax Administration Act 1994.

## Definitions

### Resident foreign trustee

A “resident foreign trustee” is a person who:

- either alone or jointly with another person, acts as trustee of a foreign trust, and
- is resident in New Zealand within the meaning of the Income Tax Act 2007.

A resident foreign trustee can be an individual or a corporate body but **does not** include a trustee of a foreign trust that is registered as a charitable entity under the Charities Act 2005.

### Qualifying resident foreign trustee

A “qualifying resident foreign trustee” is a resident foreign trustee:

- if an individual is a member of an approved organisation, or
- which has a director or other individual in a position allowing significant influence over the management or administration of the trustee, who is resident in New Zealand within the meaning of the Income Tax Act 2007 and is a member of an approved organisation.

## Penalties

Failure to provide information may result in a trustee being in breach of section 143A of the Tax Administration Act 2004 and, if convicted, may be subject to a monetary fine and/or imprisonment.

## Changes

When you become aware of any changes to the information previously disclosed, you need to complete a new disclosure form and send it to us within 30 days.

## Send

Once completed post the form to us at the following address:

International Audit Unit  
Large Enterprises  
Inland Revenue Department  
PO Box 2198  
Wellington 6140

## More information

For more information you can:

- see our *Tax Information Bulletin (TIB)* Vol 18. No 5 (June 2006), at [www.ird.govt.nz](http://www.ird.govt.nz) under “newsletters and bulletins” or
- e-mail any questions to [competent.authority@ird.govt.nz](mailto:competent.authority@ird.govt.nz) or
- call us on 0800 377 774.