

RETURN FORM GUIDANCE NOTES

INFORMATION TO ASSIST WITH THE COMPLETION OF THE ONLINE COMPANY RETURN FORM

This booklet is for your use and is not required to be returned to the Income Tax Division.

Further help in completing the return form is available by either telephoning or calling at the Income Tax Division. Guidance Notes (GN), Practice Notes (PN) and Statutory Documents (SD) may be viewed on the ITD website.

The telephone number is (01624) 685400

Website address is www.gov.im/incometax

Email address is incometax@itd.treasury.gov.im

Office opening hours are Monday – Thursday 9.15am – 5.00pm

Friday 9.15am – 4.30pm

IMPORTANT INFORMATION

- The return must be completed and submitted within a year and a day of the accounting period end.
- Any tax charges payable are due on the same due date.
- Penalties will apply for late submission.

Contents

INTRODUCTION	3
Online Services Registration	3
Enrolment for Income Tax Online Services	6
COMPANY TAX SERVICES	9
Return Details	11
Income and Deductions	13
Income from Trading Sources	13
Losses	15
Group Relief	15
Income from Land and Property	
Distributions	19
Loans to Isle of Man Resident Participators	20
Particulars of Other Payments Made by the Company	20
Groups	21
Share Listing Information	22
Shareholder Information	22
Tax Payable	22
Attachments	23
Electronic Refunds	23
Declaration and PDF Copy of Return	23
Making a Payment	25
AGENT ONLINE TAX SERVICES	27
Administration	27
APPENDIX	29
New sources of income	29

INTRODUCTION

Under Isle of Man law, companies are legally required to file their tax returns for accounting periods ending on or after 5 April 2015 using the Isle of Man Government's Online Services. This guidance note includes information on the completion of each section of the return form, including details of which companies must complete each section. The guidance note follows the corresponding sections on the return for ease of reference.

There are statutory exemptions from filing online for the following organisations:

- a) a members' club, investment club or sports and social club;
- b) a foundation within the meaning of the Foundations Act 2011;
- c) a charity;
- d) a corporate taxpayer that is in:
 - i. liquidation;
 - ii. receivership; or
 - iii. administration;
- e) a limited liability company; or
- f) a protected cell company.

If you believe your company is exempt from the obligation to file online please contact the Division immediately, stating the reason for exemption. If the application is approved, a paper return will follow shortly by post. A company can also apply for an exemption if it can satisfy the Assessor that it does not have access to the internet or is otherwise unable, with reasonable excuse, to comply with the requirement.

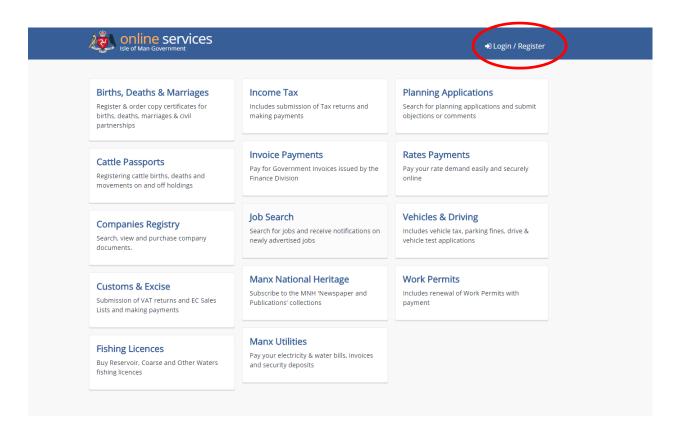
If your company has an appointed tax agent who is not yet registered for Online Services they will need to enrol for the Agent Tax Service if they wish to continue filing returns on the company's behalf.

Please note the obligation to file a return remains the legal responsibility of the company even where an agent is appointed. It is therefore the company's responsibility to ensure that an appointed tax agent files the return using Online Services and where the agent is unable to do so the company must register and file the return itself using Online Services.

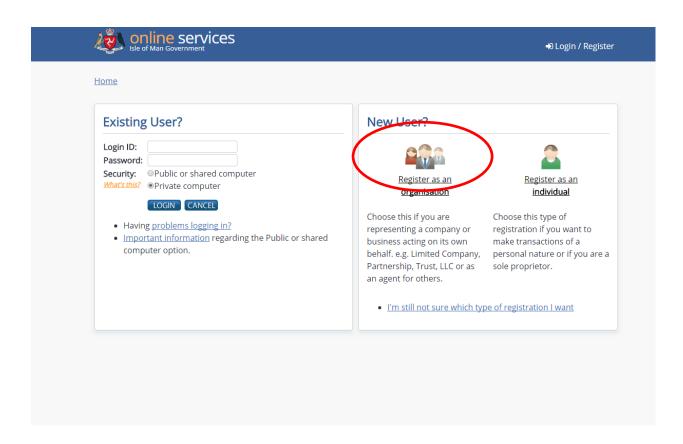
REGISTRATION

Online Services Registration

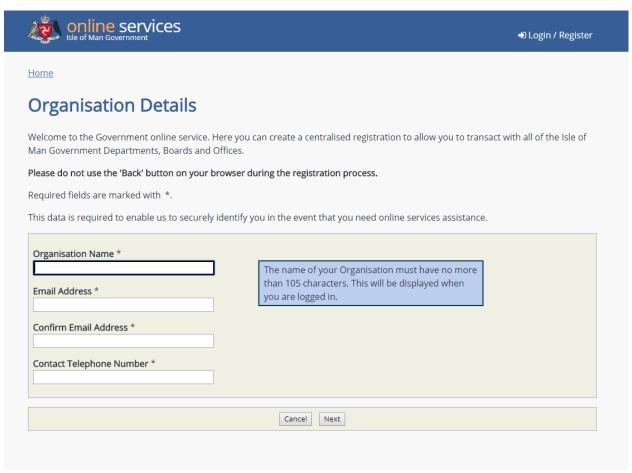
Before you can enrol for Income Tax Online Services, you must register with the Isle of Man Government's Online Service which can be found at www.gov.im/onlineservices. You will only be required to register once.



On the next screen you will be able to choose what type of registration you require. If you want to register your company or register as a tax agent, you will need to select "Register as an organisation".

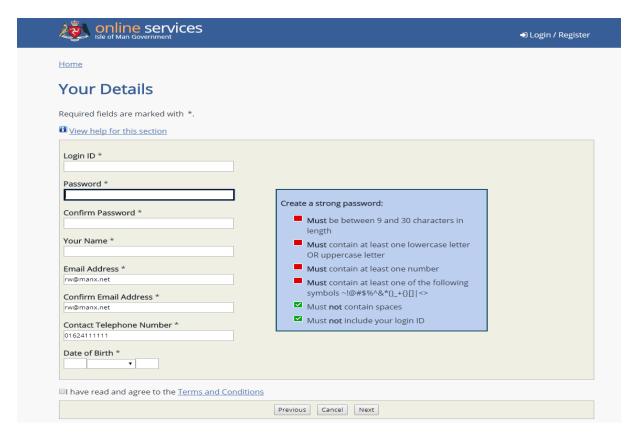


After selecting this option you will be asked to enter the organisation's name, together with an email address and a contact telephone number. All fields must be completed.



Each of the fields provides you with help text to assist you in registering.

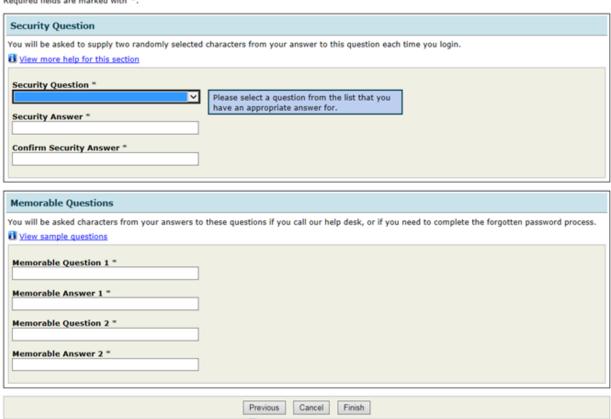
After completing this screen and pressing 'Next', you will be taken to a screen headed 'Your details'.



The Login ID is your username which you will use each time you log in to the Online Service. Help is available in this section with reference to making a strong password. Your password must meet the criteria in the help text box. When the password specification is met each box will change from a red box to a green box with a tick in it.

The final part of the registration requires you to complete your security details. This includes choosing one security question from the options available and choosing two other memorable questions and answers.

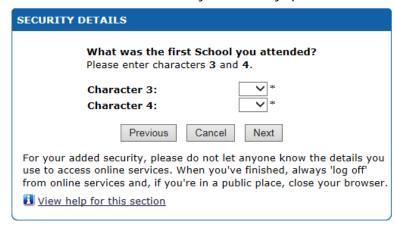
SECURITY DETAILS Required fields are marked with **.



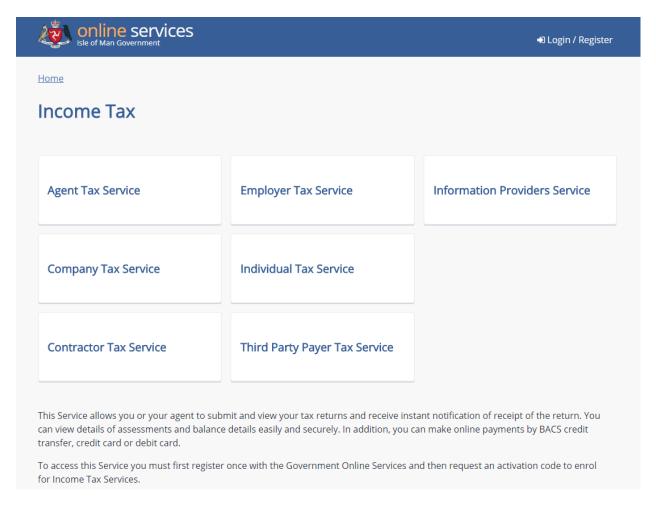
Once you have completed the questions you will be sent an email confirming that your registration has been completed. You can then enrol for Income Tax Online Services.

Enrolment for Income Tax Online Services

From the homepage (<u>www.gov.im/onlineservices</u>) you can log in using your username and password. After this you will be asked to choose two characters from your security question.



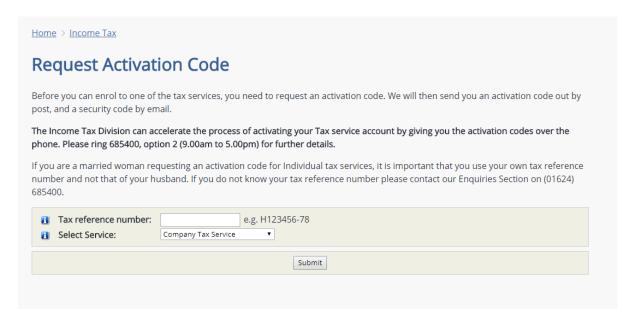
The next step is to select the 'Income Tax' tab; this will take you to the Income Tax Services homepage which will display the various online tax services currently offered by the Division.



From here you can select the service you require and this will take you to the enrolment screen. To commence enrolment you will need to request an activation code.



Requesting the code will take you to the following screen:



After you have submitted your request, you will receive a message confirming it has been accepted.



Following your request, a letter containing your activation code will be sent to the registered office of the company within three to five working days. An email will also be sent to the email address you entered when enrolling, containing the security code. Both of these are required to complete the enrolment process.

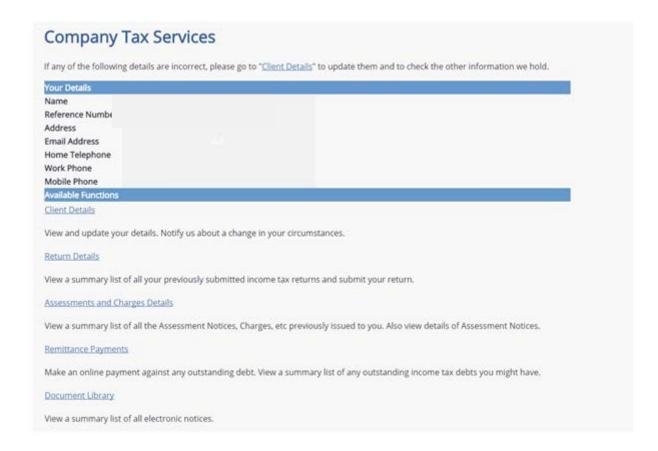
In order to then enrol, you will need to know the full tax reference number of the company which will be in the format C123456-78.

Please note that if you are an agent registering for the first time you will need to contact the Division on 685400 for your unique agent tax reference number. Further guidance, and information about services available to agents, can be found on page 27 of this guide.

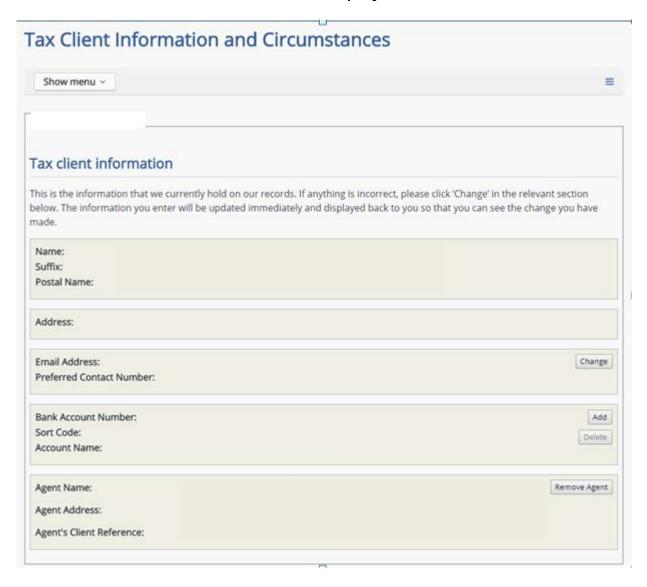
If you are a newly registered company you will automatically be sent a letter containing both your activation and security codes.

COMPANY TAX SERVICES

When you have enrolled and logged in, the first screen you will see is called 'Company Tax Services'. This screen displays the details of the company together with the functions available. A short description of what each of the functions does is shown below each link. Each of these functions is also covered in further detail in this guide.



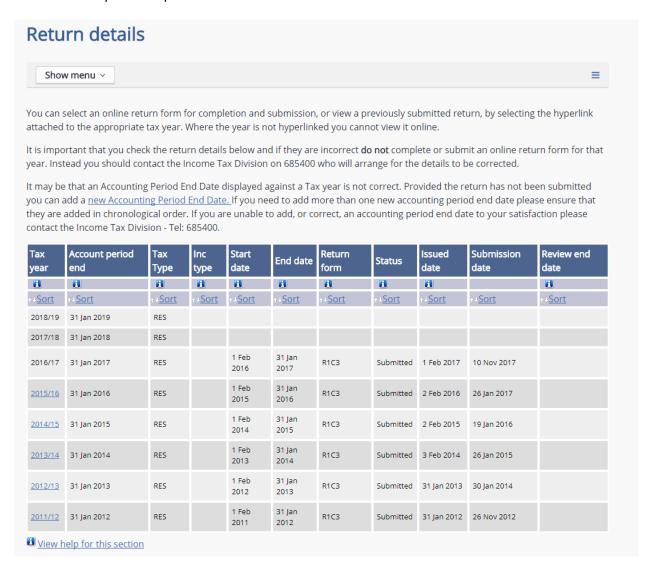
If any of the contact details (i.e. email address or telephone numbers) displayed are incorrect or need to be updated you can change these using the link to 'Client Details'. This will take you to the following screen:



On this screen you can also enter the company's bank account details if you would like any refund to be paid directly into the account. However, you are unable to change the company's name or address using this screen. Should you wish to change either of these you should contact The Companies Registry.

Return Details

At the end of each accounting period you will receive an email notifying you that the company's return is available for completion. The 'Return Details' option takes you to a list of all previously submitted returns and returns that require completion.



It is important that you check the return details for a return that requires completion and if they are incorrect **do not** complete or submit an online return for that year. It may be that the accounting period displayed is not correct. This screen provides you with the function to change the accounting period end date of the company. Further guidance on this function is provided on page 24 of this guide.

To view a previously completed online return select the tax year in which the accounting period ended i.e. 31 March 2016 ended in the 2015/16 tax year (6 April 2015 – 5 April 2016). This will give you the option to view the return in a PDF format. Please note that you can only view returns that have been submitted online and that any online return submitted before 7 November 2012 will not display on the relevant PDF format for that year.



To complete a return, select the appropriate tax year that shows 'Open' in the "Status" column.

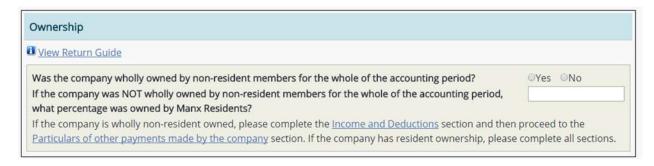
When completing the return, you must complete all sections and in the order it is laid out i.e. from top to bottom. If you miss a section you will receive an error message such as this:



The sections contained in the return are as follows.

Ownership

'Ownership' means beneficial ownership. The residential status of registered shareholders who are nominees does not count. 'Non-resident' means not resident in the Isle of Man for income tax purposes



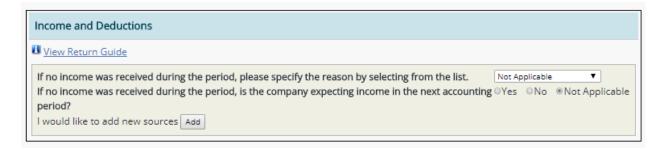
Income and Deductions

If the company has no income, the reason for this must be specified. If the company has made a loss during the period, you should not complete this section but should fill in the section for income from trading sources instead.

- Select 'Asset Holding Company' if the company holds only non-income producing assets.
- Select 'Nominee Company' if the company is in receipt of income, or holding shares or other assets purely in a nominee capacity.
- Select 'Trustee Company' if the company is acting as a trustee on behalf of a trust.
- Select 'Dormant' if the company has not yet traded or has ceased trading.
- Please use 'Other' if the company is none of the above but has had no income for the accounting period. Please state the reason for the company having had no income, for example having been a shelf company following incorporation.

Please note:

- If the company is not income producing, the remainder of the return must still be completed.
- If the company has no income, there cannot be any open sources of income. Therefore, if a source from an existing period is showing it must be 'deleted'.

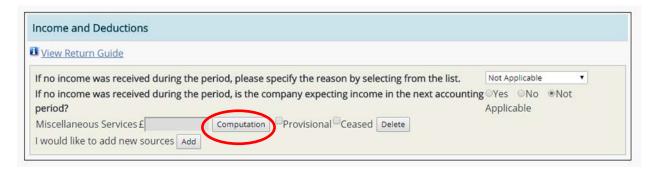


If the company started to receive income during the period, select 'Not Applicable' and select 'Add' to provide details of the type of income. Any income or deductions from the previous accounting period will show in this box. A full breakdown of all income sources and allowable deductions are detailed in the Appendix.

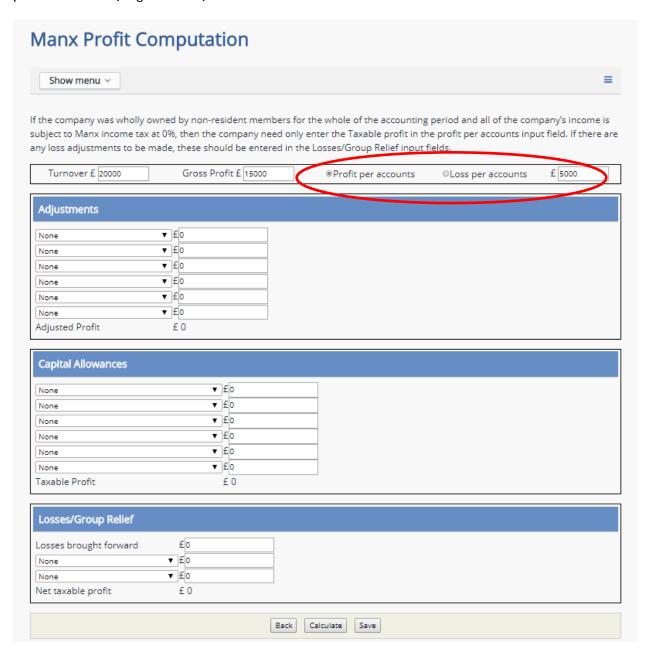
Please note that when you 'Add' or 'Delete' a source all information that you have previously entered on the screen will be automatically saved.

Income from Trading Sources

Where the company has income from a trading source rather than an investment, you will be required to complete a computation.



On the Manx Profit Computation screen you can enter the turnover, gross profit, any adjustments to the profit and make a claim for capital allowances. When you are entering the relevant information for your company please ensure you indicate whether the accounts show a profit or loss by selecting the appropriate "button" (ringed below) and indicate what this amount is.



If you do not complete this box, the computation will calculate an incorrect figure and when you try and proceed to the final part of the return you will receive the following error message:



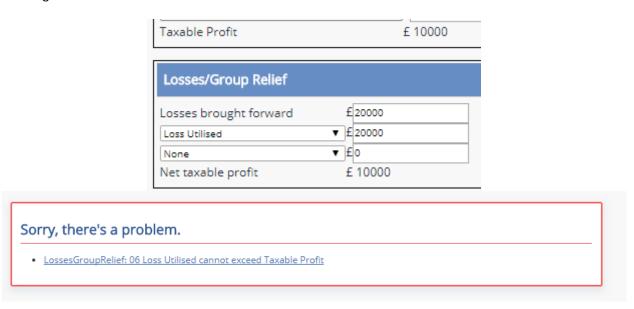
A separate computation to support the accounts and the figures in this section can be attached where required. Where capital allowances have been claimed a computation must be supplied.

Losses

You will be provided with the Division's loss brought forward figure. If you think this is incorrect you can overwrite the figure with what you believe the true figure to be. Alternatively, you can contact the Division before submitting the return to discuss the brought forward figure.

The maximum amount of loss brought forward for a trade which can be utilised in the accounting period is the profit from the same trade for the current period or the loss brought forward, whichever is the lower.

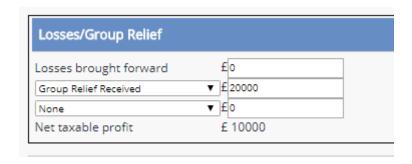
The example below shows a taxable profit of £10,000 for the period with brought forward losses of £20,000. If the figure entered for losses is greater than the figure entered for taxable profit you will get an error message.



Group Relief

Where losses are surrendered or claimed as group relief, the name of the claimant or surrendering company (or companies) must be provided in a schedule attached to the return.

"Group relief received" is capped to the current year profit of the recipient company. An example is below.

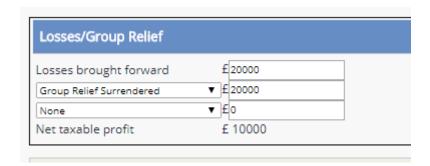




When a company claims "Group relief" and it is not required to complete the Manx Profit Computation because it is not in receipt of income from a trade, it can claim group relief by adding a source and selecting "Group Relief" from the 'Deductions' option.



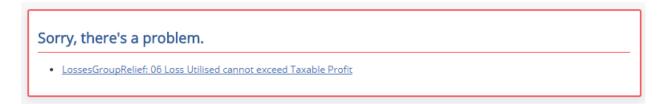
"Group relief surrendered" is capped to the current year trading loss. Any loss not surrendered as group relief will be carried forward for offset against the company's future profits from the same trade. An example is below.



Sorry, there's a problem. • LossesGroupRelief: 06 Group Relief Surrend. cannot exceed Taxable Profit

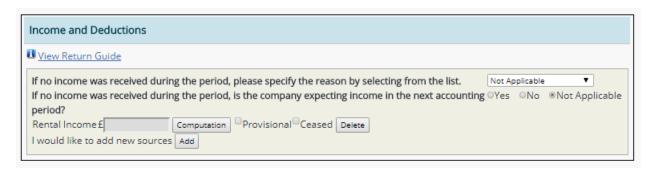
When utilising losses against other income, the company can only utilise trading losses of the current period against other income. In the example below, the company has made a loss trading of £10,000 in the period and also has £20,000 of brought forward losses. The company can only utilise its losses up to the amount of the loss of the current period and cannot use any of the brought forward losses.





Income from Land and Property

Companies in receipt of income from the letting of land and property in the Isle of Man are also required to complete a computation.



'Gross rents' is the only compulsory field on this screen.

'Excess utilised' refers to agreed excess property expenses brought forward (shown in the "losses brought forward" line) which must be utilised against the taxable rent for the period.

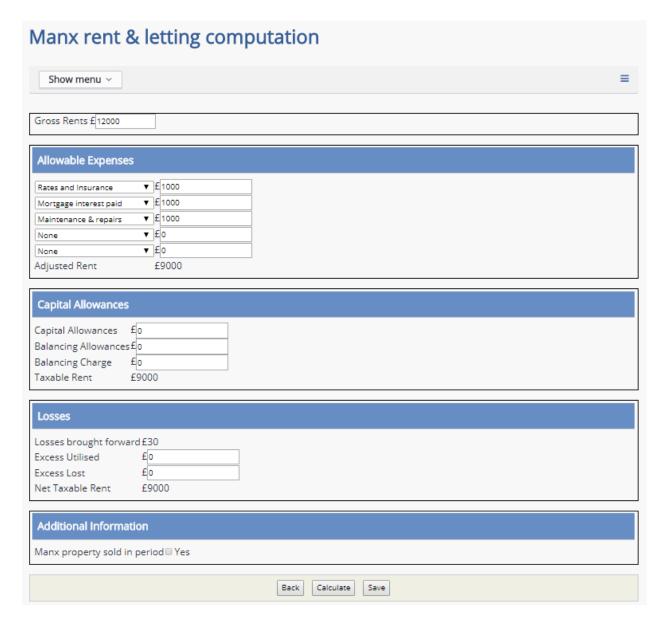
'Excess lost' refers to when a property ceases to receive rental income; any excess expenses in respect of that property can no longer be utilised against taxable rental income from other properties and is in effect lost.

Excess expenditure over rental income for any accounting period cannot be offset against other income and cannot be surrendered as group relief. These types of loss relief are only available for trading losses.

Practice Note PN 51/94 - Assessment of Income arising from Land and Property - summarises the types of expenditure that may qualify for capital allowances. Commercial letting i.e. where the tenant carries on a trade or profession, qualifies for plant and machinery allowances, with rates of 100% first year allowance and 25% writing down allowance. Residential letting qualifies for an annual allowance of 10% of cost over 10 years (straight line basis).

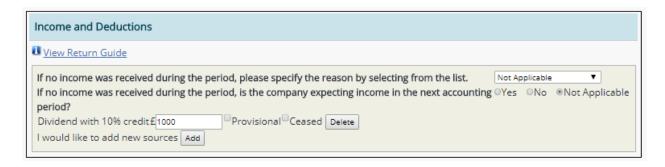
Details of repairs and maintenance costs claimed should be provided with the return i.e. a brief description of the work done, except where the amount is consistent with previously established annual costs under that heading.

A separate computation to support the accounts and the figures in this section can be attached where required.

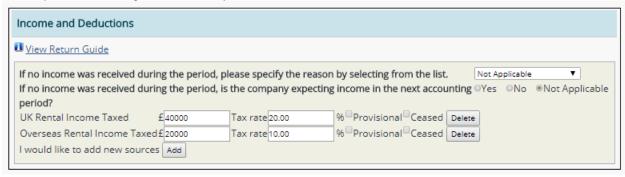


Other Income and Double Taxation Relief

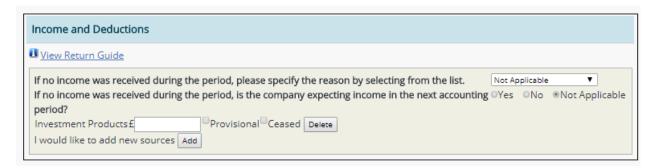
For all other sources of income the amount received should be declared. If the company has received a dividend from another Isle of Man company with a credit attached to it, a copy of the credit voucher should be submitted with the return.



If your company has income from the UK and overseas, that has been taxed, then you must enter the rate of tax to two decimal places. The rate of tax entered must be the effective rate (effective rate = the amount tax paid divided by the taxable profit x 100).

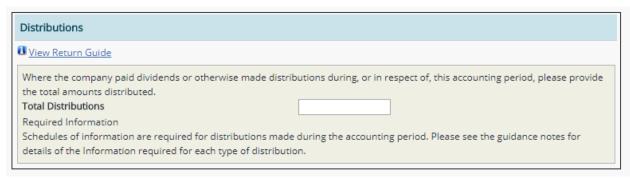


If the company is an investment holding company, the net taxable income figures should be stated and a computation provided, as detailed in Practice Note PN 68/97 Investment Holding companies – Allowable Expenses.



Distributions

Only companies with any Isle of Man resident owners are required to complete this section of the return. In order for tax liabilities to be calculated correctly, the **total** distributions and dividends have to be entered in the box and separate schedules provided for dividends paid.



A separate schedule must be provided showing the following details in respect of each payment made to Manx residents:

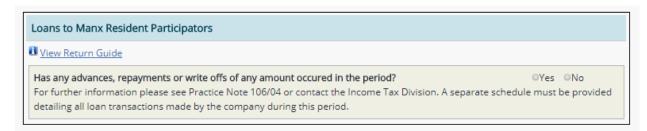
- Recipient's name and address.
- Amount of distribution and date of payment.

If distributions are made from profits that have been subject to DPC, ARI or 10% income tax, the company must provide each Manx resident member with a credit voucher. Please see Guidance Note GN 36 Distributable Profits Charge (DPC), GN 38 The Pay & File Income Tax System for Companies and GN 41 Attribution Regime for Individuals (ARI) for more information.

Please also refer to PN 174/12 Removal of Concessions – Distributions and Guidance Note 49 "Taxation of Distributions from Corporate Taxpayers" for further details regarding the taxation of distributions.

Loans to Isle of Man Resident Participators

All companies that have made any advances, or written off, or received any repayments of loans, to Isle of Man resident participators during the accounting period are required to complete this section of the return.

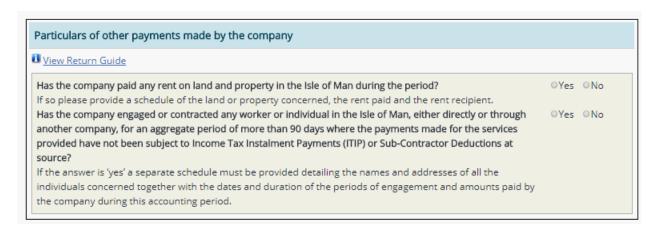


Copies of each participator's loan account for the accounting period will suffice as the schedule required. The net advance made to each participator during the accounting period is the chargeable amount. If regular advances made throughout an accounting period are repaid at the end of it, no charge will be made. Repayment may be made by a direct loan account credit of a dividend declared. In practice, repayments made after the end of the accounting period but before the due date for submission of the return (and the payment of a charge) will be taken into account if they are reported.

Further information regarding loans to participators is detailed in Practice Note PN 106/04 Loans to Participators.

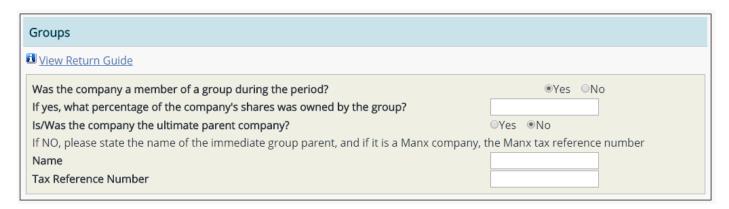
Particulars of Other Payments Made by the Company

If you answer 'Yes' to either of the questions below, please ensure details of the recipients are attached with the return.



Groups

In respect of accounting periods beginning on or before 31 December 2016, if your company is a member of a group you must enter the percentage share of the company that is owned by the group. If the company is not the ultimate group parent then the name of the parent must be supplied, and tax reference number if the parent is a Manx company.



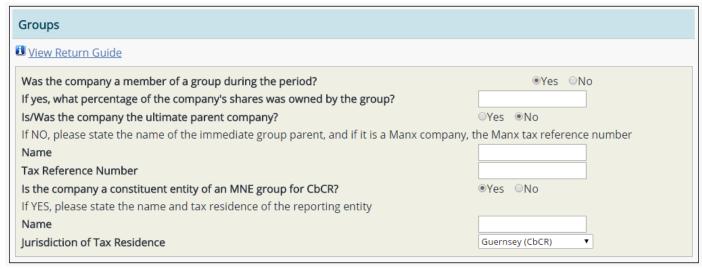
In respect of accounting periods beginning on or after 1 January 2017, some additional information will be required from companies that are members of certain types of group.

If the company is a member of a Multinational Group ("MNE Group") that is required to report specified data on their international operations in accordance with legislation applicable to Country-by-Country Reporting ("CbCR"), the company must tick "yes" and enter the name of the reporting entity and that entity's jurisdiction of tax residence.

If the company itself is the reporting entity for the MNE Group, enter the name of the company and Isle of Man in the jurisdiction.

The reporting entity of the MNE Group must be resident in a jurisdiction with which the Isle of Man has a CbCR agreement. These jurisdictions are identified within the "jurisdiction of tax residence" section of the return. For instance "Guernsey (CbCR)" confirms the Isle of Man has a CbCR agreement with Guernsey. Should the reporting entity be resident in a jurisdiction that does not have a CbCR agreement with the Isle of Man, the company will need to confirm the name of a different reporting entity of the MNE Group and its jurisdiction of residence (which must be a jurisdiction that has a CbCR agreement with the Isle of Man).

If there are no entities of the MNE Group resident in a jurisdiction that has a CbCR agreement with the Isle of Man, the company will be the reporting entity and must state its own name and Isle of Man in this section.



If the company is NOT a member of an MNE Group, select "no" and move to the next section.

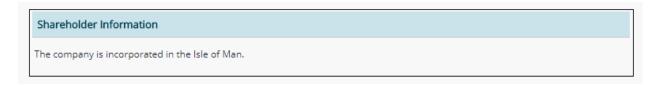
Share Listing Information

A list of recognised stock exchanges can be found in <u>SD240/08 – Income Tax (Attributed Profits) (Relevant Company) Order 2008</u>.



Shareholder Information

If the company was incorporated in the Isle of Man this box will show.



If it was incorporated elsewhere you are required to complete the following section.



At the bottom of the screen you have the option to save the return or move on to the next and final screen. If you press 'Next' the information you have entered on to this screen will also be saved.



The final screen will show you a computation based on the figures you have supplied on the return.

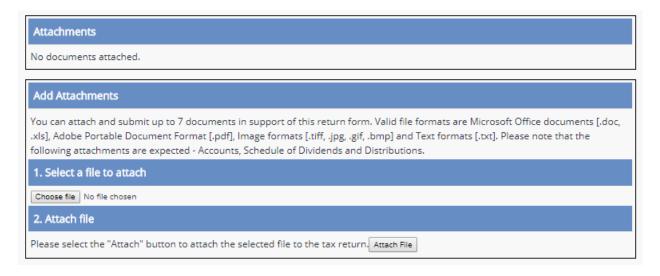
Tax Payable

If you disagree with the computation you should use the Tax Payable box to enter the figure that you think is correct, and supply supporting documentation for example, tax credit vouchers. Any payment should be submitted by the due date of the return i.e. a year and a day from the end of the accounting period. Making a payment is covered on page 25.

Tax Payable Based on the information provided the income tax payable is shown above. If you believe this to be incorrect, please enter the computed amount of income tax payable by the company for this accounting period.

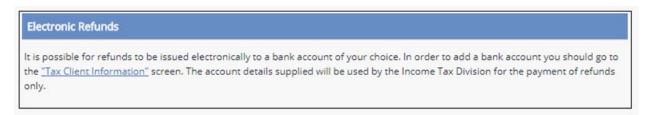
Attachments

Attachments include, accounts, reserve schedules, dividend vouchers etc.



Electronic Refunds

As mentioned earlier in the guide, you can opt for any refunds to be paid directly into the company's bank account. To do this, select the link in this section to the Tax Client Information screen and enter the company's bank account details.



Declaration and PDF Copy of Return

The name you enter in the declaration will appear on the front page of the PDF copy of the return once it is submitted. The tick box must be ticked in order for the return to be submitted.



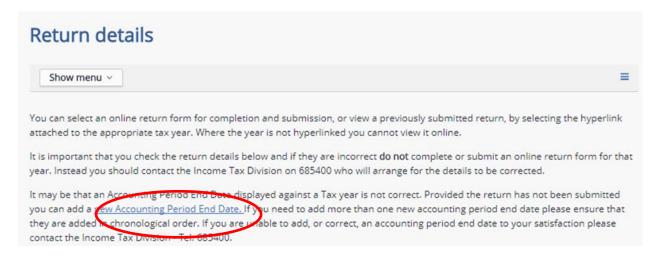
Once you submit the return a box will appear on the front of the return stating who submitted the details and when, and it will also have a watermark of 'submitted' down the right hand side as shown below.



You are also able to save the completed return and print a PDF version of the details without submitting it. A PDF version of a return that has not been submitted will not have any watermarking and will also not show the name of the person submitting it.

Accounting Period Changes

To change an accounting period end date go to the 'Return Details' screen. The hyperlink shown below in this section will take you to the Change Accounting Period End Date screen.



Where multiple accounting period end date changes are required, you must enter the earliest end date first and then complete the corresponding tax return, before entering the next date. Any tax returns previously saved that will be affected by the date change will be lost.



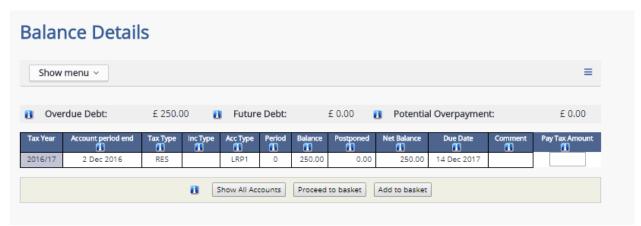
Once you have submitted your change the return screen will automatically show the return as 'Open' for the changed period.

Please note that late notification of any change could result in the issue of late return form penalties, and also the charging of interest on any tax liability.

If you make a mistake when using this function, please contact the office on 685400 as soon as possible.

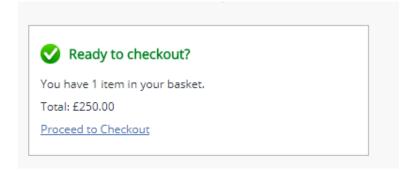
Making a Payment

To make a payment, select 'Payments' from the services menu on the left hand side of the 'Return Details' screen. This will take you to the balance details screen which will show you any overdue or future debt and any potential overpayment.

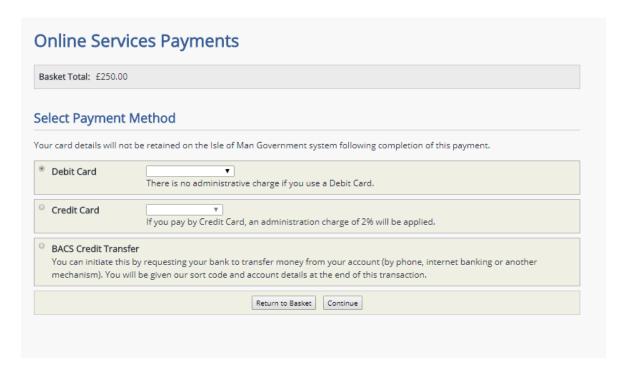


This screen will show any returns that you have recently submitted with the tax payable amount shown as the balance. To pay a balance, enter the amount you wish to pay in the 'Pay Tax Amount' box and then select 'Proceed to Basket'. If you are an Agent and wish to pay for multiple clients select 'Add to Basket'. This will collate all of the payments you wish to make so they can be paid in one transaction.

Once you have selected all of the amounts you wish to pay you should select 'Proceed to Checkout'.



From here you will be able to choose your payment method.



If you are paying by Credit card an administrative charge of 2% will be applied. To use either of these payment methods select the appropriate radio button, choose your card type and press 'Continue'. This will take you to the card details screen where you can submit your payment.

Should you wish to pay by BACS credit transfer method, the system will give you a unique receipt number which will run out if payment is not made within three days. Please ensure that the transfer is made from your bank account within this timescale. Interest is chargeable where a payment is not made by the due date.

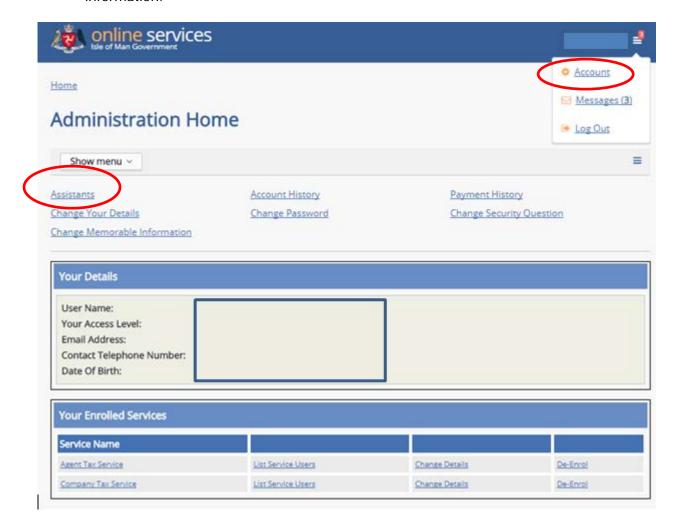


AGENT ONLINE TAX SERVICES

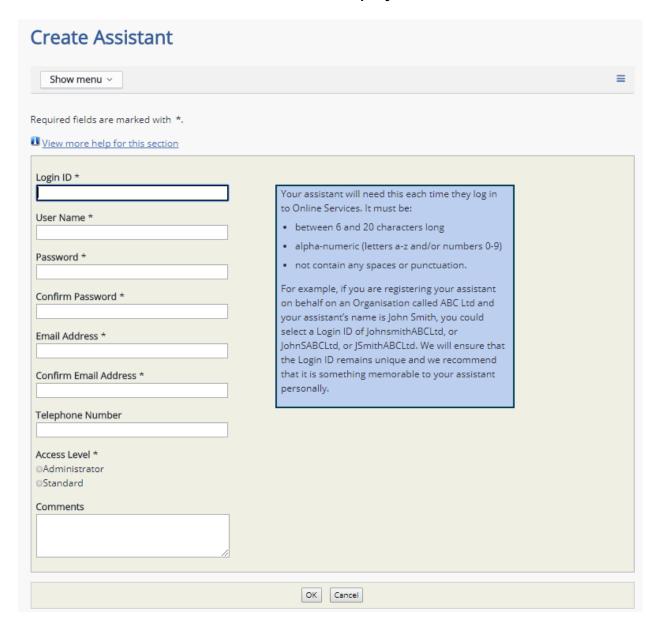
Administration

In the administration section, an agent can:

- create an assistant (another authorised user under the agent's login details);
- see their recent account and payment history; and
- change their own details, password, security question, memorable information and organisation information.



To create an assistant, select 'Assistants', then 'Create Assistant'. Help text is available next to each item.



The access levels are categorised as 'Administrator' and 'Standard'.

A Standard assistant can edit only their own details, whilst an Administrator assistant can edit other assistants' details, unlock and disable accounts, reset passwords and security answers as well as edit their own details.

APPENDIX

New sources of income

The four income sources are Manx Trading Profit, Other Manx, UK & Overseas Untaxed and UK & Overseas Taxed. Each section is broken down into the following income categories.

	Industry Entertainment & Recreation	Agriculture, Forestry & Fishing Engineering Manufacturing Mining & Quarrying Landfill Hydrocarbons Construction Trades/Contractors Utilities Info/Communication Technology Food & Drink Tourist Accommodation
	Litter tallillent & Necreation	Catering & Entertainment eGaming
Manx Trading Profit	Property	Property Development Property Development – Non IOM 0% Property owning & management Commercial Property Letting
	Transport	Transport Shipping Ship Management Aircraft Operation
	Wholesale Distribution	Wholesale Distribution
	Retail	Retail – non IOM
	Financial & Professional Services Trading Profit	Insurance Banking & Bill Discounting Other Financial Services Fund Manager/Administrator Financing and Leasing Estate agents Other Business Services Distribution and Service Centre Headquartering Space Industry Legal Services Accountancy Services Trust/Company Fiduciary Services Education Medical & Health Services Other Professional Services Consultants – General Film Production Miscellaneous Services

	Droporty	Rental Income
Other Manx Income	Property Bank Interest etc	Bank & Building Society Interest
	Other Investment Income	Loan Interest Dividends Dividend with DPC credit Dividend with 10% credit Dividend with 20% credit Distribution from reserves Dividends (Other) Loan & Mortgage Interest Debenture Interest Government Securities Trust/Estate Income Investment Products IP Income
UK & Overseas Untaxed Income	Trading Profit	UK Profit Overseas Profit O/S Ag, Forestry and Fishing O/S Manufacturing: Food and Drink Overseas Engineering Overseas Manufacturing Overseas Mining and Quarrying Overseas Hydrocarbons Overseas Property Development Overseas Property Development Overseas Transport Overseas Shipping Overseas Shipping Overseas Ship Management Overseas Ship Management Overseas Retail Overseas Retail Overseas Insurance Overseas Banking Overseas Financing and Leasing O/S Property Owning and Management Overseas Estate Agents Overseas Other Business Services O/S Distribution and Service Centre Overseas Headquartering O/S Info/Communication Technology Overseas Space Industry Overseas Legal Services Overseas Accountancy Services Overseas Education O/S Trust/Co Fiduciary Services Overseas Tourist Accommodation O/S Medical and Health Services Overseas Consultants — General Overseas Catering and Entertainment Overseas Film Production Overseas Film Production Overseas Film Production Overseas Public Administration

Other Investment Income	UK Lloyds Underwriting UK Dividends UK Dividends (Other) Property Income Dividends UK Loan & Mortgage Interest UK Debenture Interest UK Government Securities UK Trust/Estate Income UK Investment Products Overseas Dividends Overseas Dividends (Other) Overseas Loan and Mortgage Interest Overseas Purchased Life Annuity Overseas Debenture Interest Overseas Government Securities Overseas Trust/Estate Income Overseas Investment Products Overseas Income Overseas IP Income UK Rental Income
Property	Overseas Rental Income
Bank Interest etc	UK Bank & Building Society Interest Overseas Bank Interest

UK & Overseas Taxed Income	Trading Profit	Overseas Profit Taxed O/S Ag, Forestry and Fishing Taxed O/S Mfg: Food and Drink Taxed Overseas Engineering Taxed Overseas Manufacturing Taxed Overseas Mining and Quarrying Taxed Overseas Landfill Taxed Overseas Hydrocarbons Taxed Overseas Construction Taxed Overseas Property Development Taxed Overseas Trades/Contractors Taxed Overseas Utilities Taxed Overseas Shipping Taxed Overseas Ship Management Taxed Overseas Ship Management Taxed Overseas Retail Taxed Overseas Retail Taxed Overseas Retail Taxed Overseas Banking Taxed Overseas Banking Taxed O/S Other Financial Services Taxed O/S Financing and Leasing Taxed O/S Prop Owning and Mgmt Taxed O/S Prop Owning and Mgmt Taxed O/S Other Business Services Taxed O/S Distrib and Service Cntr Taxed Overseas Headquartering Taxed O/S Info/Communication Tech Taxed Overseas Space Industry Taxed Overseas Legal Services Taxed
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	Other Investment Income	Overseas Accountancy Services Taxed O/S Trust/Co Fiduciary Svcs Taxed Overseas Education Taxed O/S Medical and Health Svcs Taxed O/S Tourist Accommodation Taxed O/S Other Professional Svcs Taxed O/S Consultants Taxed O/S Catering and Ent Taxed Overseas eGaming Taxed Overseas Film Production Taxed O/S Miscellaneous Services Taxed O/S Public Administration Taxed UK Lloyds Underwriting Taxed UK Dividends Taxed UK Dividends (Other) Taxed Property Income Dividends Taxed UK Debenture Interest Taxed UK Government Securities Taxed UK Government Securities Taxed UK Investment Products Taxed UK Investment Products Taxed OVerseas Dividends (Other) Taxed Overseas Dividends (Other) Taxed O/S Loan and Mtg Interest Taxed O/S Purchased Life Annuity Taxed Overseas Debenture Interest Taxed Overseas Govt Securities Taxed Overseas Investment Products Taxed Overseas Investment Products Taxed Overseas Investment Products Taxed Overseas Investment Products
	Property	UK Rental Income Taxed Overseas Rental Income Taxed
	Bank Interest etc	UK Bank & Building Society Interest Taxed Overseas Bank Interest Taxed
Deductions	General Deductions	General Expenses Mortgage Interest Paid Loan Interest Paid Charitable Deed of Covenant Paid Charitable Donations Paid General Loss Group Relief Tax Holiday Deduction