

Date issued	My reference

**Employment-related Securities and Options**  
**Reportable events under Section 421J Income Tax (Earnings and Pensions) Act 2003**

**Year ended 5 April 2004**

You are required to complete this form and send it to me before 7 July 2004. If this form has been issued to you on or after 8 June 2004 you have 30 days from the date of issue, shown above, to complete it and send it to me.

Explanatory notes are provided to help you complete this form. Please read these before completing the form and signing the declaration. If you have any questions about how to complete this form please contact IR Share Schemes at the address below or on the telephone numbers shown.

Penalties may be imposed for any failure to give the information required by this form within the prescribed time limit or for the submission of an incomplete or inaccurate form.

If there is not enough space in any part of the form, please give further details on supplementary sheets, number them and attach them to the completed form when you send it to me.

The completed form should be sent to the address below.

**Janice Cross**

IR Share Schemes  
Room 76  
New Wing  
Somerset House  
Strand  
London  
WC2R 1LB

Telephone 020 7438 6718 or 4202  
Fax 020 7438 7095

## About this form

Details of reportable events required by Section 421J Income Tax (Earnings and Pensions) Act 2003 (ITEPA) must be provided in a form specified by the Inland Revenue. This form is the one specified for that purpose. In reporting the details required by Section 421J(3) ITEPA or Section 421J(4) ITEPA you must provide those details as shown on this form. It is acceptable to attach your own spreadsheets or substitute forms in place of individual sections as long as they give the specified details. A copy of this form is available at [www.inlandrevenue.gov.uk/shareschemes](http://www.inlandrevenue.gov.uk/shareschemes)

If there are no reportable events under any of the sections then please complete the appropriate boxes on page 16 and sign the declaration.

Under Section 98(1) Taxes Management Act 1970 (as amended by Paragraph 22(1) Schedule 22 Finance Act 2003) the Board of the Inland Revenue can start proceedings for penalties if there is a failure to provide the information requested, if that information is inaccurate or not provided within the required time limit.

### Approved Share/Option Schemes

Do not include details of shares acquired from Inland Revenue approved Company Share Option Schemes, Savings Related Schemes or Share Incentive Plans.

### Enterprise Management Incentives (EMI)

Do include in Section 1 details of EMI options granted in excess of £100,000.

#### *Completion of the form.*

If there are no reportable events for this year please go to page 16 and tick the box. Then complete and sign the declaration and return this form to me. If there are reportable events to disclose the index below will help you identify which sections of the return you need to complete and directs you to the appropriate page of the return. You only need to complete those pages where there is a reportable event. Please tick the box shown opposite the reportable events for which you are giving details.

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### Individual Reporting Requirements

Please note that even though details of employment-related securities and securities options are included on this form, individuals acquiring them must declare the transaction on their personal Self Assessment Tax return where taxable income arises.

## Employment-related securities

With effect from certain dates in 2003/04, the income tax and National Insurance Contributions (NIC) provisions for shares and share options have been expanded to include employment-related securities and securities options. The various sections of this form show the relevant dates from which details should be reported.

'Employment-related' means that the securities are acquired or deemed to have been acquired because of employment when the opportunity to acquire them is made available to employees by an employer or a person connected with an employer.

### Securities are

- shares in any corporate body (wherever incorporated) or in any unincorporated body constituted under the law of a country or territory outside the United Kingdom,
- debentures, debenture stock, loan stock, bonds, certificates of deposit and other instruments creating or acknowledging indebtedness,
- warrants and other instruments entitling their holders to subscribe for securities (whether or not in existence or identifiable),
- certificates and other instruments conferring rights in respect of securities held by persons other than the persons on whom the rights are conferred and the transfer of which may be effected without the consent of those persons,
- units in a collective investment scheme,
- futures, **and**
- rights under contracts for differences or contracts similar to contracts for differences.

### Operation of PAYE and NIC

PAYE and NIC must be operated on all taxable amounts provided in the form of 'readily convertible assets'.

### Readily Convertible Assets (RCA's)

*Up to and including 9 July 2003;* Shares and certain securities are readily convertible assets if

- the securities can be sold or otherwise realised on a recognised investment exchange, such as the Stock Exchange, the New York Stock Exchange, etc. **or**
- trading arrangements are in place in respect of the shares at the time the taxable income is provided, **or** trading arrangements are likely to come into existence in accordance with arrangements or an understanding in place at the time the taxable income is provided.

The definitions shown above continue to apply after 9 July 2003.

*On or after 10 July 2003;* If shares and other employment-related securities do not fall within the definitions above, they are deemed to be RCA's and subject to PAYE and NIC. This provision does not apply if they are shares which qualify for a Corporation Tax deduction by reason of Schedule 23 to the Finance Act 2003.

### Non resident employees

Do not complete sections 1b, 3a-3e and 3g if an employee was not both Resident and Ordinarily Resident in the UK

- in the first tax year during which the employment was held in respect of which an option was granted or a security was acquired, before the employment began, **or**
- at the time the option was granted or a security was acquired, **or**
- in the last year of the employment in respect of which an option was granted or a security was acquired, after the employment ceased.

### Artificial adjustment of market value arising from non-commercial actions

Sections 2b, 3i and 3j apply to artificial increases and reductions in the market value of securities arising from non-commercial actions. Non-commercial actions include anything done

- other than for a genuine commercial purpose
- as part of a scheme or arrangement designed to avoid tax or NIC
- between companies in a group of companies on terms other than would be expected from persons acting at arms length.

Section 1 Securities options

## **1.a. Grant of securities options**

You must complete this section if employment related securities options that are **not** share options were granted on or after 16 April 2003 or if employment related securities options that are **share** options were granted on or after 1 September 2003.

Details must also be reported of share options granted between 5 April 2003 and 1 September 2003.

Enter the market value of the securities at the date of grant in column 7 only if the exercise price is less than the market value at that date and the employee was not both Resident and Ordinarily Resident at the times shown on page 3 (under 'Non-resident employees').

If shared options granted in the period 6 April 2003 to 1 September 2003 are capable of being exercised more than 10 years from the date of grant (long options) tick column 8.

### **1.b. Assignment and release of securities options**

You must complete this section if a chargeable event has arisen on or after 16 April 2003 for employment related securities options that are not share options or if a chargeable event has arisen on or after 1 September 2003 for employment related securities options that are share options.

Details must also be reported of events relating to share options (shown in the first bullet point below) arising between 5 April 2003 and 1 September 2003.

Chargeable events are

- the assignment, release or cancellation of the options for consideration (unless the consideration received is another securities option), or
  - the receipt of a benefit in money or money's worth in connection with the option (other than the acquisition of securities shown in Section 1c).

If the consideration received is in the form of securities the market value of which has been artificially reduced (see section 3j) by more than 10% in the 7 year period ending on the date the consideration is received, complete column 8 ignoring the effect of the artificial reduction.

### **1.1.c. Acquisition of securities in connection with (including exercise of) securities options**

You must complete this section where securities that are not shares were acquired in connection with an employment related securities option on or after 16 April 2003 or iShares were acquired in connection with an employment related securities option on or after 1 September 2003. Details must also be reported of share options exercised between 5 April 2003 and 1 September 2003.

Securities are acquired on the date an employee or a person connected with the employee acquires a beneficial interest in the securities connected to the option. In most cases, this will be the date of exercise rather than the date that the securities are transferred or an ownership certificate is issued.

**Non-residents:** If an employee was not both Resident and Ordinarily Resident at the times shown on page 3 (under 'Non-resident employees'), enter a tick in column 4. A tick in column 4 indicates that no claim for repayment of such loans will be made by the employer.

**Elections:** Enter '1' in column 6 if an election has been made to disregard all restrictions. Enter '2' if an election has been made leaving some restrictions outstanding. Where an election has been made, the effect of some or all of the restrictions is ignored in determining the market value.

Market Value

- If the securities acquired carry restrictions (including personal restrictions) enter the restricted market value in column 7.
  - If '1' in column 6, enter the unrestricted market value in column 7.
  - If '2' in column 6, enter in column 7 the market value of the securities taking into account restrictions still attached to the option.
  - If the market value of securities acquired on 16 April 2003 or later has been artificially reduced (see section 2b) by more than 10% in a period of 7 years (ending on the date of acquisition), complete this section entering the reduced market value in column 7 then complete Section 7d.

**Deductible amounts:** Enter in column 9 the total of consideration paid for the grant of the option and for the acquisition of the securities (including the exercise price) together with expenses incurred in connection with the acquisition of the securities.

1	2	3	4	5	6	7	8	9	10	11	12
Name of Employee National Insurance number	Employer's name and PAYE reference	Date of Grant	Not Resident or Ordinarily resident at grant (✓)	Date securities acquired in connection with the option	Election to disregard restrictions (enter 1,2 or leave blank see note above)	Market value of securities when acquired	Number of securities acquired	Deductible amounts (including exercise price)	Has PAYE/NIC been operated? (yes/no)	Amount of employer's NIC paid on the gain by the employee	Date the transferred NIC liability was paid to inland revenue
Mr D Carr AB234567C	ABC Ltd 001A1	30/9/2003		30/1/2004				£2	1000	£1,000	10%

## Section 2 Aquisition of securities

## **2. a. Acquisition of unrestricted securities**

You must complete this section if unrestricted securities were acquired on or after 6 April 2003. Where the unrestricted securities are convertible securities and have been acquired before 1 September 2003, the entry in box 6 includes the right to convert the securities. Where the convertible securities were acquired on or after 1 September 2003, the entry in box 6 will be the market value of those securities excluding the right to convert.

## **2.b. Acquisition of securities with an artificially reduced market value**

You must complete this section where the market value of the employment-related securities acquired on or after 16 April 2003 has been reduced by at least 10% as a result of non-commercial actions (see page 3) in a period of 7 years ending on the date of acquisition.

Market Value

- Enter in column 6, the market value of the securities reflecting the artificial reduction. Enter in column 7, the market value of the securities ignoring the artificial reduction.

## **2. c. Acquisition of restricted securities with a forfeiture restriction**

You must complete this section if securities subject to a forfeiture provision were acquired on or after 6 April 2003. If the forfeiture provisions last for more than 5 years from acquisition, an income tax charge will arise upon acquisition. If the provision lasts for less than 5 years from acquisition, the income tax charge will arise when the provision is lifted or the securities are sold (see exceptions under 'Market Value' below).

Elections

- If you have elected with your employees to ignore all restrictions attaching to the securities, enter 1 in column 7.
  - If you have elected with your employees to ignore certain restrictions attaching to the securities, enter 2 in column 7.
  - If you have elected with your employees for tax to arise on acquisition, enter 3 in column 7.

Market Value

- If '1' in column 7, do not complete column 8 and enter the unrestricted market value in column 9.
  - If '2' in column 7, enter the market value taking account of the outstanding restrictions in column 8 and the unrestricted market value in column 9.
  - If '3' in column 7, enter the market value reflecting the forfeiture provision in column 8 and the unrestricted market value in column 9.
  - If no election has been made and the forfeiture provision lasts more than 5 years, complete columns 8 and 9. (Do not complete column 9 if securities were acquired between 5 April 2003 and 16 April 2003).
  - If no election has been made and the forfeiture provision lasts for less than 5 years do not complete this section as there is no income tax charge on acquisition (except where an employee was not both resident and ordinarily resident, see bullet point below).
  - If the forfeiture provision lasts for less than 5 years but an employee was not both Resident and Ordinarily Resident at the times shown on page 3 (non resident employee income tax will arise on acquisition. Complete this section ignoring columns 6,7 and 9.

## **2.d. Acquisition of restricted securities without a forfeiture restriction**

You must complete this section if restricted securities with no forfeiture provisions were acquired on or after 6 April 2003.

**Elections:** Enter '1' in column 7 if an election has been made to disregard all restrictions. Enter '2' if an election has been made leaving some restrictions outstanding. Where an election has been made, the effect of some or all of the restrictions is ignored in determining the market value.

Market Value

- If '1' in column 7, do not complete column 8 and enter the unrestricted market value in column 9
  - If '2' in column 7, or no election has been made, enter the market value reflecting the outstanding restrictions in column 8 and the unrestricted market value in column 9
  - If shares carrying restrictions were acquired between 5 April 2003 and 16 April 2003, enter the market value reflecting the restriction in column 8. Ignore columns 7 and 9
  - If an employee was not both Resident and Ordinarily resident at the time shown on page 3 (under "Non-resident employees"), enter the market value reflecting the restriction in column 8. Ignore columns 7 and 9.

**Restrictions:** Securities (or an interest in securities) acquired on or after 16 April 2003 are restricted securities if their market value is less than it would otherwise be because;

- the securities may be forfeit at some future time.
  - there is a restriction on the rights relating to the securities. This includes restrictions on the rights to retain or dispose of the securities.
  - there is a provision under which a disadvantage may arise from the exercise of rights related to the securities. This includes disadvantages arising from the retention or disposal of the securities.

The securities are not restricted because of a provision under which they must be sold or transferred should employment end by reason of misconduct.

## Section 3 Events occurring after the acquisition of securities

This section provides for details of taxable events arising after securities have been acquired and in addition to any tax paid when the securities were acquired.

### **3.a. Restricted Securities acquired after 15 April 2003**

You must complete this section if restricted securities were acquired on or after 16 April 2003 and a chargeable event arises on or after 1 September 2003. (See Section 2d for the meaning of 'restricted securities')

Post acquisition chargeable events arise if

- the securities cease to be subject to forfeiture.

- any restriction relating to the securities is removed.

- the securities are sold to an unconnected person while still restricted

Do not complete this section

**Chargeable amount**  
The chargeable amount is calculated by the application of a formula. An electronic calculator to help you determine this amount is available from the address shown on the front of this form. A manual worksheet is also available from the same contact point or from [www.inlandrevenue.gov.uk/sharechemes](http://www.inlandrevenue.gov.uk/sharechemes).

**Convertible securities:** if the restricted securities are convertible securities, enter figures of market value in columns 6 and 7 as if the securities were not convertible.

**Unrestricted market value:** enter in column 6 the market value of the securities immediately after the chargeable event ignoring any restrictions.

**Actual market value:** Complete column 7 if any restrictions remain after the chargeable event taking account of these restrictions. Do not complete this column if you have entered an election to ignore all restrictions that remain after this chargeable event.

### **3.b. Shares subject to forfeiture acquired before 16 April 2003**

You may use this section to provide details of chargeable events arising for;

- shares acquired before 16 April 2003
- shares acquired on or after 16 April 2003 and the chargeable event arose before 1 September 2003.

**Chargeable event:** the following events may give rise to an income tax charge:

- The disposal of the shares whilst still subject to the risk of forfeiture
- The lifting of the risk of forfeiture
- The adjustment of the terms of the shares so that they cease to be 'conditional shares' within the meaning of Section 424 ITEPA 2003 (before the change made by Finance Act 2003).

**Deductible amount:** each of the following is a deductible amount:

- Payments made to acquire the shares
- Amounts subject to income tax in respect of the acquisition of the shares.

1 Name of employee and National Insurance number	2 Employing company and PAYE Reference number	3 Description of shares	4 Date shares originally acquired	5 Nature of chargeable event	6 Number of shares	7 Date of chargeable event	8 Market Value of shares at date of chargeable event	9 Artificial reduction (see section 3(j), event 3) (/)	10 Deductible amount	11 Has PAYE/NIC been operated (Yes/No)
<i>Mr D Carr AB234567C</i>	<i>ABC Ltd 001/A1</i>	<i>A Share in ABC Ltd</i>	<i>30/9/2002</i>	<i>lifting forfeiture provision</i>	<i>1000</i>	<i>30/1/2004</i>	<i>£2000</i>		<i>£1000</i>	<i>Yes</i>

### **3.c. Variation of restrictions for Shares acquired before 16 April 2003**

You may use this section to provide details if the value of shares acquired before 16 April 2003 is increased by an alteration in the rights or any restrictions attached to them or to other shares in the company.

Do not complete this section in connection with the variation if

- all of the shares of the same class are similarly restricted, **and**
- the majority of the shares are held by persons other than employees or directors, **or**
- employees or directors control the company by virtue of their holdings of that class of shares, **or**
- the company is a subsidiary and has only one class of shares.

1 Name of Employee and National Insurance number	2 Employing Company and PAYE Reference number	3 Date shares originally acquired	4 Nature of variation	5 Date of variation	6 Market Value of shares directly before variation	7 Market Value of shares directly after variation	8 number of shares
<i>Mr D Carr AB234567C</i>	<i>ABC Ltd 001/A1</i>	<i>30/9/2002</i>	<i>new dividend rights</i>	<i>30/1/2004</i>	<i>£1500</i>	<i>£3000</i>	<i>500</i>

### 3.d. Conversion of Securities after 31 August 2003

You must complete this section if an employee has acquired employment-related securities that carry an immediate or potential entitlement to be converted into securities of a different description and a chargeable event occurs on or after 1 September 2003.

#### Chargeable events are

- the conversion of securities into securities of a different description
  - the disposal of the securities whilst they carry the entitlement to convert
  - the release of the entitlement to convert
  - the receipt of money or money's worth in connection with the entitlement to convert
- Do not complete this section if the securities acquired are shares, and**
- all the shares of the same class are convertible securities, and
  - all the shares of the same class are affected by an event similar to the chargeable event, and either immediately before the chargeable event
  - employees hold the majority of the company's shares of that class and as a consequence can control the company, or
  - associated companies, employees and their relations do not hold the majority of the company's shares of the same class as those shares acquired.

#### Deductible amounts enter

- the total of any consideration paid for the entitlement to convert (the excess of this payment over the non-convertible market value of the securities upon acquisition).
- any amount given for the actual conversion of the securities and expenses incurred in connection with the conversion.

1	2	3	4	5	6	7	8	9	10	11	12
Name of Employee and National Insurance number	Employing company and PAYE reference	Date convertible securities originally acquired	Description of convertible securities	Nature of chargeable event	Market value of new securities acquired on conversion ignoring any right to convert	Market value of original securities on conversion ignoring the right to convert	Artificial reduction (see section 3, events 4 and 5) (.)	Number of securities affected	Deductible amounts	Amount of consideration received (if any)	Has PAYE/NIC been operated (yes/no)
Mr D Carr AB234567C	ABC Ltd 001/A	30/09/2003	C Class convertible Shares in ABC Ltd	Conversion	£1500	£1000		500	N/A	N/A	Yes

### 3.e. Conversion of shares before 1 September 2003

Details must be reported if shares (acquired on or after 17 March 1998 by a Director or employee) were converted into shares of a different class in the period 6 April 2003 to 31 August 2003 inclusive.

**Deductible amounts:** enter the total of any consideration given for the shares or their conversion and any amounts on which income tax has been paid in respect of the acquisition of the shares or any previous conversion.

1	2	3	4	5	6	7	8	9
Name of Employee and National Insurance number	Employing company and PAYE reference	Description of convertible shares	Date convertible shares originally acquired	Date of conversion	Market value of shares after conversion	Number of shares acquired on conversion	Deductible amounts	Has PAYE/NIC been operated (yes/no)
Mrs D Carr AB234567C	ABC Ltd 001/A	C Class convertible Shares in ABC Ltd	30/9/2002	30/4/2003	£1500	500	£1000	Yes

### **3.f. Discharge of notional loans**

You must complete this section where the securities were acquired on or after 16 April 2003 and a notional loan (see Section 1c) is treated as discharged (creating a taxable amount) when the employment-related securities are disposed of other than to a connected person or an outstanding liability to pay for the securities is released.

### **3.g. Receipt of other benefits from securities**

You must complete this section if an employee or a person connected with the employee has received a benefit by reason of their ownership of employment-related securities and that benefit was received on or after 16 April 2003.

### **3.h. Securities sold for more than market value**

You must complete this section if the employee or a person connected with the employee has disposed of employment-related securities on or after 16 April 2003 for more than their market value at the time of disposal. In this case the consideration received on disposal of the employment-related securities less their market value and expenses incurred at the time of disposal is employment income of the employee.

### **3.i. Artificial enhancement of market value**

You must complete this section if the market value of an employee's employment-related securities is increased by more than 10% in a relevant period by non-commercial actions (see page 3) and the date of the taxable event is on or after 16 April 2003 regardless of when the securities were acquired.

- 14** The relevant period runs from the date securities are acquired (16 April 2003 for securities acquired before that date) to the earlier of the date of disposal or 5 April 2004.

The date of the taxable event will be 5 April 2004 or the date the securities were disposed of if earlier.

Enter a tick in column 9 if the securities were restricted securities (see section 2d) during the relevant period or on the date of the taxable event.

### **3.j. Artificial reduction of market value**

This section applies where the market value of employment-related securities (or other securities) has been artificially reduced by more than 10% in a relevant period by non-commercial actions (see page 3). The table below shows the specific events and the action you must take.

Assets	Event	Event code	Relevant period	Action
Restricted securities acquired on or after 16 April 2003.	Artificially low market value of securities at the end of any tax year or immediately after a chargeable event on or after 1 September 2003 (see section 3a for chargeable events).	1	Period of 7 years ending on date of chargeable event, or if no chargeable event in 2003/4, 7 years ending on 16 April 2003.	Complete section 3(a); <ul style="list-style-type: none"><li>• enter in column 6 the unrestricted market value immediately after the chargeable event (or last day of the tax year) ignoring the effect of the artificial reduction</li><li>• enter in column 8 the chargeable amount ignoring the effect of the artificial reduction.</li></ul>
Restricted securities acquired on or after 16 April 2003.	Artificially low market value of any securities received as consideration for the disposal of employment related securities on or after 1 September 2003.	2	Period of 7 years ending on the receipt of the consideration or benefit.	Complete section 3(a) entering in column 8 the chargeable amount ignoring the effect of the artificial reduction on the securities received as consideration.
Forfeitable shares acquired before 16 April 2003.	Artificially low market value of forfeitable shares immediately after a chargeable event (see section 3b for chargeable events)	3	Period beginning with the later of 7 years before the chargeable event or 16 April 2003.	Complete section 3(b) entering in column 8 the market value of the shares immediately after the chargeable event ignoring the effect of the artificial reduction.
Convertible securities (including shares).	Artificially low market value of new securities acquired following conversion on or after 1 September 2003.	4	Period of 7 years ending on the date of the conversion.	Complete section 3(d) entering in column 6 the market value of the new securities ignoring the effect of the artificial reduction as well as any entitlement to convert
Convertible securities (including shares).		5	Period of 7 years ending on the receipt of the consideration or benefit	Complete section 3(d) entering in column 11 the market value of securities received as consideration ignoring the effect of the artificial reduction.
Securities: Benefits not otherwise chargeable to income tax.	Artificially low market value of securities received on or after 16 April 2003 as benefits not otherwise chargeable.	6	Period of 7 years ending on the receipt of the benefit.	Complete section 3(g) entering in column 8 the market value of the securities received ignoring the effect of the artificial reduction
Securities: Disposal of securities for more than their market value.	Artificially low market value of securities received on or after 16 April 2003 as consideration for the disposal of securities previously acquired.	7	Period of 7 years ending on the receipt of the consideration or benefit	Complete section 3(h) entering in column 7 the market value of securities received as consideration ignoring the effect of the artificial reduction.

## Participating Companies

If this form is completed to cover a group of companies or organisations, please enter details below of the companies for whom the return applies.

Name of company or organisation	Corporation Tax reference	PAYE reference	Company Registration Number	Existing IR share schemes reference(s) if any

### Nil Return



I confirm that there have been no reportable events in this tax year.

### Declaration

The information I have given as required by this form is correct and complete to the best of my knowledge and belief.

The Taxes Acts require that the declaration should be completed by the Secretary or acting Secretary of the company. If liquidators have been appointed, they should complete the declaration. Sections 108(1) and (3) TMA 1970.

Signature

Date

Telephone

Name (use capital letters)

Position in company

Fax

### Capacity of reporting person

(employer, host employer, person issuing the securities or from whom they were acquired)