# Securities subject to SDRT ("chargeable securities")

Chargeable securities include:

- Newly issued securities incorporated in jurisdictions other than the UK but whose registrar is in the UK;
- Shares in UK companies;
- Shares in foreign companies with a registrar in the UK;
- Rights, options or interest related to shares (for example, rights to subscribe for shares and convertible bonds).

# Overview of the SDRT regimes available through Clearstream Banking

|  | 0.5% regime  | 1.5% regime   |
|--|--|---|
| Transactions subject to SDRT               | Transfer of chargeable securities for consideration in money or money's worth, for example, a sale.  | Entry of chargeable securities to a clearance system by way of Transfer or Issue.   |
| External transfers                         | Authorised. In principle external receipts are subject to 0.5% SDRT.   | Authorised. In principle external receipts are subject to 1.5% SDRT.  |
| Internal transfers                         | Not authorised   | Authorised. No charge to SDRT.  |
| Exemption from SDRT                        | <ul> <li>Issuing house exemption on new issue;</li> <li>Exemption on transfers with no change of beneficial ownership;</li> <li>True agency exemption a;</li> <li>Market sale exemption b;</li> <li>EU registered charity c.</li> </ul>  | <ul> <li>Transfer between two Clearance Service Providers (CSPs)d;</li> <li>Transfer between two Depository Receipt Systems (DRSs)e;</li> <li>Transfer between a CSP and a DRS;</li> <li>Transfer to a 0.5% account where at the time the agreement is made to transfer the securities, the said securities are held in a 1.5% account;</li> <li>Exemption on new issue.</li> </ul> |
| Certification / documentation requirements | "Request for application of the 0.5% SDRT charge".  Note: Certification is mandatory if the customer wants to settle transactions under the 0.5% regime.  Upon request: any further details and/or documents as requested by Clearstream Banking or HM Revenue & Customs [HMRC]. | "Request for Application of the 1.5% SDRT Regime".  Note: Certification is mandatory if the customer is claiming an exemption from 1.5% SDRT.  Upon request: any further details and/or documents as requested by Clearstream Banking or HM Revenue & Customs [HMRC].   |

<sup>a. Exemption is claimed by the customer as the SDRT has already been accounted for in the previous transaction.
b. Exemption is claimed by the customer as the SDRT will be accounted for in the future transaction.
c. Exemption is claimed by the customer as the beneficiary entity is a EU registered charity. Other exemptions such as intermediary exemption may be available subject to prior approval and conditions as set out by HMRC (which the customer undertakes to comply with), availability of specific set up at the level of CREST system of Euroclear UK and I and other conditions as may be applicable.
d. A Clearance Service Provider (CSP) operates a system for holding securities and settling transactions on them by book entry.
e. A Depository Receipt System (DRS) is a system for holding securities for an entity whose business includes issuing a depository receipt for a deposit of securities.</sup> 

# Services offered under the two regimes

#### 1. The customer opts for the 0.5% SDRT regime

- Only external receipts and deliveries can be settled in an account subject to 0.5% SDRT. In general, CBL will, based on the information received from the market and unless an exemption applies or the counterparty is accounting for the SDRT, debit SDRT from the purchaser on all external transfers at the standard rate of 0.5% on the stampable consideration amount.
- When the delivering customer is or is acting on behalf of the accountable person with respect to the transaction, the SDRT will also be levied on external deliveries. In such cases, the SDRT is not charged to the counterparty in CREST to whom the securities are delivered.
- Internal (CBL-CBL) receipts and deliveries are not authorised. To ensure the correct reporting
  of SDRT to HMRC through CREST, shares can only be transferred between CBL accounts by
  means of a domestic instruction.
- A customer operating an account subject to 0.5% SDRT may neither authorise transfers between accounts in its own books (that is, may not operate a clearance service) nor operate a depository receipt scheme with respect to securities held under the 0.5% SDRT regime.

For an account to be subject to the 0.5% SDRT regime, customers must complete the "Request for Application of the 0.5% SDRT Regime" with respect to that account and return the form to the NCSC Account Administration unit.

#### 2. The customer opts for the 1.5% SDRT regime

- On every external receipt of UK securities, Clearstream Banking will debit 1.5% SDRT, based on the information received from the market, on the stampable consideration amount unless the delivering party accounts for the SDRT or the receiving customer claims and is entitled to an exemption from SDRT<sup>1</sup>.
- No SDRT will be due on internal (Clearstream Banking Clearstream Banking) receipts and deliveries subject to the 1.5% SDRT regime.

For an account to be subject to the 1.5% SDRT regime, customers must complete the "Request for Application of the 1.5% SDRT Regime" with respect to that account and return the form to the NCSC Account Administration unit.

There is a provision in the SDRT legislation that allows for a transfer of stock from one clearance account to another, from one Depository Receipt System (DRS) operator to another or from one clearance account to a DRS operator. In such circumstances, the transfer is exempt from 1.5% SDRT. Customers claiming an exemption are responsible for ensuring that they are entitled to it.

There is a further provision that allows exemption from SDRT for the transfer of securities held in a clearance service account to an account held with other than a CSP or DRS. Exemption is applicable when at the time the agreement between the counterparties to make such a transfer is made, the securities must already be held in the clearance service account.

To benefit from an exemption, customers must complete the "Request for Application of the 1.5% SDRT Regime". Failure to do so will result in the automatic rejection of the customer's instructions where an exemption is claimed.

#### Note about the use of the "agency exemption"

The "Agency-exemption" may be used in the following situations:

• True agency exemption: The securities are purchased via a broker/dealer holding a custodian account type and who is not a member of the LSE or other regulated UK exchange (for example, LIFFE, Virt-X). The broker/dealer will book the transaction via a broker that is a member of the LSE or other recognised exchange and the SDRT will be calculated and accounted for by the broker on the delivery of the securities to the broker/dealer (first leg).

The broker/dealer will then deliver the securities from his custodian type of account to CBL (second leg). Such a custodian-to-custodian transaction is in principle subject to SDRT. However, as the SDRT was already paid on the previous leg by the broker, the Agency-exemption can be

<sup>1.</sup> Exemption can also be achieved in the case of account transfers between two 1.5% CBL accounts (see "The customer opts for the 1.5% SDRT regime" on page 6).

- used as Transaction Stamp Status by the CBL customer receiving the securities. In such cases, special attention should be taken to the terms included in the contract note.
- Market sale: The securities are sold via CBL customer who is acting as an agent. The securities are first received in the customer's account with CBL (first leg) and then delivered to a broker whose account is recognised as an Exchange Member of the LSE or other recognised exchange (second leg), who, when receiving securities from CBL customers as agent without gaining any ownership of the securities, will account for the 0.5% SDRT. As the SDRT will be paid by the broker in the second leg of the transaction, the Agency-exemption can be used as Transaction Stamp Status by the CBL customer initially receiving securities.

In both cases, for the transaction to be eligible for Agency/market sale-exemption, the trade date and settlement date of the first and second legs must be the same. Furthermore, the second leg of the transaction must settle either on the same day as the first leg or later.

# Input of UK stamp duty fields

#### Rules applicable to securities subject to SDRT (www.euroclear.com)

The following rules apply to CREST-eligible securities subject to SDRT in order to complete the appropriate fields of CBL receipt and delivery instructions, as indicated:

#### 1. The customer opts for the 0.5% SDRT regime

| I | Receipt of a security subject to SDRT  | Xact Web Portal   | CreationOnline  | Xact via SWIFT<br>and Xact File<br>Transfer <sup>a</sup>   | Meaning   |
|---|--|---|---|--|---|
|   | An exemption is claimed by the customer because<br>there is no change of beneficial ownership<br>throughout the movement of the securities.  | Stamp Duty<br>Indicator:<br>UK No change in<br>beneficial<br>ownership <sup>b</sup> | Stamp Duty<br>Indicator:<br>UK No change in<br>beneficial<br>ownership <sup>b</sup> | MT540<br>:19A: not used<br>:22F::STAM/CRST<br>/GBOX <sup>b</sup>   | Transaction<br>exempted from<br>SDRT                              |
|   | An exemption is claimed by the customer because the delivering party is not an on-exchange member (that is, not a broker) and the receipt is the result of a new issue by a company incorporated in the UK.  | Stamp Duty<br>Indicator:<br>UK Exemption on<br>new issue                            | Stamp Duty<br>Indicator:<br>UK Exemption on<br>new issue                            | MT540/541<br>:19A: not used<br>:22F::STAM/CRST<br>/GBWX  | Transaction<br>exempted from<br>SDRT                              |
|   | 3. SDRT is not due from the customer because:  • the delivering party is accountable for SDRT (as per the accountable (broker) concept under SI 1997 no. 2430 Reg3 (b)); or  • the receipt is a result of a new issue by a company incorporated in the UK where the delivering party is an on-exchange member (that is, a broker). | Stamp Duty<br>Indicator:<br>Not used  | Stamp Duty<br>Indicator:<br>Not used  | MT540/541<br>:19A: not used<br>:22F: not used  | SDRT to be paid<br>by the delivering<br>counterparty <sup>c</sup> |
|   | <ol> <li>SDRT is due on the receipt of the securities and no<br/>exemption claimed.</li> </ol>   | Repetitive<br>Amount:d<br>"Trade Amount"<br>GBP 15de                                | Repetitive<br>Amount:d<br>"Trade Amount"<br>GBP 15de                                | MT540/541 d<br>:19A::DEAL//GBP<br>15de<br>:22F::STAM/CRST<br>/GBPX                                       | SDRT to be paid<br>by the receiving<br>customer                   |
|   | 5. An exemption is claimed by the customer because the SDRT has already been paid on a previous transaction or the SDRT will be paid in the future transaction (the counterparty is a custodian). See "Note about the use of the "agency exemption" on page 2.   | Stamp Duty<br>Indicator:<br>UK transfer between<br>CSP or ADR accounts              | Stamp Duty<br>Indicator:<br>UK transfer between<br>CSP or ADR accounts              | MT540/541<br>:19A: not used<br>:22F::STAM/CRST<br>/GBTX  | Transaction<br>exempted from<br>SDRT                              |
|   | 6. The transaction is a "contra" trade, that is, it reverses a trade that had settled through CREST but that was not based on a legally valid and enforceable agreement.   | Settlement<br>Processing<br>Narrative: /GBXX/                                       | Settlement<br>Processing<br>Narrative: /GBXX/                                       | MT540/541<br>:19A: not used<br>:22F::STAM/CRST<br>/GBXX  | Transaction<br>exempted from<br>SDRT                              |
|   | <ol> <li>Exemption is claimed by the customer as it is a EU<br/>registered charity.</li> </ol>   | Settlement<br>Processing<br>Narrative:<br>CHTY/CountryCode<br>/30Xf                 | Settlement<br>Processing<br>Narrative:<br>CHTY/CountryCode/<br>30Xf                 | MT540/541<br>:19A::DEAL// not<br>used<br>:22F::STAM/CRST<br>/GBSX<br>and<br>:95S::ALTE//CHTY<br>/XX/30X9 | Transaction<br>exempted from<br>SDRT                              |

a. Customers must ensure that the code words are entered exactly as presented here, including the slash characters. Failure to do so could result in the

[https://www.gov.uk/running-charity/setting-up].
This field is to be included in the BUYR/SELL subsequence. The country code where the EU charity is registered is to be populated on the /XX/ and /30x its registration number.

<sup>a. Customers must ensure that the code words are entered exactly as presented here, including the slash characters. Failure to do so could result in the instruction not being processed correctly.
b. Mandatory for receipt and delivery instructions between two CBL 0.5% SDRT accounts when there is no change of beneficial ownership.
c. The broker is accountable. Should the broker not include a stampable consideration, the receiving party will not receive a stamp duty charge. If SDRT should have been paid a manual stamp duty payment would then need to be made to HMRC.
d. If no stampable value is sent, no SDRT will be applied as per Crest functionality.
e. This field must contain the ISO currency code (GBP) followed by the total amount of the deal (deal price \* quantity of securities) in 1-13 numeric characters (no leading zeroes), the mandatory comma decimal separator and 0-2 decimal positions.
f. Where /30x denotes the registration number of the EU registered charity. To have HMRC recognise a EU charity follow the steps on the HMRC link (https://www.gov.uk/runping-charity/setting-un)</sup> 

| Delivery of a security subject to SDRT  | Xact Web Portal   | CreationOnline  | Xact via SWIFT<br>and Xact File<br>Transfer <sup>a</sup>                 | Meaning  |
|---|---|---|--|--|
| The securities are delivered to a CREST counterparty acting as a CSP or a DRS account operator and the delivering customer is accountable (as per market practice). | Repetitive Amount: "Trade Amount" GBP 15dc Stamp Duty Indicator: UK delivery to a CSP or ADR                          | Repetitive Amount: "Trade Amount" GBP 15dc Stamp Duty Indicator: UK delivery to a CSP or ADR                                      | MT542/543<br>:19A::DEAL//GBP15d <sup>c</sup><br>:22F::STAM/CRST/GBR<br>X | SDRT to be paid<br>by the<br>delivering<br>customer              |
| The securities are delivered to a CBL customer acting as a CSP or a DRS account operator and the delivering customer is accountable (as per market practice).  b    |   | Repetitive<br>Amount:d<br>"Trade Amount"<br>GBP 15d <sup>c</sup><br>Stamp Duty<br>Indicator:<br>UK delivery to a<br>CSP or ADR    | MT542/543d<br>:19A::DEAL//GBP15dc<br>:22F::STAM/CRST/GBR<br>X            | SDRT to be paid<br>by the<br>delivering<br>customer <sup>e</sup> |
| 3. The delivering customer is accountable for the SDRT (as per the accountable concept under SI 1997 no. 2430 Reg3 (b)).  | Repetitive<br>Amount:<br>"Trade Amount"<br>GBP 15dc<br>Stamp Duty<br>Indicator:<br>UK Delivering<br>party accountable | Repetitive<br>Amount:<br>"Trade Amount"<br>GBP 15d <sup>c</sup><br>Stamp Duty<br>Indicator:<br>UK Delivering<br>party accountable | MT542/543<br>:19A::DEAL//GBP15d <sup>c</sup><br>:22F::STAM/CRST/GBP<br>X | SDRT to be paid<br>by the<br>delivering<br>customer              |
| 4. An exemption is claimed by the customer because there is no change of beneficial ownership throughout the movement of the securities.                            | Stamp Duty<br>Indicator:<br>UK No change in<br>beneficial<br>ownership  | Stamp Duty<br>Indicator:<br>UK No change in<br>beneficial<br>ownership  | MT542<br>:19A: not used<br>:22F::STAM/CRST/GBO<br>Xf                     | Transaction<br>exempted from<br>SDRT                             |
| 5. Exemption is claimed by the customer as it is a EU registered charity  | UK Transfer<br>from/to exempt as<br>charity <sup>9</sup>  | UK Transfer<br>from/to exempt as<br>charity <sup>g</sup>  | MT542/543<br>:19A: not used<br>:22F::STAM/CRST/GBS<br>X                  | Transaction<br>exempted from<br>SDRT                             |

Customers must ensure that the code words are entered exactly as presented here, including the slash characters. Failure to do so could result in the

<sup>a. Customers must ensure that the code words are entered exactly as presented here, including the slash characters. Failure to do so could result in the instruction not being processed correctly.
b. CSP/DRS CREST participants always operate a 1.5% SDRT regime in CREST.
c. This field must contain the ISO currency code (GBP) followed by the total amount of the deal (deal price \* quantity of securities) in 1-13 numeric characters (no leading zeroes), the mandatory comma decimal separator and 0-2 decimal positions.
d. If no stampable value is sent, no SDRT will be applied as per Crest functionality.
e. If the SDRT is to be paid by the receiving customer, the receiving customer must input the stampable amount in his instruction (as detailed in item 3 in the table "2). The customer opts for the 1.5% SDRT regime" on the following page.
f. Mandatory for receipt and delivery between two 0.5% accounts when there is no change of beneficial ownership.
g. Stamp duty information is required via Xact via SWIFT and Xact File Transfer only.</sup> 

#### 2. The customer opts for the 1.5% SDRT regime

| l | Receipt from / delivery to | Xact Web Portal   |     | Xact via SWIFT and Xact File Transfer <sup>a</sup>  | Meaning                              |
|---|----------------------------|---|-----|---|--------------------------------------|
|   | ,                          | UK Transfer between CSP   | ' ' | :19A: not used<br>:22F::STAM/CRST/GBTX              | Transaction<br>exempted from<br>SDRT |
|   | 2. A CSP                   | Stamp Duty Indicator:<br>UK Transfer between CSP<br>or ADR accounts |     | :19A: not used<br>:22F::STAM/CRST/GBTX <sup>b</sup> | Transaction<br>exempted from<br>SDRT |

a. Customers must ensure that the code words are entered exactly as presented here, including the slash characters. Failure to do so could result in the instruction not being processed correctly.

b. This field may also be included to obtain exemption in the case of account transfers between two 1.5% CBL accounts.

| Receipt from  | Xact Web Portal   | CreationOnline  | Xact via SWIFT and Xact File Transfer   | Meaning  |
|---|---|---|---|--|
| <ol> <li>A CBL customer not operating a<br/>DRS or CSP<sup>a</sup> account and the<br/>receiving customer is<br/>accountable</li> </ol>   | Repetitive Amount: <sup>b</sup> "Trade Amount" GBP 15d <sup>c</sup> Stamp Duty Indicator: UK delivery to a CSP or ADR | Repetitive Amount:b<br>"Trade Amount"<br>GBP 15d <sup>c</sup><br>Stamp Duty Indicator:<br>UK delivery to a CSP or ADR | MT540/541 <sup>b</sup><br>:19A::DEAL//GBP15d <sup>c</sup><br>:22F::STAM/CRST/GBRX | SDRT to be paid<br>by the receiving<br>party                         |
| A CREST counterparty not operating a DRS or CSP account a   | Repetitive Amount: <sup>b</sup> "Trade Amount" GBP 15d <sup>c</sup> Stamp Duty Indicator: UK delivery to a CSP or ADR | Repetitive Amount:b<br>"Trade Amount"<br>GBP 15dc<br>Stamp Duty Indicator:<br>UK delivery to a CSP or ADR             | MT540/541 <sup>b</sup><br>:19A::DEAL//GBP15d <sup>c</sup><br>:22F::STAM/CRST/GBRX | SDRT to be paid<br>by the receiving<br>customer                      |
| 3. An exemption is claimed by the customer because the delivering party is not an onexchange member (that is, not a broker) and the receipt is the result of a new issue by a company incorporated in the UK.   | Stamp Duty Indicator:<br>UK Exemption on new<br>issue   | Stamp Duty Indicator:<br>UK Exemption on new<br>issue   | MT540/541<br>:19A: not used<br>:22F::STAM/CRST/GBWX                               | Transaction<br>exempted from<br>SDRT                                 |
| 4. SDRT is not due from the customer because:  • the delivering party is accountable for SDRT (as per the accountable (broker) concept under SI 1997 no. 2430 Reg3 (b)); or  • the receipt is a result of a new issue by a company incorporated in the UK where the delivering party is an onexchange member (that is, a broker). | Stamp Duty Indicator:<br>Not used   | Stamp Duty Indicator:<br>Not used   | MT540/541<br>:19A: not used<br>:22F: not used                                     | SDRT to be paid<br>by the<br>delivering<br>counterparty <sup>d</sup> |
| 5. The transaction is a "contra" trade, that is, it reverses a trade that had settled through CREST but that was not based on a legally valid and enforceable agreement.  | Settlement Processing<br>Narrative: /GBXX/  | Settlement Processing<br>Narrative: /GBXX/  | MT540/541<br>:19A: not used<br>:22F::STAM/CRST/GBXX                               | Transaction<br>exempted from<br>SDRT                                 |

a. CSP/DRS CREST participants always operate a 1.5% SDRT regime in CREST.
 b. If not used, SDRT will be calculated by CREST using the offer price on the matching day \* number of shares \* SDRT rate as applicable. Euroclear source their prices from the Financial Times Index (FTI).
 c. This field must contain the ISO currency code (GBP) followed by the total amount of the deal (deal price \* quantity of securities) in 1-13 numeric characters (no leading zeroes), the mandatory comma decimal separator and 0-2 decimal positions.
 d. The broker is accountable. Should the broker not include a stampable consideration, the receiving party will receive a stamp duty charge. In this scenario, the broker must ensure to account for the correct SDRT. If the broker is delivering from a 0.5% SDRT account to a 1.5% SDRT the receiving party will receive a stamp duty charge. party will receive a stamp duty charge.

| Delivery to  | Xact Web Portal                   |   | Xact via SWIFT and Xact File Transfer | Meaning   |
|--|-----------------------------------|---|---------------------------------------|---|
| A counterparty not operating a<br>DRS or CSP account <sup>a</sup>        | Stamp Duty Indicator:<br>Not used | Stamp Duty Indicator:<br>Not used                                   |                                       | SDRT to be paid<br>by the receiving<br>party    |
| An internal counterparty not operating a DRS or CSP account <sup>a</sup> | UK Transfer between               | Stamp Duty Indicator:<br>UK Transfer between<br>CSP or ADR accounts | :22F::STAM/CRST/GBTX                  | Delivery to<br>another CBL 0.5%<br>SDRT account |

a. CSP/DRS CREST participants always operate a 1.5% SDRT regime in CREST.

**Note:** For CBL account transfers from a 1.5% SDRT to a 0.5% SDRT account, 0.5% SDRT will be accounted for unless NCBO is used on the receipt instruction and GBTX on the delivery instruction.

#### Rules applicable to securities NOT subject to SDRT

The following rules apply to CREST-eligible securities **not** subject to SDRT in order to complete the appropriate fields of CBL receipt and delivery instructions, as indicated:

|   | Receipt / Delivery of a security<br>NOT subject to SDRT | Xact Web Portal       | CreationOnline        | Xact via SWIFT and Xact File Transfer | Meaning         |
|---|---|-----------------------|-----------------------|---------------------------------------|-----------------|
| Τ |   | Stamp Duty Indicator: | Stamp Duty Indicator: | :19A: not used                        | Transaction not |
|   |   | Not used              | Not used              | :22F: not used                        | subject to SDRT |

# Input of the stampable consideration amount

**Note:** Particular attention should be given to the input of the stampable consideration amount, as penalties may be due if the information subsequently proves to have been incorrect. (The stampable consideration amount is equal to the number of securities \* their unit price.)

The amount of SDRT charged is calculated by multiplying the stampable consideration amount by the applicable rate (0.5% or 1.5%).

#### • 0.5% regime:

The stampable consideration amount is the amount or value of the consideration.

#### 1.5% regime:

The stampable consideration amount is:

- If the securities are transferred for consideration in money or money's worth: the amount or value of the consideration;
- If the securities are issued: their price when issued (that is, the unit price multiplied by the quantity of the security issued);
- In all other cases: the value of the securities.

The amount of the stampable consideration can be up to 15 digits but must always include two decimal places preceded by a comma separator (not a period).

# For example:

123456789012,12 and 57,12 are valid amounts; 123456789012 and 123456789012.12 and 57.12 are not valid amounts.

**Note:** No blank space may be left between the currency and the amount.

The stampable consideration amount must always be preceded by the code word DEAL// in Xact via SWIFT or Xact File Transfer.

#### Request for exemption

For transfers of securities between two CSP accounts or between two DRS account operators or between a CSP account and a DRS account operator, customers must duly complete a "Request for Application of the 1.5% SDRT Regime". By completing this certificate, the customer certifies that all transfers for which the customer inputs the appropriate code word (see input of UK stamp duty fields) in the instruction are eligible for exemption from 1.5% SDRT.

The certificate must be sent, duly completed and signed, to Account Administration Luxembourg under the customer's letterhead. Failure to provide CBL's Account Administration Luxembourg unit with a duly completed "Request for Application of the 1.5% SDRT Regime" will result in automatic rejection of the customer's instruction.

By inputting the appropriate code word in the instruction, the customer is deemed to claim exemption and to indemnify CBL for any taxes, penalties, interest and other costs that CBL may incur as a result of CBL's reliance on the customer's instruction.

# Payment of the stamp duty

When applicable, SDRT (at a rate of 0.5% or 1.5%, as appropriate) will be debited on actual settlement date or at any time within 10 days of the trade date once the trade is matched, whichever is earlier.

For external receipt instructions (where the customer is to receive securities from an external counterparty) under the 0.5% SDRT regime:

- If the an external counterparty is considered a custodian bank and none of the parties has accounted for SDRT in CREST, no default calculation will take place, resulting in an underpayment; or
- If the external counterparty is considered a broker and the customer does not account for the stamp duty to be paid in the instruction to CBL, SDRT will be calculated by CREST accordingly.

In the absence of a price from CREST's price provider, FTI, no stampable consideration will be applied to the transaction.

If the customer includes an exemption flag in the instruction to CBL, CBL and in turn its depository, Citibank, will send a blank input field to CREST, meaning "No Stamp Status" and "No Stampable consideration". As a consequence, CREST will not deduct any stamp duty from the trades.

Later, if the customer finds that it is liable to pay SDRT, then the customer will have to instruct CBL to make a manual payment to HMRC or alternatively make a direct payment. If the customer is audited and HMRC finds that SDRT is due, then CBL's depository and, in turn, CBL, will pass any obligations on to the customer.

Note: Customers who are liable to pay SDRT and do not comply with the delays set forth by HMRC1 could be charged a GBP 100 underpayment fee and additional non-refundable interest, penalties and surcharges. We strongly recommend that customers always ensure that they input the appropriate stampable consideration in their instructions along with the respective codes to avoid the incorrect calculation of SDRT resulting in under- or overpayments to HMRC. For further details, please refer to the Clearstream Banking Market Taxation Guide - UK.

The absence of a stampable consideration amount or an incorrect value in general may lead to underpayments, that is, incorrect stampable consideration charge.

For deliveries from a non-CSP or non-DRS account operator to a CSP or DRS account operator<sup>2</sup>, the following rules apply in CREST for charging the 1.5% SDRT due:

- 1. None of the parties inputs a stampable consideration amount: The receiving CSP/DRS account operator will be charged with the 1.5% SDRT by default. The SDRT is calculated by CREST, using the FTI offer price on the matching day of the trade \* the quantity of shares \* the SDRT rate.
- 2. One of the parties inputs the stampable consideration amount: This party will be charged by CREST. The 1.5% SDRT is calculated from the stampable consideration amount input.
- 3. Both parties input stampable consideration amounts: The receiving CSP/DRS will be charged by default. The 1.5% SDRT is calculated from the stampable consideration amount input.
- 4. Incorrect or missing values: This may result in underpayments and an HMRC fee of GBP 100. Customers must send the tax refund request as soon as possible and by no later than the 5th calendar day following the month of the payment<sup>3</sup>.

Please refer to http://www.hmrc.gov.uk/sdrt/index.htm.
Non\_CSP/non-DRS CREST participants always operate 0.5% SDRT CREST accounts; CSP/DRS CREST participants always operate a 1.5% SDRT regime

<sup>3.</sup> The market deadline is no later than the 7th calendar day following the month of the payment.

5. Receive of physical securities (in the form of registrar dumps): The receiving party CDS/DRS account operator is subject to 1.5% SDRT and is charged by the agent, Citibank, by default with the 1.5% SDRT. The receiving instructing party is responsible and accountable for the SDRT. If no stampable consideration amount is included in the receive settlement instruction, the SDRT will be calculated using the CREST method, that is, taking the FTI offer price on the matching day of the trade × the quantity of shares × the SDRT rate. If the stamp has been accounted for, the receiving party will need to enter a refund claim for overpayment.

CBL will bear no responsibility with regard to the stampable consideration amount or other information mentioned in the customer's instruction. If HMRC questions or makes inquiries in relation to the stampable consideration amount mentioned in the instruction or any other details of any of the customer's transactions, it is the responsibility of the customer to provide CBL with all required explanations and/or documentation.

By sending CBL an external receipt or delivery instruction for securities subject to UK SDRT, the customer is deemed to indemnify CBL for any taxes, penalties, interest thereon and other costs that CBL may incur as a result of CBL's reliance on the information included in the customer's instruction, including the stampable consideration amount indicated by the customer.

With regard to a delivery from a non-CSP or non-DRS account to CBL's CSP account when the delivering party will account for the 1.5% SDRT, the receiving customer must ensure that the delivering party inputs the appropriate stampable consideration amount in his settlement instruction in CREST in order for the 1.5% SDRT due to be charged accordingly. Customers are deemed to indemnify CBL for any taxes, penalties, interest thereon or other costs that CBL may incur as a result of underpayment of SDRT, should the counterparty instruct the stampable consideration amount incorrectly.

When applicable, the SDRT due on partial receipt(s) will be debited in the same processing of the consolidated credit of securities with value SD.

The transaction reference that will appear on the debit instruction will be in the format "SDR" followed by a sequential reference number and most of the details of the original receipt instruction.

#### Retention and disclosure of documentary evidence

Documentary evidence of details of all transactions and, where applicable, proof of relief from SDRT, must be retained for a minimum of six years from the settlement date of each transaction and must be forwarded upon request from CBL or HMRC. By holding UK securities in an account with CBL, customers will be deemed to have authorised the disclosure to HMRC upon request of all details of transactions relating to UK securities.

#### SDRT Reclaim request charges

An out-of-pocket tax fee of GBP 50.00 is charged per reclaim item as soon as it has been charged by the depository.

For other fees, please refer to the Clearstream Banking Fee Schedule.