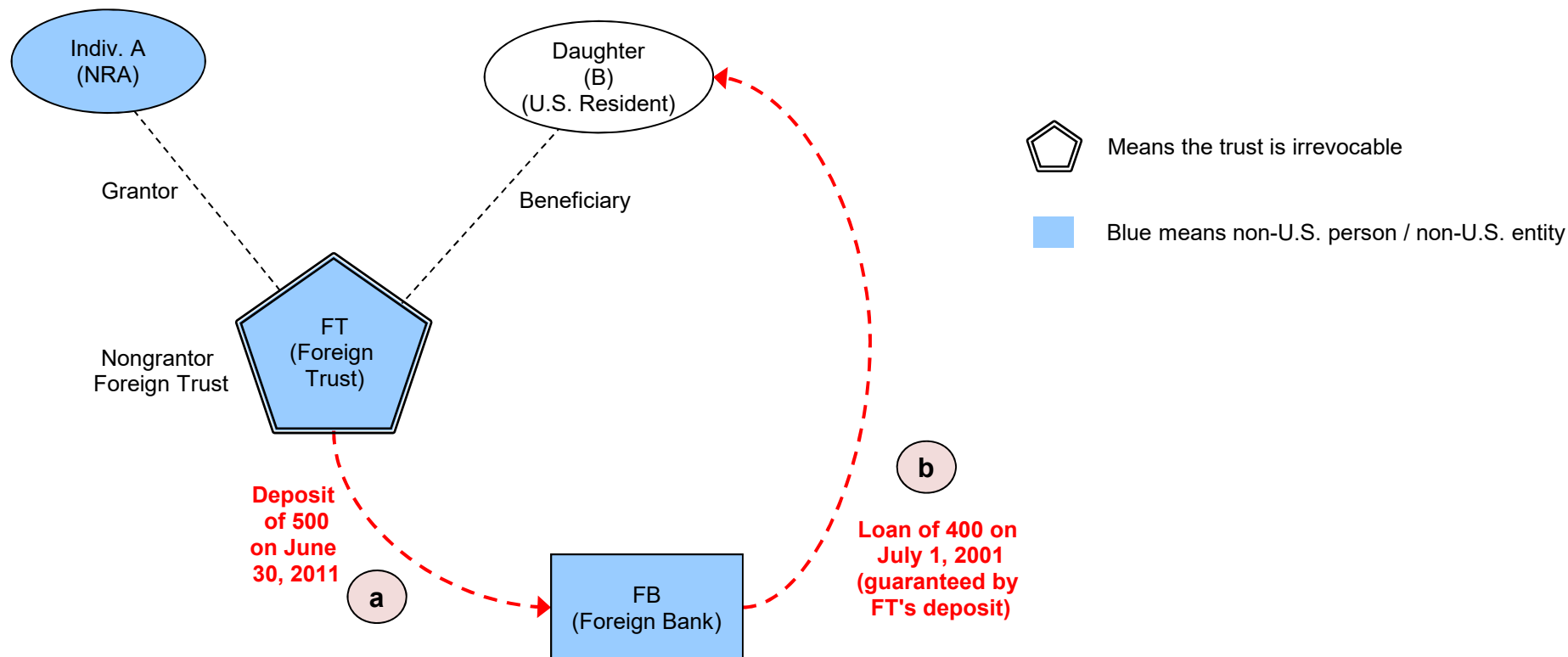


## Reg. 1.643(h)-1(g), Example 6

### Indirect Loan from Foreign Trust

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United States person receives indirect loan from foreign trust. Several years ago, A, a nonresident alien, created and funded FT for the benefit of her children and their descendants. A's daughter, B, is a resident alien. B needs funds temporarily while she is starting up her own business. If FT were to loan money directly to B, section 643(i) would apply. FT deposits 500X with FB, a foreign bank, on June 30, 2001. On July 1, 2001, FB loans 400X to B. Repayment of the loan is guaranteed by FT's 500X deposit. B is unable to demonstrate to the satisfaction of the Commissioner that FB has a relationship with B that establishes a reasonable basis for concluding that FB would make a loan to B or that FB acted independently of A and the trustee of FT in making the loan. Under Treas. Reg. §1.643(h)-1(a)(2), FT is deemed to have loaned 400X directly to B on July 1, 2001. Under Treas. Reg. §1.643(h)-1(c)(1), FB is treated as an agent of FT. For the treatment of loans from foreign trusts, see section 643(i).

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