

Internal Revenue Service, Treasury

§ 1.679-0

(c) Section 678(c) is concerned with the taxability of income subject to a power described in section 678(a). It has no application to the taxability of income which is either required to be applied pursuant to the terms of the trust instrument or is applied pursuant to a power which is not described in section 678(a), the taxability of such income being governed by other provisions of the Code. See § 1.662(a)-4.

§ 1.678(d)-1 Renunciation of power.

Section 678(a) does not apply to a power which has been renounced or disclaimed within a reasonable time after the holder of the power first became aware of its existence.

§ 1.679-0 Outline of major topics.

This section lists the major paragraphs contained in §§ 1.679-1 through 1.679-7 as follows:

§ 1.679-1 U.S. transferor treated as owner of foreign trust.

- (a) In general.
- (b) Interaction with sections 673 through 678.
- (c) Definitions.
 - (1) U.S. transferor.
 - (2) U.S. person.
 - (3) Foreign trust.
 - (4) Property.
 - (5) Related person.
 - (6) Obligation.
- (d) Examples.

§ 1.679-2 Trusts treated as having a U.S. beneficiary.

- (a) Existence of U.S. beneficiary.
 - (1) In general.
 - (2) Benefit to a U.S. person
 - (i) In general.
 - (ii) Certain unexpected beneficiaries.
 - (iii) Examples.
 - (3) Changes in beneficiary's status.
 - (i) In general.
 - (ii) Examples.
 - (4) General rules.
 - (i) Records and documents.
 - (ii) Additional factors.
 - (iii) Examples.
 - (b) Indirect U.S. beneficiaries.
 - (1) Certain foreign entities.
 - (2) Other indirect beneficiaries.
 - (3) Examples.
 - (c) Treatment of U.S. transferor upon foreign trust's acquisition or loss of U.S. beneficiary.
 - (1) Trusts acquiring a U.S. beneficiary.

- (2) Trusts ceasing to have a U.S. beneficiary.
- (3) Examples.

§ 1.679-3 Transfers.

- (a) In general.
- (b) Transfers by certain trusts.
 - (1) In general.
 - (2) Example.
 - (c) Indirect transfers.
 - (1) Principal purpose of tax avoidance.
 - (2) Principal purpose of tax avoidance deemed to exist.
 - (3) Effect of disregarding intermediary.
 - (i) In general.
 - (ii) Special rule.
 - (iii) Effect on intermediary.
 - (4) Related parties.
 - (5) Examples.
 - (d) Constructive transfers.
 - (1) In general.
 - (2) Examples.
 - (e) Guarantee of trust obligations.
 - (1) In general.
 - (2) Amount transferred.
 - (3) Principal repayments.
 - (4) Guarantee.
 - (5) Examples.
 - (f) Transfers to entities owned by a foreign trust.
 - (1) General rule.
 - (2) Examples.

§ 1.679-4 Exceptions to general rule.

- (a) In general.
- (b) Transfers for fair market value.
 - (1) In general.
 - (2) Special rule.
 - (i) Transfers for partial consideration.
 - (ii) Example.
 - (c) Certain obligations not taken into account.
 - (d) Qualified obligations.
 - (1) In general.
 - (2) Additional loans.
 - (3) Obligations that cease to be qualified.
 - (4) Transfers resulting from failed qualified obligations.
 - (5) Renegotiated loans.
 - (6) Principal repayments.
 - (7) Examples.

§ 1.679-5 Pre-immigration trusts.

- (a) In general.
- (b) Special rules.
 - (1) Change in grantor trust status.
 - (2) Treatment of undistributed income.
- (c) Examples.

§ 1.679-6 Outbound migrations of domestic trusts.

- (a) In general.
- (b) Amount deemed transferred.
- (c) Example.