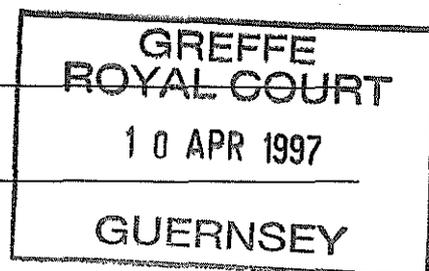


GUERNSEY STATUTORY INSTRUMENT

1997 No. 13



The Income Tax (Limit of Retirement
and Other Benefits) (Amendment) Regulations, 1997

<i>Made</i>	10th April 1997
<i>Laid before the States</i>	1997
<i>Coming into operation</i>	10th April 1997

THE INCOME TAX AUTHORITY, in exercise of the powers conferred on it by sections 150(2)(k) and 159 of the Income Tax (Guernsey) Law, 1975(a) hereby makes the following Regulations:-

Maximum pension following employee's death after retirement

1. For the proviso to regulation 4(4)(a) of the Income Tax (Guernsey) (Limit of Retirement and Other Benefits) Regulations, 1977(b) there is substituted:

"Provided that:

- (i) where the scheme provides for the payment of a lump sum in lieu of or in addition to a pension, the employee's maximum pension shall be deemed to include the equivalent in terms of pension of any lump sum which has been so paid; and
- (ii) the total of all such pensions shall not exceed the amount of the said maximum pension;"

Citation

2. These Regulations may be cited as the Income Tax (Limit of Retirement and Other Benefits) (Amendment) Regulations, 1997.

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- (a) Ordres en Conseil, Vol. XXV, p.124; Vol. XXVI, pp.146, 200 and 292; Vol. XXVII, pp.84, 118, 200, 333 and 565; Vol. XXVIII, pp.184, 278, 353 and 409; Vol. XXIX, p.214; Vol. XXXI, pp.406 and 473; No. XXVI of 1990; No. IV of 1991; No. VI of 1992; Nos. IV and VIII of 1993; No. XXV of 1994; Nos. III and VII of 1995; No. V of 1996; No. of 1997.
 - (b) S.I. 1997 No. 7; 1991 No. 5.

Collective title

3. These Regulations and the Income Tax (Guernsey) (Limit of Retirement and Other Benefits) Regulations, 1977 and 1991 may be cited together as the Income Tax (Limit of Retirement and Other Benefits) Regulations, 1977 to 1997.

Commencement

4. These Regulations shall come into force on 11th April 1997.

Dated this 10th day of April 1997.



D. EVANS

President of the States Income Tax Authority
For and on behalf of the Authority.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase the potential maximum amount which may be paid under the terms of an occupational pension scheme to the surviving spouse or dependants of a former employee who dies in retirement, for that scheme to qualify for approval under the Income Tax Law. That amount, which was previously restricted to 2/3 of the actual annual pension payable to the former employee, is now increased to take account of any lump sum paid which may have been paid.