

# ORDER IN COUNCIL

**XII  
2004**

ratifying a Projet de Loi

ENTITLED

## **The Income Tax (Guernsey) (Amendment) Law, 2004**

(Registered on the Records of the Island of Guernsey  
on the 4th October, 2004.)



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2004

## ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 4th day of October, 2004 before Geoffrey Robert Rowland, Esquire, Deputy Bailiff; present:– David Charles Lowe, Derek Martin Le Page, Stephen Edward Francis Le Poidevin, Alan Cecil Bisson, David Michael Jory, Keith Bichard, OBE, Esquires, The Reverend Peter Gerald Lane, Michael Henry De La Mare, Michael John Tanguy, Esquires, and Susan Mowbray, Jurats.*

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 27th day of July, 2004, approving and ratifying a Projet de Loi of the States of Guernsey entitled “The Income Tax (Guernsey) (Amendment) Law, 2004”, THE COURT, after the reading of the said Order in Council and having heard Her Majesty’s Procureur thereon, ORDERED:-

1. That the said Order in Council be registered on the records of this Island; and
2. That an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty’s Greffier to the Clerk of the Court of Alderney for registration on the records of that Island.

# At the Court at Buckingham Palace

The 27th day of July, 2004

PRESENT,

## The Queen's Most Excellent Majesty in Council

THE FOLLOWING, report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“IN ACCORDANCE WITH YOUR MAJESTY’S General Order of Reference of the 22nd day of February 1952 the Committee have considered a petition of the States of Guernsey:”

“That, in pursuance of their Resolution of the 10th of December, 2003, the States of Deliberation at a meeting on the 10th March, 2004, approved a Projet de Loi entitled “The Income Tax (Guernsey) (Amendment) Law, 2004.” and request the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the Projet de Loi is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction “The Income Tax (Guernsey) (Amendment) Law, 2004” and to order that it shall have force of law in the Islands of Guernsey and Herm.

“THE COMMITTEE have considered the Projet de Loi and have agreed to report that it may be advisable for Your Majesty to approve and ratify it.”

HER MAJESTY, having taken the Report into consideration, was pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Islands of Guernsey and Herm and shall be entered on the Register of the Island of Guernsey and observed accordingly.

HER MAJESTY'S Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty's Order and to proceed accordingly.

*A. K. Galloway*

# PROJET DE LOI

ENTITLED

## **The Income Tax (Guernsey) (Amendment) Law, 2004**

**THE STATES**, in pursuance of their Resolution of the 10<sup>th</sup> December, 2003<sup>a</sup>, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the islands of Guernsey and Herm.

### **Amendment of 1975 Law.**

1. For section 62 of the Income Tax (Guernsey) Law, 1975, as amended<sup>b</sup>, substitute the following -

#### **“Dividends paid by exempt bodies.**

62. A body which has been granted an exemption from tax in accordance with an Ordinance made under section 40A shall, on making payment of a dividend or distribution to a person resident in Guernsey, furnish such particulars of it as the Administrator may require.”.

### **Citation.**

2. This Law may be cited as the Income Tax (Guernsey) (Amendment) Law, 2004.

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<sup>a</sup> Article I.6 of Billet d'État No. XXVII of 2003.

<sup>b</sup> Ordres en Conseil Vol. XXV, p. 124; section 62 was substituted by Vol. XXXI, p. 473.

**Commencement.**

3. This Law shall have effect, by virtue of the States' resolution of the 26<sup>th</sup> May, 2004<sup>c</sup>, under and subject to the provisions of the Taxes and Duties (Provisional Effect) (Guernsey) Law, 1992<sup>d</sup>, on and after the 1<sup>st</sup> June, 2004.

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<sup>c</sup> Article \*\* of Billet d'État No. \*\* of 2004.

<sup>d</sup> Order in Council No. XI of 1992.