

GUERNSEY STATUTORY INSTRUMENT

2012 No. 15

**The Income Tax (Loans to Participators)  
(Exemptions) (No. 3) (Amendment) Regulations, 2012**

<i>Made</i>	20 <sup>th</sup> March, 2012
<i>Coming into operation</i>	27 <sup>th</sup> June, 2012
<i>Laid before the States</i>	27 <sup>th</sup> June, 2012

**THE TREASURY AND RESOURCES DEPARTMENT**, in exercise of the powers conferred upon it by section 66A(4)(d) of the Income Tax (Guernsey) Law, 1975, as amended<sup>a</sup> ("**the Law**"), and all other powers enabling it in that behalf, hereby makes the following regulations:-

**Amendment of 2008 regulations.**

1. In regulation 4(1) of the Income Tax (Loans to Participators) (Exemptions) (No. 3) Regulations, 2008<sup>b</sup> -

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<sup>a</sup> 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; Vol. XXXII, p. 307; No. IV of 1991; No. VI of 1992; No's IV and VIII of 1993; No. XXV of 1994; No's III and VII of 1995; No. V of 1996; No's IV and XXII of 1997; No. II of 1999; No. IV of 2000; No's. VI and XVII of 2001; No. VII of 2002; No's. IV, XVIII and XXVI of 2003; No's. XII and XVI of 2004; No's. V, VI and XVII of 2005; No's. II and VII of 2006; No. XXI of 2007; the Income Tax (Zero 10) (Guernsey) Law, 2007; and the Income Tax (Zero 10) (Guernsey) (No. 2) Law, 2007. Also amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII). Section 66A was inserted by the Income Tax (Zero 10) (Guernsey) (No. 2) Law, 2007.

<sup>b</sup> G.S.I. No. 78 of 2008.

(a) the words "deductible and" are repealed, and

(b) for "section 81B" substitute "section 66C".

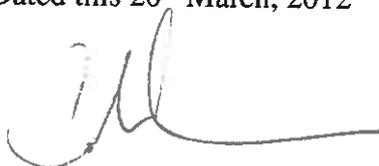
**Citation.**

2. These Regulations may be cited as the Income Tax (Loans to Participators) (Exemptions) (No. 3) (Amendment) Regulations, 2012.

**Commencement.**

3. These Regulations shall be deemed to have come into force on the 27<sup>th</sup> day of June, 2012.

Dated this 20<sup>th</sup> March, 2012



DEPUTY C.N.K. PARKINSON

Minister of the Treasury and Resources Department

For and on behalf of the Department

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**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These Regulations amend regulation 4(1) of the Income Tax (Loans to Participators) (Exemptions) (No. 3) Regulations, 2008 by clarifying that the amount of tax deducted by a company in accordance with section 81B of the Law from a distribution of any

of its undistributed income is not a qualifying loan for the purposes of section 66A of the Law and therefore tax is not payable by the company on that amount in accordance with section 66C.