

GUERNSEY STATUTORY INSTRUMENT

2013 No. 65

**The Income Tax (Loans to Participators)  
(Exemptions) (No. 3) (Amendment) Regulations, 2013**

<i>Made</i>	<i>19<sup>th</sup> November, 2013</i>
<i>Coming into operation</i>	<i>1<sup>st</sup> January, 2014</i>
<i>Laid before the States</i>	<i>29<sup>th</sup> January, 2014</i>

**THE TREASURY AND RESOURCES DEPARTMENT**, in exercise of the powers conferred upon it by sections 66A(4)(d) and 203A 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. Regulation 1 of the Income Tax (Loans to Participators) (Exemptions) (No. 3) Regulations, 2008<sup>b</sup> is repealed.

**Citation.**

2. These Regulations may be cited as the Income Tax (Loans to Participators) (Exemptions) (No. 3) (Amendment) Regulations, 2013.

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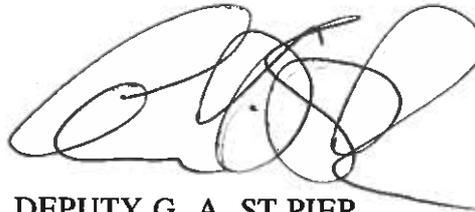
<sup>a</sup> Ordres en Conseil Vol. XXV, p. 124; section 66A was inserted by the Income Tax (Zero 10) (Guernsey) (No. 2) Law, 2007 (No. VI of 2011) and section 203A was inserted by the Income Tax (Guernsey) (Amendment) Law, 2005 (No. XVII of 2005).

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

**Commencement.**

3. These Regulations shall come into force on the 1<sup>st</sup> day of January, 2014.

Dated this 19<sup>th</sup> November, 2013



DEPUTY G. A. ST PIER

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 repeal regulation 1 of the Income Tax (Loans to Participators) (Exemptions) (No. 3) Regulations, 2008 and thereby remove the exemption from the loans to participators regime of Chapter XII of Part IV of the Income Tax (Guernsey) Law, 1975 for loans advanced at a "commercial rate of interest" as defined in that regulation. The effect is that such loans will be qualifying loans for the purposes of section 66A of the Law and tax is deductible at source therefrom and payable by the company in accordance with section 66C.