

Island of



Guernsey

Ordinance of the States

XXXI
2014

Made 24th September, 2014

Coming into Operation 25th September, 2014

The Income Tax (Guernsey) (Approved International Agreements) (Amendment) Ordinance, 2014

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THE STATES, in pursuance of their Resolution of the 11th December, 2013^a, and in exercise of the powers conferred on them by sections 75C, 75Q, 203A and 208C of the Income Tax (Guernsey) Law, 1975 as amended^b and all other powers enabling them in that behalf, hereby order:-

Amendment of 1975 Law.

1. The Income Tax (Guernsey) Law, 1975, as amended, ("**1975 Law**") is further amended as follows.

2. In section 75C(4) of the 1975 Law, in the definition of "**approved international agreement**" for the words "which is made between the States of Guernsey and the government of another territory" substitute ",which is made between the States of Guernsey and the government of another territory, or which is otherwise binding upon Guernsey and governed by international law (including, without limitation, an agreement which has been acceded to or ratified by the United Kingdom on behalf of Guernsey),".

^a Article II of Billet d'État No. XXV of 2013.

^b Ordres en Conseil Vol. XXV, p. 124; sections 75C and 75Q were inserted by section 5 of the Income Tax (Guernsey) (Amendment) Law, 2005 (Order in Council No. XVII of 2005) and section 75C has subsequently been amended by the Income Tax (Guernsey) (Amendment) Ordinance, 2012 (No. XVI of 2002) and the Income Tax (Approved International Agreements) (Implementation) (Guernsey) Ordinance, 2013 (No. I of 2014); sections 203A and 208C were inserted by section 7 of the Income Tax (Guernsey) (Amendment) Law, 2005 (Order in Council No. XVII of 2005) and section 203A has subsequently been amended by the Income Tax (Zero 10) (Guernsey) Law, 2007 (Order in Council No. V of 2011)

Approval of Agreements.

3. (1) The agreements providing for the obtaining, delivery, making available, furnishing and/or exchanging of documents and information in relation to tax made between the States of Guernsey and the Governments of –

- (a) the Republic of Austria, signed on the 14th May, 2014,
- (b) the Kingdom of Belgium, signed on the 24th April 2014, and the 7th May 2014, on behalf of Belgium and Guernsey respectively,
- (c) the Principality of Liechtenstein, signed on the 5th June, 2014, and the 11th June 2014, on behalf of Liechtenstein and Guernsey respectively, and
- (d) Montserrat, signed on the 7th April 2014, and the 19th May 2014, on behalf of Guernsey and Montserrat respectively,

are, pursuant to section 75C of the 1975 Law hereby specified for the purposes of that Law.

(2) The Convention on Mutual Administrative Assistance in Tax Matters is an agreement providing for the obtaining, delivery, making available, furnishing and/or exchanging of documents and information in relation to tax which is governed by international law and is binding upon Guernsey, and is pursuant to section 75C of the 1975 Law hereby specified for the purposes of that Law.

(3) For the purposes of this section, the "**Convention on Mutual**

Administrative Assistance in Tax Matters" means the Joint Council of Europe and the Organisation for Economic Co-operation and Development Convention on Mutual Administrative Assistance in Tax Matters (which entered into force on the 25th January 1988) as amended by the Amending Protocol (which entered into force on the 27th May 2010), which was extended to Guernsey by the United Kingdom on the 17th April 2014 (and which entered into force on the 1st August 2014).

Citation.

4. This Ordinance may be cited as the Income Tax (Guernsey) (Approved International Agreements) (Amendment) Ordinance, 2014.

Commencement.

5. This Ordinance shall come into force on the 25th September, 2014.

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