

ORDER IN COUNCIL

XI
2015

ratifying a Projet de Loi

ENTITLED

The Income Tax (Guernsey) (Amendment) Law, 2015

(Registered on the Records of the Island of Guernsey
on the 22nd June, 2015.)



2015

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of June, 2015 before John Russell Finch, Esquire, Judge of the Royal Court; present:- Susan Mowbray, Barbara Jean Bartie, John Ferguson, David Percy Langley Hodgetts, LVO, Niall David McCathie, Esquires, Margaret Ann Spaargaren, Terry John Ferbrache, Jonathan Grenfell Hooley, Stephen John Morris, Esquires, Jurats.

Judge Finch, having this day placed before the Court an Order of Her Majesty in Council dated 10th June, 2015 approving and ratifying a Projet de Loi entitled “The Income Tax (Guernsey) (Amendment) Law, 2015”, THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Comptroller thereon, ORDERED

1. That the said Order 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 be sent by Her Majesty’s Greffier to the Greffier of the Court of Alderney for registration on the records of that Island.

M A TOSTEVIN
Her Majesty’s Deputy Greffier



At the Court at Buckingham Palace

THE 10th DAY OF JUNE 2015

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 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

“That, in pursuance of their Resolution of 11th December 2013, the States of Deliberation at a meeting on 28th January 2015 approved a *Projet de Loi* entitled the Income Tax (Guernsey) (Amendment) Law, 2015 and requested 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, 2015, 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 and ratify the *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.

Richard Tilbrook

PROJET DE LOI

ENTITLED

The Income Tax (Guernsey) (Amendment) Law, 2015

THE STATES, in pursuance of their Resolution of the 11th December, 2013^a, 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. In section 39D of the Income Tax (Guernsey) Law, 1975, as amended^b -

(a) in the heading to the section the word "business" is repealed, and

(b) for subsection (1)(b)(i) substitute the following subparagraph -

"(i) arose or accrued to the company -

(A) from the carrying on of a business in Guernsey, or

(B) from any other source whatsoever,

including, without prejudice to the generality of this subparagraph and for the avoidance of doubt, investment and other income arising or accruing to an

^a Article IX.9 of Billet d'État No. XXIV of 2013.

^b Ordres en Conseil Vol. XXV, p. 124; section 39D was inserted by the Income Tax (Guernsey) (Amendment) Law, 2009 (No. IX of 2011).

investment company, and".

Citation.

2. This Law may be cited as the Income Tax (Guernsey) (Amendment) Law, 2015.

Commencement.

3. This Law shall have effect, by virtue of the States' resolution of the 28th January, 2015^c, under and subject to the provisions of the Taxes and Duties (Provisional Effect) (Guernsey) Law, 1992^d, on and from the 26th September, 2013, as if it were a Law sanctioned by Her Majesty in Council and registered on the records of the Island of Guernsey.

^c Article I of Billet d'État No. I of 2015.

^d Ordres en Conseil Vol. XXXIV, p. 247.

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