



GUERNSEY STATUTORY INSTRUMENT

2016 No. 62.

**The Income Tax (Guernsey)
(Valuation of Benefits in Kind)
(Amendment) Regulations, 2016**

Made

November, 2016

Coming into operation

1st January, 2017

Laid before the States

, 2016

THE POLICY AND RESOURCES COMMITTEE, in exercise of the powers conferred upon it by sections 8(2)(b) and 203A of the Income Tax (Guernsey) Law, 1975, as amended¹ and all other powers enabling it in that behalf, hereby makes the following regulations:-

Amendment of 2010 Regulations.

1. The Income Tax (Guernsey) (Valuation of Benefits in Kind) Regulations, 2010² are further amended as follows.
2. In regulation 1 for "2014, 2015 or 2016" substitute "2017, 2018 or 2019".
3. In regulation 2(2) for the table appearing beneath subparagraph (d)

¹ Ordres en Conseil Vol. XXV, p. 124; section 8(2)(b) was inserted by No. III of 1995 and amended by Ordinance No. XXXIII of 2003; and section 203A was inserted by No. XVII of 2005.

² G.S.I. No. 4 of 2010; amended by the Income Tax (Guernsey) (Valuation of Benefits in Kind) (Amendment) Regulations, 2013 (No. 89 of 2013).

under the heading "Table 1" substitute the following table -

| Type of motor vehicle | Amount of benefit |
|---|---|
| Motor cycles | Nil |
| Vans, lorries and other commercial vehicles | Nil |
| Cars | £1,185 [for the year of charge 2017] £1,220 [for the year of charge 2018] £1,255 [for the year of charge 2019 and any later year] |

4. In regulation 2(2) for the table appearing beneath the heading "Table 2" substitute the following table -

| Cost of car | Vehicle benefit charge |
|--------------------|---|
| Less than £10,000 | £3,555 [for the year of charge 2017] £3,660 [for the year of charge 2018] £3,770 [for the year of charge 2019 and any later year] |
| £10,000 - £19,999 | £5,925 [for the year of charge 2017] £6,105 [for the year of charge 2018] £6,290 [for the year of charge 2019 and any later year] |
| £20,000 and over | 35% of cost of car [for the relevant year] |

5. In regulation 3 -

- (a) in the heading after "accommodation" insert "and food",
- (b) in paragraph (1) -
 - (i) after "the provision of accommodation" insert "or food",
 - (ii) for "£20" wherever appearing substitute "£25 for the provision of accommodation and £25 for the provision of food", and
 - (iii) after "so accommodated" insert "or fed, as the case may be".

6. In regulation 3(2) for the table substitute the following table -

| Category of hotel or guesthouse as determined by States Committee for Economic Development | Category of individual | Amount of benefit |
|---|---|---|
| 3, 4 & 5 star | Individuals other than children described elsewhere in this table - single person | £2,245 [for the year of charge 2017] £2,310 [for the year of charge 2018] £2,380 [for the year of charge 2019 and any later year] |
| 3, 4 & 5 star | Individuals other than children described elsewhere in this table - married couples | £3,755 [for the year of charge 2017] £3,870 [for the year of charge 2018] £3,985 [for the year of charge 2019 and any |

| | | |
|---------------|--|---|
| | | later year] |
| 3, 4 & 5 star | Children aged less than 1 year at 31 st December in the relevant year | Nil |
| 3, 4 & 5 star | Children aged 1 year or more but less than 5 years at 31 st December in the relevant year | £355 [for the year of charge 2017] £365 [for the year of charge 2018] £375 [for the year of charge 2019 and any later year] |
| 3, 4 & 5 star | Children aged 5 years or more but less than 17 years at 31 st December in the relevant year | £1,010 [for the year of charge 2017] £1,040 [for the year of charge 2018] £1,070 [for the year of charge 2019 and any later year] |
| 3, 4 & 5 star | Children aged 17 years or more at 31 st December in the relevant year and still in formal education | £1,485 [for the year of charge 2017] £1,530 [for the year of charge 2018] £1,575 [for the year of charge 2019 and any later year] |
| 1 & 2 star | Individuals other than children described elsewhere in this table - single person | £1,950 [for the year of charge 2017] £2,010 [for the year of charge 2018] £2,070 [for the year of charge 2019 and any later year] |
| 1 & 2 star | Individuals other than children described elsewhere in this table - married couples | £3,265 [for the year of charge 2017] £3,365 [for the year of charge 2018] £3,465 [for the year of charge 2019 and any later year] |
| 1 & 2 star | Children aged less than 1 year at 31 st December in the relevant year | Nil |
| 1 & 2 star | Children aged 1 year or more but less than 5 years at 31 st December in the relevant year | £355 [for the year of charge 2017] £365 [for the year of charge 2018] £375 [for the year of |

| | | |
|------------|--|---|
| | | charge 2019 and any later year] |
| 1 & 2 star | Children aged 5 years or more but less than 17 years at 31 st December in the relevant year | £875 [for the year of charge 2017] £900 [for the year of charge 2018] £925 [for the year of charge 2019 and any later year] |
| 1 & 2 star | Children aged 17 years or more at 31 st December in the relevant year and still in formal education | £1,300 [for the year of charge 2017] £1,340 [for the year of charge 2018] £1,380 [for the year of charge 2019 and any later year] |

7. In regulation 4 for "Administrator" substitute "Director".

8. In regulation 6 in the definition of "cost of car" for "Administrator" substitute "Director".

Repeal.

9. The Income Tax (Guernsey) (Valuation of Benefits in Kind) (Amendment) Regulations, 2013³ are repealed.

Interpretation.

10. (1) The Interpretation (Guernsey) Law, 1948⁴ applies to the interpretation of these Regulations as it applies to the interpretation of an enactment.

(2) Any reference in these Regulations to an enactment or statutory instrument is a reference thereto as from time to time amended, repealed and replaced (with or without modification), extended or applied.

³ G.S.I. No. 89 of 2013.

⁴ Ordres en Conseil Vol. XIII, p. 355.

Citation.

11. These Regulations may be cited as the Income Tax (Guernsey) (Valuation of Benefits in Kind) (Amendment) Regulations, 2016.

Commencement.

12. These Regulations shall come into force on the 1st January, 2017 and shall have effect in respect of the years of charge 2017, 2018, 2019 and any later year.

Dated this 22nd day of November, 2016



GAVIN A. ST PIER

President of the Policy and Resources Committee

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the regulations)

These Regulations amend the Income Tax (Guernsey) (Valuation of Benefits in Kind) Regulations, 2010 by increasing the value of the benefits from motor vehicles and accommodation and food benefits for the specified categories of taxpayer (for example, proprietary directors and proprietary employees) in a hotel or guesthouse for the years of charge 2017, 2018 and 2019 (and, unless further provision is made, any subsequent year).