

**ORDINANCE**  
**OF THE STATES OF DELIBERATION**

ENTITLED

**The Document Duty (Anti-Avoidance) (Rates) (Amendment)**  
**Ordinance, 2018** \*

*[CONSOLIDATED TEXT]*

**NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* No. XXXIII of 2018; as amended by the Document Duty (Amendment) Ordinance, 2019 (No. \*\* of 2019).

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ARRANGEMENT OF SECTIONS

- 1-2. Amendment of 2017 Ordinance.
3. Transitional relief.
4. Extent.
5. Citation.
6. Commencement.

*(Made on 9th November, 2018.)*

## **The Document Duty (Anti-Avoidance) (Rates) (Amendment) Ordinance, 2018**

**THE STATES**, in pursuance of their Resolution of the 9<sup>th</sup> November, 2018, and in exercise of the powers conferred on them by section 4(1) of the Document Duty (Anti-Avoidance) (Guernsey) Law, 2017<sup>a</sup>, and all other powers enabling them in that behalf, hereby order: –

### **Amendment of 2017 Ordinance.**

1. The Document Duty (Anti-Avoidance) (Rates) Ordinance, 2017<sup>b</sup> is amended as follows.

2. For paragraphs (a) to (e) of section 1(1), substitute the following paragraphs –

- "(a) 2.25% of any part of the value of the transaction not exceeding £250,000, and
- (b) 3.50% of any part of the value of the transaction exceeding £250,000 but not exceeding £400,000, and
- (c) 4.00% of any part of the value of the transaction exceeding £400,000 but not exceeding £750,000, and
- (d) 4.25% of any part of the value of the transaction exceeding £750,000 but not exceeding £1,000,000, and

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**a** Order in Council No. X of 2017; amended by Ordinance No. III of 2018.

**b** Ordinance No. IV of 2018.

- (e) 4.50% of any part of the value of the transaction exceeding £1,000,000 but not exceeding £2,000,000, and
- (f) 5.50% of any part of the value of the transaction exceeding £2,000,000."

**Transitional relief.**

3. (1) Relief in accordance with the following provisions of this section is available on duty paid in connection with a qualifying transaction.

(2) Relief shall consist of a payment to be made by the States Policy & Resources Committee, out of the general revenue of the States, of an amount equal to any difference between the duty paid and that which would have been payable if this Ordinance had not been enacted.

(3) For the purposes of this section –

(a) **"a qualifying transaction"** means –

(i) a chargeable transaction which is executed within the transitional period further to a qualifying agreement, or

(ii) a chargeable transaction which is executed after the expiration of the transitional period but –

(A) such execution is effected further to a qualifying agreement, and

- (B) written notice of the existence of that agreement has, within the transitional period, been given to Her Majesty's Greffier,
- (b) **"a qualifying agreement"** means an agreement –
- (i) entered into prior to 9<sup>th</sup> October, 2018, and
  - (ii) the terms and conditions of which, in the opinion of Her Majesty's Greffier, are or were legally binding on any party to the agreement, and
- (c) **"the transitional period"** means the period commencing on 1<sup>st</sup> January, 2019 and ending on 30<sup>th</sup> June, 2019.

**Extent.**

4. This Ordinance has effect in the islands of Guernsey [...].

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**NOTE**

*In section 4, the words omitted in square brackets were repealed by the Document Duty (Amendment) Ordinance, 2019, section 5(2), with effect from 11th December, 2019.*

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**Citation.**

5. This Ordinance may be cited as the Document Duty (Anti-Avoidance) (Rates) (Amendment) Ordinance, 2018.

**Commencement.**

6. This Ordinance shall come into force on the 1<sup>st</sup> January, 2019.