

ORDINANCE OF THE CHIEF PLEAS OF SARK

Ordinance No. XVI of 2020

The Direct Taxes for 2021 (Sark) Ordinance, 2020

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 19th November, 2020, and in exercise of the powers conferred on them by sections 1, 2(2), 7(a) and (i), 8(2), 10(a), (b), (d) and (h) and 20 of the Direct Taxes (Sark) Law, 2002^a, hereby order:-

Imposition of direct taxes for 2021.

1. In order to raise revenue towards financing the budgeted cost of public purposes which the Chief Pleas have resolved should be provided or undertaken, there are hereby imposed for the financial year ending on 31st December 2021 –

- (a) property tax, and
- (b) personal tax,

in accordance with the Law, the General Provisions Ordinance and this Ordinance.

General rates of property tax for 2021.

2. (1) The rates of property tax for 2021 are –

- (a) in respect of dwellings, £15.00 per quarter,
- (b) in respect of domestic outbuildings, £15.00 per quarter,
- (c) in respect of tourist or guest accommodation, £15.00 per quarter,

^a Order in Council No. VII of 2003; amended by No. VI of 2008; No. XIV of 2015; No. XI of 2016; Sark Ordinance No. VI of 2015; No. XIII of 2018.

- (d) in respect of other commercial buildings, £15.00 per quarter,
- (e) in respect of agricultural buildings, including hay barns, £15.00 per quarter,
- (f) in respect of open land, £Nil per quarter.

(2) If a designation has been assigned to any land, building or part thereof in the Cadastre in accordance with the General Provisions Ordinance, that designation determines the classification of that land, building or part thereof for the purposes of this section.

General rate of personal capital tax for 2021.

3. Subject to sections 4 and 5 of this Ordinance, the rate of personal capital tax for 2021 payable by an individual who does not make an election in accordance with section 8(2)(b) or 8(2)(c) of the Law is 0.39% per pound of that individual's net capital assets.

Minimum and maximum personal capital tax for 2021.

4. (1) The minimum personal capital tax payable by an individual for 2021 is, subject to sections 5 and 6 of this Ordinance and section 10 of the General Provisions Ordinance, £475.00.

(2) The maximum personal capital tax payable by an individual for 2021 is £9,500.00.

Age and infirmity relief.

5. (1) This section applies to an individual who –

- (a) is aged 69 years or above on 31st December 2020, or

- (b) on 1st January 2021 holds a certificate stating that in the opinion of the Sark Medical Officer of Health the individual is permanently unfit to undertake gainful employment.

(2) An individual to whom this section applies is not liable to pay any personal capital tax for 2021 if the value of the individual's net capital assets is £150,000 or less.

Other relief.

6. (1) This section applies to an individual who is aged under 69 years on 31st December 2020 and is liable to pay property tax as possessor of real property which is the principal dwelling of that individual.

(2) An individual to whom this section applies is not liable to pay any person capital tax for 2021 if the value of the individual's net capital assets is £121,795 or less.

"Forfait" factor for 2021.

7. For the purpose of making the calculation required in the case of a person who makes an election in accordance with section 8(2)(b) of the Law, the factor prescribed for 2021 is a factor of 2.5.

Deferred and instalment payments.

8. Notwithstanding section 13(2) of the Law, an individual may elect in writing, at the same time as delivering to the Assessor the individual's own declaration and calculation of the direct tax(es) which the individual is liable to pay, or within 14 days of service upon the individual of an assessment under section 14 of the Law, to pay the individual's property tax and/or personal capital tax for 2021 –

- (a) in one lump sum, and less a discount of 2.5%, on or before 28th January 2021,

- (b) by four equal payments, on or before 28th January, 28th April, 28th July and 28th October 2021, or
- (c) by not more than nine equal monthly payments commencing on or before 28th January, 2021.

Interpretation and construction.

9. (1) In this Ordinance –

"2021" means the financial year ending on 31st December 2021,

"employment" includes self-employment,

"the Law" means the Direct Taxes (Sark) Law, 2002,

"the General Provisions Ordinance" means the Direct Taxes (General Provisions) (Sark) Ordinance, 2003,

and other words and expression used in this Ordinance have the same meanings as they have in the Law.

(2) This Ordinance, the General Provisions Ordinance and the Law are to be construed as one.

Citation.

10. This Ordinance may be cited as the Direct Taxes for 2021 (Sark) Ordinance, 2020.