

The Income Tax (Guernsey) (Amendment) Ordinance, 2023

THE STATES, in pursuance of their Resolutions of the 23rd November, 2023^a, and in exercise of the powers conferred on them by sections 39A, 40B, 203A and 208C of the Income Tax (Guernsey) Law, 1975^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of 1975 Law.

1. The Income Tax (Guernsey) Law, 1975 is further amended as follows.
2. After section 40(oo) insert the following paragraph –

"(pp) payments made to an individual ("A") for the provision of accommodation in a building situated in Guernsey and occupied by A which is A's principal dwelling, where -

- (i) the individuals being accommodated are officials, competitors, performers and other accredited persons participating in, or providing necessary support and ancillary services to, a large event (for example, the Island Games),

^a Article 1 (propositions 5, 6, 7, 8, 9, 11 and 12) of Billet d'État No. XVIII of 2023.

^b Ordres en Conseil Vol. XXV, p. 124; the Law has been amended.

- (ii) the large event has been designated for the purposes of this paragraph in a statement of practice issued under section 204 in cases where there is expected to be an insufficiency of visitor accommodation in Guernsey during the period of the event,
- (iii) the accommodation is provided only during the period of the event and any reasonable period, specified in the statement of practice, immediately before and after the event, and
- (iv) the building is not otherwise used by A for letting."

3. In paragraph 1 of the Sixth Schedule –

- (a) for "£150,000" in both places appearing substitute "£160,000",
and
- (b) for "£300,000" in both places appearing substitute "£320,000".

4. In paragraph 2 of the Sixth Schedule for "£50,000" substitute "£65,000".

5. In paragraph 3 of the Sixth Schedule –

- (a) in subparagraph (i) after "(the relevant purchase)," and before the word "and" insert the following proviso –

"Provided that, on and from the 1st January, 2024 –

- (A) an individual ("A") shall be deemed for the purposes of this subparagraph to have paid £50,000 or more in document duty in respect of the purchase of a property on Part A of the Open Market Register if A has paid £50,000 or more in anti-avoidance duty under the provisions of the Document Duty (Anti-Avoidance (Guernsey) Law, 2017 in respect of a relevant transaction (within the meaning of that Law) conferring on A a significant benefit (also within the meaning of that Law) arising from, or relating to, that property,
 - (B) that property is owned by a company which is limited by shares and the relevant transaction consists of a transfer of the legal or beneficial ownership of all of the shares of that company,
 - (C) references in this paragraph to the relevant purchase shall include references to a relevant transaction described in (A) and (B), and
 - (D) the Policy and Resources Committee may by regulation amend this Proviso," and
- (b) for "£50,000" in the second place appearing substitute "£60,000".

Amendment of 1989 Exempt Bodies Ordinance.

6. In section 5(1) of the Income Tax (Exempt Bodies) (Guernsey) Ordinance, 1989^c, for "£1,200" substitute "£1,600".

Amendment of 2007 Tax Relief Ordinance.

7. In the table in section 1(2)(b)(ii) of the Income Tax (Tax Relief on Interest Payments) (Guernsey) Ordinance, 2007^d -

- (a) for the entry in column 1 in respect of the year of charge 2024 ("2,000") substitute "3,500",
- (b) for the entry in column 1 in respect of the year of charge 2025 ("1,000") substitute "2,000",
- (c) immediately after the entries in respect of the year of charge 2025 insert new entries of "£1,000" and "2026" in columns 1 and 3 respectively,
- (d) in column 3 for "2026 and subsequent years of charge" substitute "2027 and subsequent years of charge".

Citation.

8 This Ordinance may be cited as the Income Tax (Guernsey) (Amendment) Ordinance, 2023.

^c Recueil d'Ordonnances Tome XXV, p. 106; the Ordinance has been amended.

^d Ordinance No. I of 2008; the Ordinance has been amended.

Commencement.

9. This Ordinance shall come into force on the 1st January, 2024.