

# STATES OF JERSEY



Jersey

## **DRAFT TAXATION (INCOME TAX, GOODS AND SERVICES TAX AND REVENUE ADMINISTRATION) (AMENDMENT) (JERSEY) LAW 202- (P.51/2021): THIRD AMENDMENT**

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**Lodged au Greffe on 23rd August 2021  
by the Minister for Treasury and Resources  
Earliest date for debate: 14th September 2021**

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**STATES GREFFE**



DRAFT TAXATION (INCOME TAX, GOODS AND SERVICES TAX AND  
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**1 PAGE 22, ARTICLE 12 –**

In Article 12, in the inserted Article 24(2)(a), for “5” substitute “4”.

**2 PAGE 28, ARTICLE 34**

In Article 34(2), in the inserted Article 19(3)(b), for “is a person” substitute “is an individual”.

MINISTER FOR TREASURY AND RESOURCES

## REPORT

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This amendment to the [Draft Taxation \(Income Tax, Goods and Services Tax and Revenue Administration\) \(Amendment\) \(Jersey\) Law 202-](#) (the “Taxation Amendment Law”) contains two minor changes to the proposition.

### **Amendment to Article 12**

Under the existing law, the Comptroller has 5 years *from the end of the year of assessment* to make an amendment to an assessment or make an additional assessment if it is discovered that the correct amount of tax has not been charged.

The original proposition in Article 12 of the Taxation Amendment Law reduces that time limit to 2 years in most cases but retains the 5 year limit where there has been carelessness on the part of the taxpayer. The starting point for the longer period is either (a) the tax return due date, or (b) the date of filing, whichever is the later date. When compared to the starting point in the current rule (“from the end of the year of assessment”) the proposed amendment would provide an extension of up to 12 months for the Comptroller to act.

This amendment reduces the limit to 4 years, resulting in time limits that are closer to existing rules and in keeping with the intention of the amendment, which is to provide compliant taxpayers with greater certainty.

### **Amendment to Article 34**

The word ‘person’ is changed to ‘individual’. This clarifies that the clause that removes certain individuals from the repayment interest regime does not inadvertently remove companies from that regime. This is consistent with the amendments made by Articles 32 and 33 of the draft Taxation Amendment Law.

### **Financial and manpower implications**

There are no financial or manpower implications for the States arising from the adoption of this amendment.