

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,930 of 1st August, 1996.

LEGAL NOTICE NO. 81 of 1996.

INCOME TAX ORDINANCE

**INCOME TAX (ALLOWANCES, DEDUCTIONS AND
EXEMPTIONS) (AMENDMENTS) RULES 1996**

In exercise of the powers conferred on me by section 37A of the Income Tax Ordinance, and of all other enabling powers, I have made the following rules.

Title and Commencement.

1. These Rules may be cited as the Income Tax (Allowances, Deductions and Exemptions)(Amendments) Rules 1996 and shall be deemed to have come into effect on 1st July, 1996.

Amendment to the Income Tax (Allowances, Deductions and Exemptions) Rules 1992.

2. The Income Tax (Allowances, Deductions and Exemptions) Rules 1992 (hereinafter referred to as "the principal Rules") are amended as follows;

Amendment to Rule 6.

3. Rule 6 of the principal Rules is amended in sub-rule (1) and the proviso thereto by omitting the sum of "£1450" and substituting therefor the sum of "£1650".

Amendment to Rule 7.

4.(1) Rule 7 of the principal Rules is amended in sub-rule (1) and the proviso thereto by omitting the sum of "£1350" and substituting therefor the sum of "£1550";

(2) Rule 7 of the principal Rules is amended in the proviso to sub-rule (1) by omitting the expression "on or after the 1st day of July 1995";

(3) Rule 7 of the principal Rules is amended in sub-rule (2) by omitting the sum of "£1450" and substituting therefor the sum of "£1650".

Amendment to Rule 12.

5. Rule 12 of the principal Rules is amended by omitting the sum of “£1350” and substituting therefor the sum of “£1550”.

Amendment to Rule 16.

6. Rule 16 of the principal Rules is amended in sub-rule (1) by-

(a) omitting the sum of “£450” at paragraph (a) and substituting therefor the sum of “£510”;

(b) omitting the sum of “£320” at paragraph (b) and substituting therefor the sum of “£360”.

Amendment to Rule 18

7. (1) Rule 18 of the principal Rules is amended by omitting the sum of “£1450” and substituting therefor the sum of “£1650”.

(2) Rule 18 of the principal Rules at paragraph (a) in the proviso thereto by omitting the sum of “£1300” and substituting therefor the sum of “£1500”.

New Rule 14A

8. The principal Rules are amended by inserting after Rule 14 the following new Rule-

“Nursery school allowance

14A(1) An ordinarily resident individual who proves to the satisfaction of the Commissioner that in any year of assessment-

(a) he has a child who reached the age of three years old-

(i) on the 31 August in that year of assessment, or

(ii) in the twelve months immediately preceding the 31 August in that year of assessment, and

- (b) subject to (2) below, the child in (a) above attends an independent nursery school in Gibraltar for the full school year ending in the year which immediately follows the year of assessment,

shall be entitled to claim for that year of assessment an allowance in the amount of £500.

(2) Where a child described in (1)(a) above-

- (a) attends an independent nursery school for part but not all of the school year provided for in (1)(b), and

- (b) the Commissioner is satisfied that the failure to attend for the full school year is caused by,

- (i) the long term illness or death of the child, or

- (ii) genuine hardship on the behalf of the parents,

the Commissioner may, at his discretion, allow a proportion of the allowance in (1) above which he considers appropriate given all the circumstances and in particular the length of attendance during the school year.

(3) For the purposes of this Rule-

“independent nursery school” shall mean a school, other than a government school which-

- (i) is used mainly for the purpose of providing education for children who have not started primary education, and

- (ii) is registered under section 11 of the Education Ordinance, and

- (iii) is accessible to the public at large, and

(iv) provides an education service comparable to that provided in a government nursery school, and

(v) charges a fee for the provision of education which the Commissioner is satisfied represents the market value of the service provided.

“school year” shall have the meaning ascribed to it in the Education Ordinance.”

Dated this 1st day of August, 1996.

M. J. Robinson,
Acting Governor.