

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 2,937 of 5th September, 1996.**

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LEGAL NOTICE NO. 87 OF 1996

**INCOME TAX ACT**

**INCOME TAX (ALLOWANCES, DEDUCTIONS AND  
EXEMPTIONS) (AMENDMENT) (NO.2) RULES 1996**

In exercise of the powers conferred on him by section 37A of the Income Tax Act and of all other enabling powers, the Governor has made the following rules -

**Title and commencement**

1. These rules may be cited as the Income Tax (Allowances, Deductions and Exemptions) (Amendment) (No.2) Rules 1996 and shall come into force on the 5th day of September, 1996.

**Amendment to rule 22 of the Income Tax (Allowances, Deductions and Exemptions) Rules 1992**

2. Rule 22 of the Income Tax (Allowances, Deductions and Exemptions) Rules 1992 shall be amended -

(a) in sub-rule (1), by inserting after "Subject to sub-rules (2)" the following reference " ; (2A)",

(b) by omitting sub-rule (2) (d),

(c) by inserting after sub-rule (2) the following sub-rule -

"(2A) Sub-rule (1), save for paragraphs (c) and (d) thereof, shall not apply in circumstances where any person, within 12 months of first claiming relief on interest payments under sub-rule (1), sells, gifts, disposes of or otherwise fails or ceases to occupy, the property concerning which that loan has been obtained; provided that -

(a) the provisions of this sub-rule shall not apply where the person claiming the said relief ceases by way of death to occupy such a property and that property continues to be occupied by the deceased's spouse, and that

(b) the Commissioner may, at any time, make an amended or additional assessment to bring the amounts of any relief granted contrary to the provisions of this sub-rule to charge pursuant to section 74 of the Act.",

(d) by inserting after sub-rule (5) the following sub-rule -

"(7) In this rule "occupy" shall mean occupy as the only or main place of residence in Gibraltar, and "occupation" shall be construed accordingly."

Dated this 5th day of September, 1996

By command,

E. MONTADO,

Acting Deputy Governor.