

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4780 GIBRALTAR Thursday 12th November 2020

LEGAL NOTICE NO. 396 OF 2020

INCOME TAX ACT 2010

INCOME TAX (ALLOWANCES, DEDUCTIONS AND EXEMPTIONS) (AMENDMENT) RULES 2020

In exercise of the powers conferred on him by sections 24, 25 and 72 of the Income Tax Act 2010, and all other enabling powers, the Minister has made the following Rules—

Title.

1. These Rules may be cited as the Income Tax (Allowances, Deductions and Exemptions) (Amendment) Rules 2020.

Commencement.

2. These Rules shall be deemed to have come into operation on the 1st July 2019.

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

3.(1) The Income Tax (Allowances, Deductions and Exemptions) Rules, 1992 are amended in accordance with the provisions of this rule.

(2) In rule 3(46) for “£5,285” substitute “£5,395”.

(3) In rule 6(1) for “£3,385” substitute “£3,455”.

(4) In rule 7 for “£3,385” substitute “£3,455” in the two places where it occurs.

(5) In rule 7A for “£9,285” substitute “£9,475”.

(6) In rule 8 for “£1,165” substitute “£1,190” in the two places where it occurs.

(7) In rule 9 for “£1,325” substitute “£1,355”.

(8) In rule 12 for “£5,575” substitute “£5,690”.

(9) For rule 14A substitute the following –

“Nursery school allowance.

14A.(1) An ordinarily resident individual who proves to the satisfaction of the Commissioner that in a year of assessment he has a child who attends an independent nursery school in Gibraltar shall be entitled to claim for that year of assessment, subject to rule (2), an allowance up to the amount of £5,400 per child.

(2) An allowance claimed under rule (1) shall be restricted to the aggregate amount paid by the individual in that year towards the attendance of their child in that independent nursery school.

(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;
- (ii) is registered under section 11 of the Education and Training Act;
- (iii) is accessible to the public at large;
- (iv) provides an education service comparable to that provided in a government nursery school, and
- (iv) 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 and Training Act.”.

(10) In rule 16A(2)-

- (a) for “£12,370” substitute “£12,510”; and
- (b) for “£3,385” substitute “£3,455” in the two places where it occurs.

(11) In rule 16B for “£11,200” substitute “£11,450” in the two places where it occurs.

(12) In rule 16C for “£4,273” substitute “£4,343” in the two places where it occurs.

(13) In rule 16E-

- (a) in subrule (1) for “£11,200” substitute “£11,450”;
- (b) in subrule (2) for “£11,200” substitute “£11,450”;
- (c) in subrule (3) for paragraph (a) substitute-

“(a) where an individual has income exceeding £11,451 but does not exceed £12,868 (income range), L is £11,151 and T0 is £567.20;”.

(14) In rule 17 for “£5,285” substitute “£5,395”.

(15) In rule 18-

(a) for “£3,385” substitute “£3,455”;

(b) for “£215” substitute “£220”;

(c) for “£3,060” substitute “£3,120”;

(d) for “£325” substitute “£335”.

(16) In rule 20A(1) for “£5,285” substitute “£5,395”.

Dated: 12th November 2020.

F R PICARDO,
Minister with responsibility for public finance.

EXPLANATORY MEMORANDUM

The Income Tax (Allowances, Deductions & Exemptions) Rules, 1992 are amended in order to give effect to the Government’s budget measures of 2019.