

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4976 GIBRALTAR Thursday 7th July 2022

---

---

LEGAL NOTICE NO. 173 OF 2022

## INCOME TAX ACT 2010

### QUALIFYING (CATEGORY 2) INDIVIDUALS (AMENDMENT) RULES 2022

In exercise of the powers conferred upon him by sections 24, 25 and 72 of the Income Tax Act 2010, and section 41A of the Income Tax Act, and all other enabling powers, the Minister has made the following Rules-

#### **Title.**

1. These Rules may be cited as the Qualifying (Category 2) Individuals (Amendment) Rules 2022.

#### **Commencement.**

2. These Rules come into operation on the day of publication.

#### **Amendment of 2004 Rules.**

3.(1) The Qualifying (Category 2) Individuals Rules 2004 are amended in accordance with this rule.

(2) In rule 7(3)(c)(i)(aa) for "cetificate" substitute "certificate".

(3) For rule 8 substitute-

#### **"Advance payment of tax and application fee.**

8.(1) The application for a certificate to be issued under rule 6 must be accompanied by-

(a) a non-refundable application fee of £1,000; and

(b) a refundable advance payment equivalent to the maximum amount of tax as set out in rule 9(4)(a).

(2) Any Category 2 Individual in receipt of a valid certificate issued under rule 6 must make an advance payment of tax equal to the maximum amount of tax as set out in rule 9(4)(a) by not later than 30 November 2022.

- (3) The advance payment of tax shall be refundable-
  - (a) if an application made under rule 6 is rejected; or
  - (b) upon a certificate issued under rule 6 being relinquished or surrendered.
- (4) Any refund made under subrule (3)(b) shall be after the deduction of any outstanding tax in accordance with these rules.”.

(4) In rule 9(4)-

- (a) in paragraph (a) for “£105,000” substitute “£118,000”;
- (b) in paragraph (b) for “£32,000” substitute “£37,000”;
- (c) in paragraphs (c) and (d) for “£2,666.67” substitute “£3,083.33” on both occasions that figure appears.

Dated: 7<sup>th</sup> July 2022.

F R PICARDO,  
Minister with responsibility for Public Finance.

---

### EXPLANATORY MEMORANDUM

These Rules amend the Qualifying (Category 2) Individuals Rules 2004 in line with the measures announced by the Chief Minister in his budget address in 2022.