



Jersey

GOODS AND SERVICES TAX (AMENDMENT No. 3) (JERSEY) LAW 2011

Arrangement

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GOODS AND SERVICES TAX (AMENDMENT No. 3) (JERSEY) LAW 2011

A LAW to amend further the Goods and Services Tax (Jersey) Law 2007.

Adopted by the States

10th December 2010

Sanctioned by Order of Her Majesty in Council

12th October 2011

Registered by the Royal Court

21st October 2011

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

1 Interpretation

In this Law “principal Law” means the Goods and Services Tax (Jersey) Law 2007¹.

2 Article 6 amended

For Article 6(4) of the principal Law, there shall be substituted the following paragraph –

“(4) Despite paragraph (1), the disposition (whether or not in connection with its reorganization or winding up) of a business as a going concern shall not be chargeable to GST if, at the time when the disposition takes effect, the party whose business is disposed of and the party to whom the business is disposed of are both registered persons.”.

3 Article 17 amended

For Article 17(6) there shall be substituted the following paragraph –

“(6) If a business carried on by a taxable person is transferred to another person as a going concern and both the transferor and the

transferee are registered persons, then except to the extent that the States by Regulations otherwise provide –

- (a) if the transferor and the transferee so agree, and so notify the Comptroller, any obligation, duty, or liability, under a provision of this Law or the Regulations (other than any liability for a penalty tax or surcharge or any criminal liability), of the transferor shall become an obligation, duty, or liability, of the transferee; and
- (b) any right of either the transferor or the transferee to repayment or credit in respect of GST may be satisfied by repayment or credit to the other.”.

4 Article 74 amended

For Article 74(1) and (2) of the principal Law there shall be substituted the following paragraphs –

- “(1) If a person fails to pay an amount of GST on time the person shall be liable to pay a surcharge of 2.5% of the amount.
- (2) If a person fails to furnish on time a return that is required by or under this Law in respect of a prescribed accounting period that applies to the person, the person shall be liable to pay a surcharge of £50 on the amount of GST that the person is required to pay in respect of that period.”.

5 Schedule 2 amended

In paragraph 8(2)(a) of Schedule 2 to the principal Law, for the amount “£10” there shall be substituted the amount “£100”.

6 Citation and commencement

- (1) This Law may be cited as the Goods and Services Tax (Amendment No. 3) (Jersey) Law 2011.
- (2) This Law shall come into force on 1st January 2011.

M.N. DE LA HAYE

Greffier of the States

¹ *chapter 24.700*