



Jersey

INCOME TAX (AMENDMENT OF LAW – TAXATION OF CANNABIS COMPANIES) (JERSEY) REGULATIONS 2021

Made

24th November 2021

Coming into force

1st January 2022

THE STATES make these Regulations under Article 143AA of the [Income Tax \(Jersey\) Law 1961](#) –

1 [Income Tax \(Jersey\) Law 1961](#) amended

These Regulations amend the [Income Tax \(Jersey\) Law 1961](#).

2 Article 123C (non-financial services companies) amended

(1) For the heading to Article 123C there is substituted –

“123C Tax rate for companies”.

(2) After Article 123C(1)(b)(iii) there is inserted –

“(iv) a company in the cannabis industry (as defined in Article 123DA).”.

3 Article 123DA (companies in the cannabis industry) inserted

After Article 123D there is inserted –

“123DA Companies in the cannabis industry

(1) A company is in the cannabis industry for the purpose of Article 123C(1)(b)(iv) if it carries on one or more of the following activities –

- (a) cultivates cannabis plants;
- (b) processes cannabis plants for any purpose;
- (c) distributes, sells or further processes cannabis plants that have been cultivated or processed under paragraph (a) or (b) by a connected company.

- (2) In this Article –
- “cannabis plant” –
- (a) has the meaning given to cannabis by Article 1(1) of the [Misuse of Drugs \(Jersey\) Law 1978](#); but
 - (b) does not include industrial hemp;
- “industrial hemp” means a cannabis plant with a tetrahydrocannabinol content not exceeding 0.2%, cultivated for the purpose of using only –
- (a) the mature stalk of the plant;
 - (b) fibre produced from the mature stalk of the plant; or
 - (c) the seed of the plant.”.

4 Citation and commencement

These Regulations may be cited as the Income Tax (Amendment of Law – Taxation of Cannabis Companies) (Jersey) Regulations 2021 and come into force on 1st January 2022.