



# STATES OF GUERNSEY INCOME TAX

TREASURY AND RESOURCES DEPARTMENT

**PRESS NOTICE – 9 APRIL 2013**

**FOR IMMEDIATE RELEASE**

**THE GUERNSEY DISCLOSURE FACILITY (GDF)**

**PERSONS WHO MAY HAVE UNDISCLOSED UK TAX LIABILITIES.**

Following the signing of a Memorandum of Understanding (MOU) between HM Revenue & Customs (HMRC) and the Government of Guernsey, HMRC has agreed to make available a disclosure facility, called the Guernsey Disclosure Facility (GDF), from 6 April 2013 until 30 September 2016. Persons eligible to participate in the GDF will be able to apply the terms of the facility to regularise their UK tax affairs with HMRC.

The facility has been introduced by HMRC to help UK taxpayers with investments in Guernsey, and who may have irregularities in respect of their UK tax affairs, to approach HMRC and put their past and future tax affairs on the right footing.

In accordance with the terms of the MOU, the Director will shortly be notifying Guernsey Financial Intermediaries that they should contact all current clients who may be able to take advantage of the terms of the GDF before 31 December 2013 in order to make them aware of the facility.

The full terms of the GDF are contained in the MOU and a Frequently Asked Questions Guide is also being prepared in conjunction with HMRC. This and further information (including the relevant contact details of the specific "GDF Helpdesk" that is being set up by HMRC) can be found on the following link: <http://www.gov.gg/article/106881/Guernsey-Disclosure-Facility-GDF> (the FAQ Guide will be added to the website as soon as it is available). Contact should be made with HMRC, not the Guernsey Income Tax Office, concerning the GDF.

**PERSONS WHO MAY HAVE UNDISCLOSED GUERNSEY TAX LIABILITIES**

The Director wishes to clarify that the GDF is only available for UK taxpayers and is not available, nor is it applicable, to Guernsey residents in respect of their Guernsey income tax liabilities.

Under the terms of an Intergovernmental Agreement, between Guernsey and the UK, that it is expected should be signed shortly, the Guernsey Income Tax Office will receive details of investments made in the UK by Guernsey residents. It may be the case, therefore, that there are some Guernsey taxpayers who will be discovered, by the Guernsey Income Tax Office, to have undisclosed tax liabilities in relation to these investments. That is why the Director is taking this opportunity to advise any taxpayer who has concerns that they may have submitted income tax returns which are incorrect or incomplete, or have failed to give notice of liability to Guernsey income tax, to contact the Income Tax Office and discuss their concerns with a member of staff within the Compliance & Investigation Unit (CIU). If their tax affairs are not already under enquiry by the Director, they may be able to take advantage of the provision in the Income Tax Law to correct their tax affairs without incurring a penalty (although late payment surcharges would continue to be payable, if applicable).

Any taxpayers who have irregularities with their tax affairs, and who are currently subject to enquiries by the Director, are also encouraged to contact CIU to make a full and complete disclosure of all irregularities, as an early disclosure will influence the amount of any penalty the Director may impose.

The relevant contact details for anyone who may wish to discuss possible irregularities with their Guernsey income tax liabilities are:

Telephone: 724711 (and ask to speak to a member of staff in the CIU)

E-mail: [enquiries@tax.gov.gg](mailto:enquiries@tax.gov.gg) (and include in the subject line "Disclosure to CIU")

In writing: The Director  
Income Tax Office  
PO Box 37  
2, Cornet Street  
St Peter Port  
Guernsey  
GY1 3AZ (and head the letter "Disclosure to CIU")

**ENDS**

**Issued by and contact for media enquiries:**

Nigel Garland, Deputy Director (Compliance & International), Income Tax Office (tel: 710495)