



STATES OF GUERNSEY

Personal Tax, Pensions and Benefits

*A joint review by the Social Security and Treasury and Resources
Departments*

Public Consultation – Part A

Summary and questions

8 April 2013

This document is important because...

We need your opinions on the long term future of personal tax and social security benefits in Guernsey. These are complex and difficult matters and the two States Departments responsible will be making recommendations on the best way forward. This consultation is your chance to give your views. Please consider your answers carefully.

But please understand...

A number of the ideas presented make sense only if we use examples. Different tax options are mentioned and illustrated with example rates to demonstrate the effects they would have on our public finances and on people with different incomes. These are examples only. No decisions have been made yet on what proposals will be brought forward. Final proposals may not reflect any one example in isolation. We can make recommendations only after we hear what you have to say.

The deadline for submission of responses to this consultation is **31 May 2013**.

Instructions on how to respond are provided on the back page of this document.

1. Introduction

The Treasury and Resources and Social Security Departments have committed to review Guernsey's¹ personal tax, Social Insurance, old-age pension and benefits systems. Their objectives are:

- *to ensure the long term sustainability of public finances and services and*
- *to ensure a greater degree of equity in the system.*

This consultation document seeks to:

- encourage informed public discussion about the options available for revising the personal tax, pensions and benefits systems;
- communicate and explain the workings of the current systems;
- outline examples of how the systems could be revised to meet the objectives of the review;
- gauge public opinion on:
 - the maximum amount the States should spend on public services, pensions and benefits;
 - the appropriate limit on the amount of money that should be taken out of the local economy to fund this expenditure;
 - the maximum amount of this which should be generated by personal taxes.

To be able to balance the books in the long term, the States must overcome two challenges; clearing a short term budget deficit, and maintain a long-term balance in light of the projected increase in the cost of caring for an ageing population.

Guernsey's current fiscal deficit is 1.6% of GDP²; relatively small compared to the OECD³ average of 5.5%. The deficit is a result of the introduction of the zero/10 corporate tax system in 2008, which reduced corporate tax receipts by £70m a year. Zero/10 was introduced to maintain a corporate tax system which is competitive, sustainable and in line with international standards.

In addition, global economic conditions have been poor since 2009. This has hampered the Island's economic growth, restricting the anticipated natural growth in public revenue which would have narrowed the deficit. In the era following the global financial crisis, it is likely that economic growth rates in Guernsey (and most developed economies) will remain lower than their pre-recession average. It is unlikely that natural revenue growth alone will be sufficient to clear the deficit in the near future.

Several measures have been introduced which have, or will, reduce the short term deficit including: reducing the revenue subsidy to Social Security in 2007/08; increasing tax on real property in 2008; extending the 10% corporate tax rate in 2013; and the States' Financial Transformation Programme ('FTP') which is to be completed by the end of 2014.

Long term pressures on expenditure are projected as a result of the ageing of the population. These pressures include substantial increases in pensions, health and long term care costs. Research published by Policy Council⁴ stated that:

'What is apparent from the projections is that either revenue must rise as a share of GDP, or projected spending must fall—or some combination of the two outcomes must be achieved to ensure the States remains in balance over the projected period.'(to 2040)

There are limited options available for raising additional public revenues. The measures presented above may successfully remove the short term deficit but they will not be sufficient to meet the projected demand for public services in the long term.

Most public policy decisions require a compromise; with taxation this compromise is usually between efficiency and fairness. In our small, open economy, which is reliant on attracting international business, the competitive effects of our tax system must also be considered.

This consultation is the initial stage of a review process to be phased over the next two years. This first stage aims to provide immediate measures for inclusion in this year's Budget, with further measures to be considered in the second stage of the review process. Part A of the consultation document contains the questions asked in this public consultation, together with a brief summary of the principles and issues surrounding personal tax, pensions and benefits in Guernsey. Part B contains more detailed analysis of the issues and examples highlighted in Part A.

We look forward to receiving comments and feedback from all parties: the public; representative bodies; and interest groups.

Deputy Allister Langlois	Deputy Gavin St Pier
Minister	Minister
Social Security	Treasury & Resources

¹ In this context Guernsey refers to both Guernsey and Alderney

² A measure of the size of the Island's economy

³ Tax and economic growth, OECD, Economics department working paper no.620, July 2008

⁴ [Potential long-term implications of demographic and population change on the demand for and costs of public services, Policy Council, March 2012](#)

2. Principles of the review

As set out in the introduction, public policy choices are constrained. The role of politicians as policy makers is to decide which policies they believe maintain the best and most appropriate balance between the needs and wants of the local population and what is practical and possible in the local and global context.

The objective of the review of the personal tax and benefits regime is to strike the right balance between:

- Fairness
- Efficiency
- Sustainability

In the taxation environment the key trade off involved is usually between fairness and efficiency.

2.1. Fairness

Fairness in a taxation system is inherently subjective though can be measured by the following characteristics:

Progressive – where the percentage of tax paid rises with rising income;

Proportional – where the percentage of tax paid remains constant as income rises;

Regressive – where the percentage of tax paid decreases as income rises.

There is no 'right' or 'wrong' answer to the fairest mix of characteristics.

2.2. Efficiency

Efficiency is generally viewed in economic terms although administrative efficiency must be considered. Taxes generally affect behaviour. For example, a high excise tax on a specific type of item may change how much of that type of item you buy. An economically efficient tax is one which has little effect on behaviour. Inefficient taxes have a significant impact on behaviour and can be economically harmful.

Welfare payments can also have significant impact on behaviours and impact economic efficiency. A well designed and efficient welfare system should encourage those who are able to work to seek employment. A poorly designed and inefficient welfare system discourages those on welfare from seeking paid employment, effectively trapping households in poverty.

Efficient tax regimes support growth; inefficient regimes can have harmful effects. Thus to support the economy a tax regime should be as efficient as possible. The Organisation for Economic Co-operation and Development ('OECD') ranks the following four taxes in order of efficiency (with the most efficient first):

- Property tax
- Consumption tax
- Personal income tax
- Corporate tax

2.3. Sustainability

Both revenues and expenditure must remain sustainable. If the States is to fulfil its commitment to maintaining permanent balance⁵ (i.e. not spending more than is received in revenues in the long term) it cannot commit to expenditures it cannot afford. Neither would it be wise to adopt a system in which revenues are too volatile in nature as this would leave public income vulnerable during periods of recession.

The first Fiscal and Economic Plan⁶ identified the private sector as the driver of economic growth in Guernsey and clearly stated that one of the roles of fiscal policy is to maintain a competitive environment for the private sector. Guernsey is an island physically, but it is not economically isolated. Our current economic success is founded on providing tax neutrality for services exported to the rest of the world.

We cannot risk putting ourselves out of business by imposing high costs on mobile capital, firms or labour, particularly when we face competition on a global scale. Imposing taxes that impair our competitive position could result in these businesses (which currently employ a significant proportion of the population) choosing to locate in, or relocate to, more competitive jurisdictions. This would be detrimental to our economy and ultimately reduce revenues and increase costs.

A sustainable system should not be subject to continual significant change and review. Fiscal certainty and stability are essential to an economy such as ours, which needs to be competitive in a fierce global environment.

⁵ Maintaining permanent balance was one of the commitments made as part of the Fiscal Framework agreed in 2009.

⁶ Available to download from: www.gov.gg/article/1898/Fiscal-Economic-Policy-Corporate-Policy-Plan

3. Consultation summary and questions

This section contains a summary of all the questions posed in this consultation. For ease of use, these questions are presented here with a minimal amount of background information. Additional information is provided in Part B of the consultation document, which outlines the context of the questions in more detail and provides additional analysis you may wish to consider in your response. *Space has been provided for your response to each question at the end of this document.*

Following the introduction of zero/10 in 2008 the level of States' general revenue (income from taxation sources) fell and, as a result, the States currently has a general revenue deficit – i.e. it is currently spending more than it receives⁷.

The size of the current deficit (which is often called the 'black hole') is less than was predicted in 2009. The States has employed three mechanisms for reducing the deficit:

- increasing tax on immovable property (TRP) and other indirect taxes;
- reducing the revenue subsidy paid to Social Security and increasing the Social Insurance contributions paid by employers and mid- to high-earning individuals to compensate; and
- reducing States expenditure through the Financial Transformation Programme ('FTP') which aims to introduce annual savings by transforming the delivery of services so they are more efficient.

The first and second of these measures are now complete. The FTP programme aims to achieve its objective of introducing savings of £31m per annum by the end of 2014. Following the completion of the corporate tax review in 2012, the States also extended the 10% rate of corporate tax to capture trust, domestic insurance and insurance management activities in 2013.

However, in the long-term Guernsey faces increased expense as a result of the ageing of the population and this cannot be solved by these measures alone. As illustrated in a Policy Council report⁸ published in March 2012, over the next 40 years the number of people over the age of retirement is expected to

almost double, resulting in greater demand on pensions and healthcare services. In addition, the States does not presently have spare revenues to fund new public services if there is public demand for them (for example, improved childcare services or more support for small businesses).

The increase in expenditure associated with an ageing population is likely to be large. At this time, total public spending (States revenue expenditure and spending on pensions and welfare) is around 29% of GDP (gross domestic product – total economic output of the island). However, it is estimated that continuing to provide welfare, pensions and public services similar to those provided today could cost an extra 6% of GDP.

While much of this increase is due to the increased cost of the public old-age pensions (for which there is a reserve that can be used to mitigate some, but not all the projected increase), around 40% is due to increased costs of healthcare for an ageing population. The agreed increase in the retirement age from 65 to 67 between 2020 and 2032 will have some impact on the projected increase in pension costs but will not reduce the additional burden on the health and long-term care systems.

States revenue expenditure (education, health, police etc.) has been quite steady for the last five years but spending on pensions and welfare has increased.

For more detail see [Part B Section 5](#).

What are your views on the total level of service provision in Guernsey?

Q1 (a): Should the States continue to provide the range of services it does today, and increase taxation to pay for all increased future demand?

Q1 (b): Or should it try and limit the growth in spending by encouraging people to make private provision (e.g. encouraging people to contribute to private pension schemes), or reducing the amount of pension and health benefits people can claim (e.g. reduced payments)?

If the States increases spending then, in future, the general level of taxation could be significantly higher than at present.

Q2: Do you think there is a limit to how much of a household's income the States should take to fund public expenditure (be it on public services, pensions or welfare) and if so, what should the limit be?

Pensions are forecast to be among the largest areas of expenditure growth in the future. The States

⁷It is important to appreciate that the States does receive enough taxation revenues to fund its day to day expenditures but the deficit arises in supporting the necessary and continuing investment in our Islands infrastructure through capital spending.

⁸[Potential long term implications of demographic and population change on the demand for and costs of public services, Policy Council, March 2012](#)

presently provides a universal contributory scheme. Provided you have paid enough Social Insurance contributions, you will receive a pension in retirement. It is not means tested (i.e. paid only to low income households). At present employed people pay a Social Insurance contribution of 6%⁹ on their income up to £119,000. About 70% of this is paid into the Guernsey Insurance Fund ('GIF'), which is primarily used to provide pensions (see [Part B Section 8](#)); the remaining funds are split between the Guernsey Health Service and Long Term Care Funds. Contributions paid into these funds are ring-fenced for payment of pensions and other benefits and cannot be used to pay for other public services.

The GIF was based on the principles of collective insurance. The idea was that there was a limit to how much people were asked to put in as what they got out (the pension) was the same for everyone. Until 2007, a person's contributions were subject to an upper earnings limit. This limit on the amount an individual was liable to contribute to the scheme was considered generally representative of the benefit they would receive via the pension scheme and other benefits. Some would, therefore, be paying less in than they received out. To top up the funds, a transfer was made from general revenue. After 2007, the supplement from general revenue was reduced and the limit on contributions increased in stages (and is now three times its previous level). This has effectively removed the insurance principle of the scheme as high earners now pay more than they might reclaim in benefits, although importantly the fund has stayed ring fenced.

The full pension paid in retirement is equal to about 39% of average individual earnings. On its own it does not provide for more than a basic lifestyle, but many home owners will have paid off mortgages and so need a lesser income in retirement. Many people supplement their pension through personal schemes either privately or via their employer. However, despite the tax relief on contributions made to pension schemes, only 50% of all private sector workers contribute to a personal pension scheme.

Projections published by the UK Government Actuary's Department show that, assuming the current policy of increasing pension rates by more than retail price inflation but by less than the annual increase in earnings is continued, then an immediate increase in contributions of 2% is required to sustain

the current old-age pension scheme¹⁰. Payments made on behalf of employed people are divided between the employee and their employer and any increase could be divided in a similar way. Self-employed and non-employed people pay a single contribution which is greater than that paid by employees, but less than the combined employees and employer's contributions.

For more information please see [Part B Section 8](#).

What are your views on old-age pension provision in Guernsey?

Q3 (a): Do you support the present old-age pension arrangements and would you be prepared to pay extra in order to continue the current system?

Q3 (b): Would you be prepared to pay more for a higher old-age pension?

Q3 (c): How could the States encourage people to make greater private pension provision?

Q3 (d): Would you support a second voluntary pension scheme administered by the Social Security Department?

Q3 (e): Should the States consider means testing pension payments, effectively limiting old-age pensions so that they are only available to those on lower incomes?

Q3 (f): Should the States make payments less generous (for example by limiting future increases in pension payments to inflation only, or by further extending the pension age¹¹)?

In addition to the extra cost of pensions, projections show an increase in expenditure on health (people typically require more healthcare as they get older). The States has other insurance schemes both for health and long term care.

Q4 (a): Would you accept an increase in taxation to fund all rising demand for health or long term care in the future?

Q4 (b): Or do you think that the States should reduce the levels of tax-funded health and long term care, and that people should have to pay for more themselves?

⁹Employers pay an additional 6.5% for each employee. Self-employed people pay 10.5% and non-employed people under 65 pay 9.9%.

¹⁰An immediate increase would extend the life of the reserves currently held by the funds enabling them to provide a buffer through the extended period of high demand. The later the increase is introduced, the larger the increase required.

¹¹In the recent past increases have been slightly above inflation. In addition, the pension age is being increased from 65 to 67 between 2020 and 2032.

Welfare spending includes many things but one large part of welfare is supplementary benefit. In recent times the States has reviewed its arrangements for supplementary benefit. The welfare system is complex but presently the States provides claimants with supplementary benefit based on their household circumstances up to a maximum level (£500 per week in 2013).

The assessed “need” of households without children is typically below this cap. Some households with multiple children are assessed as having a “need” greater than £500 per week and are therefore subject to the benefit limitation. Some believe this limit is too low and does not provide enough income to the poorest households. Proposals were put forward last year to change the system to remove the overall limit and replace it with a limit on the allowance households claiming supplementary benefit could claim for the payment of rent (or mortgage interest). It was estimated that this would cost more than the present system and the proposal was not passed by the States.

Much has been made of relative poverty; this is a concept distinct from absolute poverty. Absolute poverty is, as it suggests, the absolute minimum income necessary to afford minimal standards of food, clothing, health care and shelter. Because general living standards in Guernsey are high compared to many places in the world, this measure is not relevant in Guernsey.

Relative poverty describes how, even with the generally high standards of living experienced by people in Guernsey, some people are poor relative to others living in the same community. Unless everyone was given the same income, this cannot be completely removed. It is also very difficult to pay supplementary or any other benefits to those who genuinely require support without unintentionally encouraging those who are able to work to stay dependent on those benefits.

There are many views on the appropriate amount a household should receive in welfare, particularly as welfare benefits (both contributory and non-contributory) are effectively paid for by households with incomes. Average earnings in Guernsey are described in detail in [Part B Section 7](#) but household income is higher than the UK. The distribution of income in Guernsey is typical of an economy of our type.

For more information please see [Part B Section 7](#).

What are your views on the payment of benefits in Guernsey?

Q5 (a): What principles should be considered when setting benefit levels?

Q5 (b): What factors should be taken into account when assessing the needs of a household?

Q5 (c): Should there be a limit on the total amount a household can claim?

There are also welfare payments paid to many households irrespective of their income levels (known as universal benefits, for example, the health benefit subsidy on prescriptions and GP visits and family allowance payments). Such benefits are expensive. For example, Family Allowance costs the States some £9m per year.

Q6: Do you think the States should continue the payment of universal benefits such as the subsidy on prescription charges and Family Allowance or should they be means tested?

One of the objectives of the review is to increase the level of “fairness” in the personal tax system. This is a very difficult concept to define and agree, but it is explained in economic terms in [Part A Section 2](#). Guernsey’s current personal tax regime is generally progressive (that is, one’s tax burden (including Social Insurance) increases as one’s income rises). As a result, the highest earners pay a larger proportion of the States total income; the top 10% (decile) pay around 40% of the total amount of personal income tax and Social Insurance contributions collected.

Our tax system is very simple; there is one rate of income tax and one rate of Social Insurance. It is also highly competitive, and the personal tax regime together with our corporate tax regime is one of the foundations of our economic success. Despite our lower general rates of tax, our higher level of incomes means we are able to fund levels of public expenditure comparable to the UK and the other Crown Dependencies.

There are options for changing the system without increasing the amount of income generated. These are set out in [Part B Section 3.1](#) and three alternatives are explained and measured against three criteria: fairness; efficiency and sustainability (as explained earlier). The challenge is complicated and any changes result in both winners and losers.

These examples are presented for illustration only and are not mutually exclusive - none of these changes are being proposed at this time.

The three options presented are:

- [Introducing different income tax rates for low and high earners](#)
- [Reducing the general rate of income tax and introducing a Goods and Services Tax \(‘GST’\)](#)
- [Removing specific tax allowances and Family Allowance and increasing the universal personal tax allowance](#)

For more information please see [Part B Section 3.1](#)

What are your views on the options above?

Q7 (a): Which, if any, of the three examples presented would you favour and why?

Q7 (b): Are there aspects of any of these examples (even if you do not favour the example as a whole) that you find attractive or worthy of comment?

In the longer term, the States may need to increase revenues to fund the forecast increase in costs resulting from increased demand for health services and pensions or increased new services such as subsidised childcare or support for small business.

Several options are set out in [Part B Section 3.2](#), each illustrating the effects in terms of fairness, efficiency and sustainability if these measures alone were used to generate a notional £20m. This figure is only for illustrative purposes. The actual amount of future revenue (if any) that may be required is impossible to say. This will depend on many factors: whether services are reduced; where new services are introduced; and most importantly whether the population projections turn out to be accurate. The actual amount of additional revenue required to fund public services in the future could be £10m or £100m or nothing.

Once again, these examples are presented for illustration only and are not mutually exclusive - none of these changes are being proposed at this time.

The options presented are:

- [Raising domestic tax on real property](#)
- [Introducing a higher earner’s rate](#)
- [Increasing the general tax rate](#)
- [Increasing Social Insurance contributions](#)
- [Introducing GST](#)
- [Removing specific tax allowances and Family Allowance](#)
- [Introducing environmental taxes](#)

For more information please see [Part B Section 3.2](#).

What are your views on the options above?

Q8: What are your views on the pros and cons of the approaches, particularly with regards to the fairness, efficiency and sustainability issues?

Finally, the States arrangements for public funding are administratively complex. Income and expenditure are collected via two separate accounting streams (General Revenue and Social Insurance). Although Social Insurance contributions are ring-fenced for expenditure on pensions and welfare, funds are transferred between the two accounting streams via a series of grants (e.g. the grant paid from general revenue to supplement the pension and health care funds) and payments.

Employers must also administer payments via the two different schemes, with different rates, for Social Insurance and income tax.

For more information please see [Part B Section 4](#).

Q9: What do you think could be done to make the system simpler?

Q10: Do you have any further comments or suggestions you wish to put forward?

4. Consultation Questions

What are your views on the total level of service provision in Guernsey?

Q1 (a): Should the States continue to provide the range of services it does today and increase taxation to pay for all increased future demand?

Q1 (b): Or should it try and limit the growth in spending by encouraging people to make private provision (e.g. encouraging people to contribute to private pension schemes), or reducing the amount of pension and health benefits people can claim (e.g. reduced payments)?

Q2: Do you think there is a limit to how much of a household's income the States should take to fund public expenditure (be it on public services, pensions or welfare) and if so, what should the limit be?

What are your views on old-age pension provision in Guernsey?

Q3 (a): Do you support the present old-age pension arrangements and would you be prepared to pay extra in order to continue the current system?

Q3 (b): Would you be prepared to pay more for a higher old-age pension?

Q3 (c): How could the States encourage people to make greater private pension provision?

Q3 (d): Would you support a second voluntary pension scheme administered by the Social Security Department?

Q3 (e): Should the States consider means testing pension payments, effectively limiting old-age pensions so that they are only available to those on lower incomes?

Q3 (f): Should the States make payments less generous (for example by limiting future increases in pension payments to inflation only or by further extending the pension age¹²)?

¹²In the recent past increases have been slightly above inflation. In addition, the pension age is being increased from 65 to 67 between 2020 and 2032.

Q4 (a): Would you accept an increase in taxation to fund all rising demand for health or long term care in the future?

Q4 (b): Or do you think that the States should reduce the levels of tax-funded health and long term care and that people should have to pay for more themselves?

What are your views on the payment of benefits in Guernsey?

Q5 (a): What principles should be considered when setting benefit levels?

Q5 (b): What factors should be taken into account when assessing the needs of a household?

Q5 (c): Should there be a limit on the total amount a household can claim?

Q6: Do you think the States should continue the payment of universal benefits such as the subsidy on prescription charges and Family Allowance or should they be means tested?

What are your views on the income neutral examples presented?

The three options presented are:

- Introducing different income tax rates for low and high earners
- Reducing the general rate of income tax and introducing GST
- Removing specific tax allowances and Family Allowance and increasing the universal personal tax allowance

Q7 (a): Which, if any, of the three examples presented would you favour and why?

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Q7(b): Are there aspects of any of these examples (even if you do not favour the example as a whole) that you find attractive or worthy of comment?

[illegible]

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Additional information

To help us assess responses and feedback, it would be appreciated (although not necessary) if you would provide as much of the following information as you are comfortable with:

☐ I am responding on behalf of a group or Organisation

Organisation Name:

What sectors of the community does your organisation represent?

- ☐ No specific group
- ☐ Those who are disabled or have special needs
- ☐ Low income households
- ☐ A specific age group (e.g. older people)
- ☐ Employees
- ☐ Self-employed
- ☐ Businesses

☐ I am responding on my own behalf

Name (optional):

Age: ☐ 16-25 ☐ 46-55 ☐ 36-45

☐ 26-35 ☐ 56-65 ☐ 65+

Household income:

- ☐ £0-£19,999 ☐ £60,000-£79,999
- ☐ £20,000-£39,999 ☐ £80,000-£99,999
- ☐ £40,000-£59,999 ☐ £100,000+

Employment status:

- ☐ Employed ☐ Self-employed
- ☐ Unemployed (and looking for work)
- ☐ Unable to work due to disability, illness or injury
- ☐ Not employed and not looking for work
- ☐ Retired
- ☐ Other _____

How to submit your response

The States of Guernsey has developed a full communications strategy. The main aim of that strategy is to secure the widest possible engagement across all parts of the community on the proposals for the sustainability of the Island's economy. This consultation process provides the opportunity for you to have an input and your say on how the Island should maintain its economic stability.

Space is provided in part A to respond to the questions presented. However, you can submit your response as a separate document if you wish. There are a number of ways in which you can submit your response:

You can email your response to:

personaltaxreview@gov.gg

You can post your response to:

Personal tax, pensions and benefits review

Sir Charles Frossard House
La Charroterie
St. Peter Port
Guernsey
GY1 1FH

You can complete the survey online or download a copy of this document from the States of Guernsey website:

www.gov.gg/ptr

Copies are also available for collection from the reception at Sir Charles Frossard House; Social Security (Edward T Wheadon House); Income Tax Office; Guille-Allès Library and the Alderney Island Hall.

This consultation process is open for 8 weeks. The final deadline for submission is **31 May 2013**.

Review Timetable

Phase 1

8 April 2013: Launch of public consultation process

Public information evenings:

25 April

Venue: Harry Bound Room, Les Cotils

Time: 6pm – 7:30pm

1 May

Venue: St Martin's Community Centre

Time: 7pm-8:30pm

These meetings and any additional public events will be confirmed via the local media.

31 May 2013: Public consultation period closes

August 2013: Public consultation report publication

October 2013: Publication of Budget 2014 and phase 1 proposals

Phase 2

October 2013 – September 2014: Detailed analysis and consultation of options for phase 2

October 2014: Publication of Budget 2015 and phase 2 proposals

If you have any queries or if you would like a large print version please contact us.

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