

Assented to in Her Majesty's name and on her Majesty's behalf this 14th day of July 2021.

Philip Rushbrook
Governor

L.S.



ST HELENA
NO 9 OF 2021

Enacted14 July 2021
Date of Commencement..... in accordance with section 1
Published in the Gazette.....14 July 2021

AN ORDINANCE

to amend the Income Tax Ordinance, 2012 to make provision for the taxation of certain allowances and for connected and incidental purposes.

Enacted by the Governor of St Helena with the advice and consent of the Legislative Council of St Helena.

Short title, commencement and interpretation

1. (1) This Ordinance may be cited as the Income Tax (Amendment) Ordinance, 2021, and comes into force on a date or dates fixed by the Governor by Order.
- (2) An Order under subsection (1) may—
 - (a) appoint different dates for different provisions or for different purposes of the same provision; and
 - (b) contain such transitional or consequential provisions as appear to the Governor to be necessary or convenient.
- (3) In this Ordinance “the principal Ordinance” means the Income Tax Ordinance, 2012.

Insertion of section 2A - Currency

2. The principal Ordinance is amended by inserting after section 2 the following section—

“Currency

2A. Income wherever derived, and expenses and losses, wherever incurred, must be expressed in terms of the currency of St Helena and where a sum is expressed using a currency of a jurisdiction other than the currency of St Helena, the sum must be converted to the currency of St Helena using the exchange rate in force on the date that the sum is due to be paid to the Commissioner. ”.

Amendment of section 14 - Allowances and benefits excluded

3. The principal Ordinance is amended in section 14 as follows—

- (a) in paragraph (b) by inserting after the words “transport to and from work” the words “including relocation to St Helena for the purpose of employment and departure from St Helena after the completion of a term of employment”; and
- (b) by repealing paragraph (c) and substituting the following paragraph—

- “(c) to compensate a resident for the additional costs of accommodation and meals incurred—
 - (i) while the resident is living away from the resident’s normal place of abode in St Helena; and
 - (ii) while the resident is on business outside of St Helena;”.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

Clause 1 makes provision for the Short Title of the Ordinance, the commencement and interpretation of the Ordinance.

Clause 2 inserts section 2A into the Ordinance and provides that currency referenced in the Ordinance is the currency of St Helena and how the rate of conversion to be applied where a currency conversion is required.

Clause 3 amends section 14 of the Ordinance so that certain allowances would be taxable.