

THE OFFICIAL GAZETTE — 12TH MAY, 1973
LEGAL SUPPLEMENT — B

GUYANA

No. 5 of 1973.

REGULATIONS

Made Under

THE INCOME TAX ORDINANCE
(Chapter 299)

UNDER SECTION 83 OF THE INCOME TAX ORDINANCE, I HEREBY
MAKE THE FOLLOWING REGULATIONS :—

1. (1) These Regulations may be cited as the Income Tax (General) (Amendment) Regulations 1973, and amend the Income Tax (General) Regulations, hereinafter to as the Principal Regulations.

(2) These Regulations shall be deemed to have come into operation on 1st January, 1973.

2. The first schedule to the Principal Regulations is hereby amended by the substitution for Form 1 in the said schedule, of the form prescribed in the schedule to these Regulations.

SCHEDULE



GUYANA

INCOME TAX

Income Tax Ordinance, Cap. 299 as subsequently amended.

YEAR OF ASSESSMENT ENDING THE 31ST DECEMBER, 19

Form 1.

19

INDIVIDUAL CONFIDENTIAL

National Registration No. Social Security No. Self Spouse Self Spouse

File No.

RETURN TO BE MADE OF THE INCOME OF THE PRECEDING YEAR ENDED 31ST DECEMBER, 19

To be delivered to the Commissioner of Inland Revenue, P. O. Box 1032, Georgetown, on or before 30th April, 19

With full payment of outstanding Tax liability for the Year of Assessment 19 as computed pursuant to section 41 A chapter 299.

Mr. Mrs. Miss Family Name or Last Name [BLOCK CAPITALS] First and Middle Names. Private Address

Enter below Name and address used on your Return for year of Assessment 19. If same write 'same'. If none filed give reason(s)

Name, Address and No. of Employer at time of filing Name, Address and No. of Spouse's Employer

Occupation: Self Spouse Occupation: Spouse

Check one only Single Married Married - filing separate return

GENERAL DECLARATION

I hereby certify that the information given in this return and in any documents attached is true, correct and complete in every respect, and fully discloses my income from all sources chargeable under this Ordinance.

Person preparing Return other than Taxpayer.

I hereby certify that this Return was prepared by me on the basis of information of which I have knowledge. Signature:

Address:

Date:

Sign Here

Date

It is a serious offence to make a false Income Tax Return

State Capacity in Which Return is Made:

- (I) On your own behalf (II) As an Attorney, Agent, Factor, Trustee, Manager, etc., of any person (III) As Trustee, Executor, Administrator; etc., of an Estate

Section 2 Declaration to be made by a person not ordinarily resident or not domiciled in the territory.

I declare that *I am not ordinarily resident in the Territory.

* I am not domiciled in the Territory.

Given under my hand this day of 19

Signature.

Residence.

*Strike out portion not applicable.

PENALTIES

1. Any person chargeable with tax who refuses, fails or neglects to deliver a Return of his income to the Commissioner on or before the prescribed day in every year is liable to a penalty not exceeding \$500.00.

2. Where a person refuses, fails or neglects to make a return of chargeable income for the year immediately preceding the Year of Assessment within the time specified in a notice issued by the Commissioner to such person under Sec. 40(4) of the Income Tax Ordinance the Commissioner shall add to the assessment a sum equal to five per centum of the amount of tax assessed.

3. Any person who without reasonable excuse makes an incorrect return by omitting or understating any income of which he is required by the Ordinance to make a return, whether on his own behalf or on behalf of another person or makes an incorrect statement in connection with a claim for deduction in estimating taxable income; or gives any incorrect information in relation to any matter or thing affecting his own liability to tax or the liability of any other person, is liable to a fine not exceeding \$1,000.00 and double the amount of the tax which has been or would have been undercharged in consequence thereof.

4. Any person who knowingly makes any false statement or representation in any Income Tax Return, or who keeps or prepares false accounts of any profits, property or gifts chargeable to Income Tax, or aids or abets any person in such offences, is liable to a fine not exceeding \$1,000.00 and treble the amount of Tax which has been undercharged in consequence of such false account, particulars, return, statement, information or representation or would have been so undercharged if the account, particulars, return, statement information or representation had been accepted as correct or imprisonment for six months, or to both such fine and imprisonment.

Note =

IT IS IMPORTANT TO READ "INSTRUCTIONS THAT MUST BE CAREFULLY FOLLOWED" ON PAGE 5 BEFORE YOU COMPLETE AND SUBMIT THIS RETURN

If no Income is returnable under any of the heads below, the word NONE should be entered in the money column. In no case must such column be left blank.

WIFE'S INCOME. A married man must include on his return not only his own income, but also the income of his wife under each Head. A statement should be attached showing separately the amount of his income and the amount of his wife's income under each head.

Section 3	Income for year ended 31st December, 19 . or such other period as agreed by the Commissioner. (Column 1)	Amount of net Income (Column 2)
A	1. Gains of profits from the working of Estates or the occupation or cultivation of Land of every description (See Notes 1 & 2 — Page 5) 2. Gains or profits from any Trade, Business, Profession or Vocation — other than working of land, or salary	
B	1. Salary or Wages receivable from or through the Public Treasury (See Notes 3 & 4 — Page 5) 2. Salary or Wages from sources other than the Public Treasury	
C	1. Dividends, Interest or Discount from sources within the Territory. (See Note 5 — Page 5) 2. Dividends, Interest or Discount arising or accruing from any source whatsoever out of the Territory	
D	1. Pensions arising in Guyana or received in Guyana from any source whatsoever. See Note 6 — Page 6) 2. Charges or Annuities arising in Guyana or elsewhere.	
E	Rents, Royalties, Premiums, and any other profits arising from property in Guyana or elsewhere. (See Note 7 — Page 6)	
F	1. Net Capital Gains deemed income — extend under A2 in Column 2 (See Note 8 — Page 6) 2. Net Chargeable Capital Gains — insert in Column 1 only — \$	
Section 4	Total Income under all Heads excluding F2 (Net Chargeable Capital Gains).	
	Less 1 National Insurance Contribution.	
	2 Wear and Tear Allowance (See Note 9 Page 6)	
	3. Trade Losses in previous years. Total Deduction under Section 4 (carry Total to Column 2 and deduct.)	
	Balance of Income	\$
Section 5	See Notes 18 and 10 — 16	
	(1) Deduction of 5% of earned income from Employment not exceeding \$500.	
	(2) Deduction of earned income from employment in respect of wife not exceeding \$400	
	(3) Deduction of \$800 for self	
	(4) Deduction of \$600 for wife	
	(5) Deduction of \$300 for each of unmarried children	
	(6) Deduction of \$200 for each of Dependent Relatives	
	(7) Deduction in respect of Medical Expenses (See Note 13 Page 6)	
	(8) Deduction in respect of School Expenses (See Note 14 Page 7)	
	(9) Deduction in respect of Rented Dwelling (See Note 15 Page 7)	
	(10) Deduction in respect of Life Assurance	
	(11) Deduction in respect of Mortgage/Loan Interest Acquisition or construction of private Residence	
	Total Deductions (carry to Column 2 and deduct)	
	Chargeable Income	\$
	Tax on chargeable income (see table BELOW for calculation)	\$

Computation of Tax Due or Overpayment	Less:— 1. P.A.Y.E. Deducted from 7 statement(s) attached			
	2. Amount paid in advance			
	3. Set-off (tax deducted at source)			
	4. Other Tax Credits (carry to column 2 and deduct)			
If tax on chargeable income is greater than total credits enter balance of tax due				\$
If tax on chargeable income is less than total credits enter overpayment				

Table for Computation of Income Tax Section 26 of The Income Tax Ord. Chapter 299.	Not over \$1000 —						Cheque No. Enclosed for \$ Being Balance of Tax due as above. Signature.	
	over 1000 —	under	\$2000	—	\$60.00	+ 12%		on excess over \$1000
	" 2000 —	"	3000	—	180.00	+ 20%		on excess over 2000.
	" 3000 —	"	4000	—	380.00	+ 25%		" 3000.
	" 4000 —	"	5000	—	630.00	+ 30%		" 4000.
	" 5000 —	"	6000	—	930.00	+ 35%		" 5000.
	" 6000 —	"	8500	—	1280.00	+ 40%		" 6000.
	" 8500 —	"	11500	—	2280.00	+ 50%		" 8500.
	" 11500 —	"	14500	—	3780.00	+ 60%		" 11500.
	" 14500 —	"	—	—	5580.00	+ 70%		" 14500.00

Section 6

Loss (if any) under Head(s) *

PERSONAL AND FAMILY ALLOWANCES

Declaration which must be signed if a deduction is claimed under any of the heads numbered (1) to (9) of Section 5.

Section 7

(i) BY RESIDENTS

I declare that I was resident in the Territory in the year 19... and that all the particulars given by me in Sections 8, 9, 10, 11, 12, 13 and 14 below are truly and correctly stated to the best of my judgment and belief, and I claim the deductions to which I am entitled by reason of the facts stated.

.....Signature.

(ii) BY NON-RESIDENT BRITISH SUBJECTS

I declare that *I.....am a British Subject resident in..... and that all the particulars given by me in Sections 8, 9, 10, 11, 12, 13 and 14 below are truly and correctly stated and to the best of my judgment and belief and I claim the deductions to which I am entitled by reason of the facts stated. I further declare that the whole of the Income from every source whatsoever whether chargeable to tax or not in the Territory has been included in this Return. †

*Strike out "I" and insert name of claimant if declaration is signed by Agent, Attorney, etc.

.....Signature.

†For Explanation see Notes.

Section 8

Claim for deduction of \$600, in respect of wife or of amount of Maintenance or alimony, if less, allowable where the claimant during the year 19

- (i) had a wife living with him or wholly maintained by him.
- (ii) made payments in accordance with an Order of Court or deed of separation to a separated wife, or
- (iii) paid alimony to a previous wife.

(Sec. 17 of the Ordinance as amended by Sec. 13 of Ordinance 11 of 1962)

Christian Name or First Name of Wife	Date of Marriage	State whether Wife is living with; or is wholly maintained by claimant, or separated from by Order of Court or Deed, or Divorced from	Amount of Maintenance or alimony

Section 9

Claim for deduction of \$300, in respect of each unmarried child under the age of 16 years, or who if over the age of 16 on 1st January, 19... was receiving full time instruction at any University, College, School or Educational Establishment. (Section 18 of the Ordinance as amended by Section 14 of Ordinance 11 of 1962 and Section 19A of the Ordinance).

The expression "children" includes step-children, but does not include illegitimate children. The deduction is, however allowable in respect of any child of whom the claimant had the custody and maintained at his own expense for the year 19... and in respect of whom any other individual is not entitled to the deductions, or if entitled, has relinquished his claim thereto.

Name of each legitimate child or step-child of claimant alive at any time within the year 19 (Name in full — Surname first)	Name of each child in the custody of and maintained by claimant at his expense during 19 in respect of whom any other person is not entitled to the deduction or if entitled has relinquished his claim thereto. (Name in full — Surname first)	DATE OF BIRTH			Has child any earnings or other income of its own? If so, state annual amount excluding scholarship income.	Name and Address of Educational Establishment, if child is 16 years of age and over on 1st January, 19
		Day	Month	Year		

N.B. — If the space provided is insufficient attach a statement hereto with the required particulars.

Section 10 Claim for deduction of \$200 in respect of (i) Dependent Relative maintained by the claimant or (ii) Daughter upon whose services the claimant is compelled to depend by reason of old age or infirmity — (Section 19 of the Ordinance as amended by Section 6 (b) of Ordinance 4 of 1958, and Section 19A of the Ordinance).

(i) DEPENDENT RELATIVES (See Note 11 on page 6)

Name of Dependent Relative maintained by claimant during 19 (Name in full — Surname first)	Relationship to Claimant or to his wife	DATE OF BIRTH			Annual Income of Dependent Relative from all sources	State how incapacitated— (old age or infirmity) — except in case of widowed mother.	PLEASE ANSWER If any other relative contributes to maintenance, state name and amount or value of respective contributions.
		Day	Month	Year			

(ii) DAUGHTER

Name of Daughter resident with and maintained at expense of Claimant in 19 upon whose services Claimant is compelled to depend by reason of old age or infirmity. (Name in full — Surname first)	Whether she is "married" "widow" or "spinster". (If she is married but living apart from her husband, state so.)	If claimant depends on daughter's services on account of	
		OLD AGE: Claimant's Age to be stated here	Infirmity: Claimant's Nature of Infirmity to be stated here.

Section 11 Claim for deduction in respect of annual amount of Premiums paid to any Life Insurance Company and/or annual Contributions to any Superannuation fund approved by the Governor-General and/or annual contribution for Insuring claimant or his wife in respect of sickness paid to any company or society approved by the Governor-General. (Section 20 of the Ord.) and/or amount invested in Government Securities for the purposes of Sec. 30 of Act 20 of 1968. (See note 12 page 6)

State whether the Assurance is on the life of "Self" or of "Wife".	Name of Insurance Company	Amount of Premiums paid during the year ended 31st December, 19	Capital Sum Assured. (If no capital sum is payable at death particulars of the policy must be stated.)
Total		\$	

Section 12

Claim for deduction in respect of hospitalisation expenses, medical consultant and dental fees for claimant and family during year ended 31st December, 19 (See Note 13 page 6)

State whether you are a member of any Insurance Scheme	State amount of fees paid and to whom paid	For Office use only

Section 13

Claim for deduction in respect of children in excess of three between the ages of 6 and 18 attending school in Guyana (See Note 14 page 7)

Name of each child attending school	DATE OF BIRTH Day Month Year	Name and Address of Educational Establishment	For Office use only

Section 14

Claim for deduction in respect of rented dwelling Houses (See Note 15 page 7)

Address and type of premises (i.e. house, flat, room)	Name and address of Landlord	Date Tenancy began	Amount of Rent paid during year ended 31st December, 19	For Office Use only

INSTRUCTIONS THAT MUST BE CAREFULLY FOLLOWED

- NOTE 1. Income from the working of estates, etc.:**— Attach statements showing (a) Name and Location of estate, etc; (b) Total acreage under cultivation; (c) Type of crop; (d) Income and Expenditure/Trading and Profit and Loss accounts and Balance Sheet at end of period, together with any necessary "Adjusting Statement" for Income Tax purposes. N.B. Where full and proper accounts have not been kept prepare and annex a Statement showing how the amount of the profits or gains have been arrived at.
- NOTE 2. Income from Business Profession, etc.:**— Attach statements showing (a) Nature of business, etc., and address where carried on; (b) Income and Expenditure/Trading and Profit and Loss accounts and Balance Sheet at end of period where applicable, together with where necessary, an "Adjusting Statement" for Income Tax purposes. N.B. Where full and proper accounts have not been kept, prepare and annex a Statement showing how the amount of profits or gains have been arrived at.
- NOTE 3. Salary, etc., from Public Treasury:**— , Applicable to Members of Parliament, Government Employees and Primary School teachers. Include payments for Overtime, value of residence, quarters, board or lodging or any other allowance granted in respect of employment, whether in money or otherwise but do not include travelling, subsistence or forage allowance:— Attach a statement showing (a) Department(s) where employed during year; (b) Income from each such Department; (c) Period attached to each Department.
- NOTE 4. Salary, etc. from sources other than Public Treasury:**— Applicable to all employees not falling under B.I. Include Commission, Bonus, Overtime, value of residence, quarters, board or lodging, or any other allowance whether in money or otherwise granted in respect of employment:— Attach a statement showing: (a) Name(s) and address(es) of employer(s); (b) Period of employment during the year; (c) Income from each employer during the year. If any expenses were wholly and exclusively incurred in earning the income, full details must be given. N.B. Salaries, Fees, etc. receivable by Directors, Trustees, etc., are returnable under this Head.
- NOTE 5. Dividends, Interests, etc. derived:**— Attach a statement showing: (a) Each source from which income is derived; (b) Gross amount from each such source, where Income Tax was deducted from any item prior to receipt, full particulars are to be furnished, and unless Dividend Vouchers are submitted, no relief will be granted in respect of tax deducted at source.

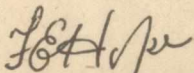
Include interest on Mortgages and Loans, on Deposit, Current or Savings Account in Banks on deposits with Life Insurance or other companies, Building Society Interest, Interest or Dividends on War Loan Stock, National War Bonds, Exchequer Bonds, Discount on Treasure Bills also Dividends, Shares, Possessions, Securities, etc.

Exclude any interest received by Non-residents on Government Bonds and Debentures issued under Ordinance 6 of 1916, 11 of 1929, 22 of 1935, 26 of 1941, 5 of 1945, 9 of 1951, 17 of 1953, 55 of 1955, 54 of 1956, 9 of 1960 and 42 of 1961.

- NOTE 6. Pensions, Charges, Annuities:**— Attach a statement showing: (a) Source of Income; (b) Gross amount of Income; where Income Tax was deducted prior to receipt, full particulars must be submitted. Include pensions received from the Government of any country or from any business whatsoever wherever situated, money received from estates, or trusts of any kind or under any agreement whatsoever.
- NOTE 7. Rents, etc:**— Attach a statement showing:— (a) Situation of Property; (b) Name of Tenant; (c) Gross Rent; (d) Particulars of expenses, etc. Include income from the letting of houses (furnished or unfurnished, lands or other properties, except such rents as are included in the receipts of the working of an Estate or Cultivation of land, or the subletting or trade premises which may be included under Head A page 2.
- NOTE 8. Net Capital Gains:**— Attach statements showing: (a) description and situation of each asset sold, transferred or otherwise disposed of; (b) the date of acquisition of each asset; (c) how each asset was acquired (whether by purchase, transfer etc.); (d) the name and address of the person from whom acquired; (e) the cost at date of acquisition; (f) the cost of any improvements, additions, or alterations (not allowed as repairs) thereto since the date of acquisition; (g) the date of sale or transfer to the new owner; (h) the name and address of the new owner; (i) the sale price or value of the consideration upon disposal or value upon transfer etc.; (j) any expenses incurred upon the sale, transfer or other disposal. (k) how the gain or the loss from each asset has been arrived at; (l) the net capital gain or net capital loss, as the case may be, on all assets sold, transferred or otherwise disposed of during the year; (m) indicate separately those capital Gains which arose within twelve months (12) of acquisition of the relevant Asset and are deemed to be income under the Capital Gains Tax Ordinance.
- NOTE 9. Wear and Tear:**— Attach a statement showing: (a) Subjects on which allowance is claimed (b) Written down value at beginning of year; (c) Original purchase price, and cost of any subsequent alterations or renewals; (d) Date brought into use; (e) Rate per cent claimed; (f) Amount (if any) written off Taxpayer's books.
- NOTE 10. Children:**— The expression "Children" includes step-children, but does not include illegitimate children. The deduction is, however, allowable in respect of any child of whom the claimant had the custody and maintained at his own expense for the year 1972 and in respect of whom any other individual is not entitled to the deductions, or if entitled, has relinquished his claim thereto.
- NOTE 11. Dependent Relative:**— "Dependent Relative" means any person whom the claimant maintained at his own expense for the year 1972 who is (a) a relative of his or of his wife, and incapacitated by old age or infirmity; or (b) his or his wife's widowed mother whether incapacitated or not, and whose income did not exceed \$300 per year. "A relative" includes any child of whom the claimant had the custody and whom he maintained when under the age of 16. Where a person is maintained by two or more persons the allowance will be apportioned between them in proportion to their respective contribution to the maintenance of that person. The deduction applies in the case of a female taxpayer with the substitution of "husband" or "wife".
- NOTE 12. Life Insurance:**— No deduction is allowable in respect of any annual amount of Premium in excess of 10 per centum of the capital sum on death (exclusive of bonus, etc. additions), or in aggregate beyond one-fifth part of the income of the claimant before making the deductions claimed under Heads (1) to (3) of Section 4 and Heads (1) to (6) and (10) of Section 5. "The restriction of a total allowance under this head to \$1,500 is still maintained unless."
(i) all payments were made on policies etc. executed before 17/12/54. (ii) The premiums paid over \$1,500 are on life Insurance contracts with approved life insurance companies.
Payments on all policies executed after 31/12/67 with Insurance Companies not approved do not qualify for relief.
Any amounts invested in Government securities in the year preceding the year of assessment (provided the investment falls with the provisions of Section 3. (1) (a) of Act 20 of 1968 will be allowed as a deduction subject to the one-fifth limit or \$1,500 whichever is less, and subject to aggregation with premiums on life Insurance contracts allowable and also on pensions allowable in respect of superannuation schemes. The receipts for any Premiums paid or satisfactory proof that such premiums have been paid must be annexed for endorsement and allowance by the Commissioner of Inland Revenue. Receipts will be returned in due course. Annual payments in respect of sickness made to any company or society approved by the Minister shall be allowed as a deduction.
- NOTE 13. Salary and wage earners** in receipt of incomes up to \$4,800 per annum will receive an allowance of up to \$150 per annum and those in receipt of income between \$4,800 and \$7,200 per annum an allowance of up to \$100 per annum for hospitalisation expenses, medical consultant fees and dental fees for themselves and their families. N.B. Proper receipts issued by the medical practitioner, dentist or hospital must be attached. Unless these are submitted no relief will be granted under the section.

- NOTE 14.** Salary and wage earners in receipt of incomes up to \$4,800 per annum who have more than three children attending school, will receive a school allowance of \$100 annually for each child in excess of three between the ages of 6 and 18 years attending full time school in Guyana.
- NOTE 15.** A tax credit of $\frac{1}{2}\%$ of their annual rent with a minimum of \$2.00 and a maximum of \$10.00 will be given to all taxpayers who rent dwelling houses. Full particulars of the tenancy must be given.
- NOTE 16.** **Mortgages Loan Interest — Construction or Purchase of Private Residence:—** Attach statement showing: (a) Situation of Property; (b) Cost of Construction of property; (c) name and address of each contractor associated with the construction; (d) amounts paid to each; (e) amount of loan or mortgage outstanding; (f) interest rate; (g) Person/Company from which loan or mortgage was obtained; (h) date loan or mortgage received (i) amount of interest paid.
- NOTE 17.** **National Insurance:—** Contributions are a deduction from your earnings. (See Section 4 of this Return).
- NOTE 18.** For the deduction under (1) and (2) of Section 5 on page 2 to be granted, the income must be earned from employment. Since the Ordinance defines 'Employment' as "the position of an individual in the service of another person," these conditions must exist prior to the grant of the deduction.

Made this 8th day of May, 1973.


Minister responsible for Finance.