

Published on the 13th day of April, 1963.

No. 5 of 1963.

BRITISH GUIANA

REGULATIONS

MADE UNDER

THE INCOME TAX ORDINANCE,

(Chapter 299).

UNDER SECTION 83 (1) OF THE INCOME TAX ORDINANCE THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE MINISTER:—

1. (1) These Regulations may be cited as the Income Tax (General) (Amendment) Regulations, 1963, and shall be construed and read with the Income Tax (General) Regulations*, hereinafter referred to as the Principal Regulations, and any Regulations amending the same.

(2) These Regulations shall take effect from 1st January, 1963.

2. Regulation 6 of the Principal Regulations is hereby revoked and the following substituted therefor —

“6. The following are the prescribed dates for the delivery of the returns and list specified in regulations 3, 4 and 5 hereof —

(a) the return specified in regulation 3 —

(i) for the year of assessment 1963, on or before the 30th day of April, 1963, and

(ii) for any subsequent year of assessment in the case of —

(A) Government employees, on or before the
Government pensioners, 15th day of March
and primary school teachers in that year of
assessment,

(B) all other persons on or before the
30th day of April in
that year of assess-
ment.

(b) the return and list specified in regu- on or before the
lations 4 and 5 28th February in
every year.”

3. The first schedule to the Principal Regulations, as substituted by regulation 4 of the Income Tax (General) (Amendment) Regulations, 1960**, is hereby revoked and the following substituted therefor —

* Cap. 29.

** No. 6 of 1960.

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)
(See note 1 on page 4)	1. Gains or profits from the working of Estates or the occupation or cultivation of Land of every description.....	
(See note 2 on page 4)	A. 2. Gains or profits from any Trade, Business, Profession or Vocation—other than work- ing of land, or salary.....	
(See note 3 on page 4)	B. 1. Salary or Wages receivable from or through the Public Treasury.....	
(See note 4 on page 4)	2. Salary or Wages from sources other than the Public Treasury.....	
(See note 5 on page 4)	C. 1. Dividends, Interest or Discount from sources within the Colony.....	
(See note 5 on page 4)	2. Dividends, Interest or Discount arising or accruing from any source whatsoever out of the Colony.....	
(See note 6 on page 4)	D. 1. Pensions arising in British Guiana or received in British Guiana from any source whatsoever.....	
(See note 6 on page 4)	2. Charges or Annuities arising in British Guiana or elsewhere.....	
(See note 7 on page 4)	E. Rents, Royalties, Premiums and any other profits arising from property in British Guiana or elsewhere.....	
(See note 12 on page 4)	F. Net Capital Gains.....	
	Total Income under all Heads.....	
Section 4	(1) Less Wear and Tear Allowance.....	
(See note 8 on page 4)	(2) Less Trade Losses in previous years.....	
	Total Deductions under Section 4 (carry total to Column 2 and deduct)	
	Balance of Income.....	
Section 5	(1) Deduction of \$800 for self.....	
(See note 9 on page 4)	(2) Deduction of \$600 for wife.....	
(See note 10 on page 4)	(3) Deduction of \$300 for each unmarried children.....	
(See note 11 on page 4)	(4) Deduction of \$200 for each Dependent Child.....	
	(5) Deduction in respect of Life Assurance.....	
	Total Deductions (carry Total to Column 2 and deduct)	
	Chargeable Income	\$
Section 6	Loss (if any) under Head(s).....	

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 has 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 has been arrived at.
- Note 3.** Salary, etc. from Public Treasury.—Applicable to Members of the Legislative Council, 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.1. 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, Interest, 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 Accounts in Banks, on deposits with Life Insurance or other companies, Building Society Interest, Interest or Dividend on War Loan Stock, National War Bonds, Exchequer Bonds, Discount on Treasury Bills also Dividends, Shares, Possessions, Securities, etc.
Exclude any interest received by Non-residents on Government Bonds and Debentures issued under Ords. 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 sub-letting of trade premises which may be included under Head A page 2.
- Note 8.** 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 % claimed; (f) Amount (if any) written off taxpayer's books.
- Note 9.** 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 19 , and in respect of whom any other individual is not entitled to the deductions, or if entitled, has relinquished his claim thereto.
- Note 10.** Dependent Relative: "Dependent relative" means any person whom the claimant maintained at his own expense for the year 19 , 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 contributions to the maintenance of that person. The deduction applies in the case of a female taxpayer with the substitution of "husband" for "wife".
- Note 11.** 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-sixth part of the income of the claimant before making the deductions claimed under Head (2) of Section 4 and Heads (1) to (4) of Section 5. The aggregate is further limited to \$1,500.00 where it includes premiums for any insurance or contract effected on or after 17th December, 1954. Premiums must also have been paid out of income brought to charge in the Colony. The Insurance premiums in respect of sickness are allowable in addition to other premiums.
The receipts for any Premiums paid, or satisfactory proof that such premiums have been paid, must be annexed for endorsement and allowance by the Commissioners of Inland Revenue. Premium receipts will be returned in due course.
- Note 12.** 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 value as at 1st January, 1956 if acquired before that date; (g) the cost of any improvements, additions, or alterations (not allowed as repairs) thereto since the date of acquisition or 1st January, 1956 (whichever is the later); (h) the date of sale or transfer to the new owner; (i) the name and address of the new owner; (j) the sale price or value of the consideration upon disposal or value upon transfer etc.; (k) any expenses incurred upon the sale, transfer or other disposal; (l) how the gain or the loss from each asset has been arrived at; (m) 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.

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COMPANY etc.

CONFIDENTIALBRITISH  GUIANA

No. of Assessment.....

INCOME TAX.

File No.....

*Income Tax Ordinance, Cap. 299**as subsequently amended.***YEAR OF ASSESSMENT ENDING THE 31ST DECEMBER, 19****RETURN TO BE MADE OF THE INCOME OF THE PRECEDING YEAR ENDED 31ST DECEMBER, 19**

To be delivered to the Commissioners of Inland Revenue, P.O. Box 24, Georgetown, on or before 30th April 19

Name of Firm Estate Trust or Company
Block Letters.

Address.....

Nature of Business.....

Last Income Tax Return was filed for the Year of Assessment 19..... at.....
(District Tax Office).**Section
1**

I, _____, declare that in the Statements in Sections 2 and 4 on pages 2 and 3, and in any Statements or Accounts sent herewith, I have given a full, just and true Return and particulars of the whole of the Income from every source whatsoever chargeable under this Ordinance, estimated to the best of my judgment and belief according to the directions and Rules of the said Ordinance.

Given under my hand this..... day of..... 19

Sign here _____ Signature

..... Business Address

..... Private Address

If absent from the Colony state the name and address of agent residing in the Colony.

Name of Agent.....

Address of Agent.....

State whether the Return is made:—

- (i) As the Resident Acting Partner for the time being of a Firm.....
- (ii) As the Secretary or other responsible Officer of any Corporate Body.....
- (iii) As an Attorney, Agent, Factor, Trustee, Manager, etc., of any person.....
- (iv) As Trustee, Executor, Administrator, etc., of an Estate.....

N.B.—In the case of a Firm, the Declaration above must be made by the Resident Acting Partner for the time being, or in cases where none of the partners is resident in the Colony, by the Attorney, Manager, Agent, etc., the required Declaration as to the Partnership profits, etc., being made in Section 5 Page 2.

If no income is returnable under any of the Heads below, the word "NONE" should be entered in the money column (2). In no case must such column be left blank.

Section 2	Income for the year ended 31st December, 19 _____ or such other period as agreed by the Commissioner. (Column 1)	Amount of Net Income (Column 2)	
(See Note 1 on page 3)	1. Gains or profits from the Working of Estates or the occupation or cultivation of Land of every description.		
A.			
(See Note 2 & 3 on page 3)	2. Gains or profits from any Trade, Business, Profession or Vocation — other than working of Land, etc.		
B.			
(See Note 4 on page 3)	1. Dividends, Interest or Discount from sources within the Colony.		
C.			
(See Note 4 on page 3)	2. Dividends, Interest or Discount arising or accruing from any source whatsoever out of the Colony.		
D.			
(See Note 5 on page 3)	Charges or Annuities arising in British Guiana or elsewhere.		
E.			
(See Note 6 on page 3)	Rents, Royalties, Premiums and any other profits arising from property in British Guiana or elsewhere.		
F.			
(See note 8 on page 3)	Net Capital Gains.		
Total Income under all heads			
Section 3	Less: (1) Wear and Tear Allowance. (See note 7 on page 3).		
	(2) Trade Losses in previous years.		
	Total Deductions under Section 3. (Carry total to Column 2 and deduct)		
Chargeable Income			

Section 4	Loss (if any) under Head(s).		
		
		

Section 5 Partnerships, Estates, Trusts, Etc.

Declaration as to the partners in a Firm, and the amount of the share of the Income to which each partner was entitled — (Section 45 of the Ordinance), and as to the beneficiaries in an estate, trust, etc.

Names of Partners (or beneficiaries).	Addresses of the Partners (or beneficiaries).	State in each case whether "General", "Special", "Acaine" or "Salaried" Partner.	Basis of distribution of Profit	Amount of Each Partner's or beneficiary's Share of the Income			
				As returned		As assessed by Commissioners	
				\$	c.	\$	c.
Total (to agree with the total net profits of the firm or estate or trust as returned above) ..				\$			

I declare that I am*.....of the Firm or Estate or Trust above described, and that the foregoing particulars are in every respect fully and truly stated according to the best of my judgment and belief.

*State whether Resident Acting Partner for the time being, Executor and Administrative Trustee or the Attorney, Agent, Manager, &c.: in cases where no partner is resident in the Colony.

.....Signature

N.B.—In the case of persons carrying on business in partnership, the Resident Acting Partner, or the Attorney, Agent, or Manager, where no partner is resident in the Colony, is required to render a joint Return of the full profits of the partnership, although liability to tax attaches only to each of the partners in his individual capacity. Each resident partner must therefore render a separate Return of his share of the partnership profits, and also of any personal income which he may possess. The Return of the share of any non-resident partner must be made on his behalf by his Attorney, Agent, Manager and &c. The same applies mutatis mutandis to beneficiaries.

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 has 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 the profits or gains has been arrived at.
- Note 3.** Any salaries, fees, etc. received as a director, etc. of any Company or other body of persons by any partner, trustee, etc., which is credited to the Company, firm, etc., should be included as gains or profits under this Head.
- Note 4.** Dividends, Interest, 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 Saving Accounts 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 Treasury Bills, also Dividends, Shares, Possessions, Securities, etc.
Exclude any interest received by Non-residents on Government Bonds and Debentures issued under Ordinances 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 5.** 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 money received from estates, or trusts of any kind or under any agreement whatsoever.
- Note 6.** 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 sub-letting of trade premises which may be included under Head A, page 2.
- Note 7.** 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 % claimed; (f) Amount (if any) written off taxpayer's books.
- 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 value as at 1st January, 1956 if acquired before that date; (g) the cost of any improvements, additions, or alterations (not allowed as repairs) thereto since the date of acquisition or 1st January, 1956 (whichever is the later); (h) the date of sale or transfer to the new owner; (i) the name and address of the new owner; (j) the sale price or value of the consideration upon disposal or value upon transfer etc.; (k) any expenses incurred upon the sale, transfer or other disposal; (l) how the gain or the loss from each asset has been arrived at; (m) 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.

Made this 5th day of April, 1963.

Charles Jacob, Jr.,
Minister of Finance.