

FAQs on Statement of Practice R16 (exceptional days to be discounted for individual residence)

What are “discounted days”?

These are the days that the Revenue Service can ignore when working out your residential status for tax purposes. The tax you need to pay in Guernsey depends on your residential status and is based on the number of midnights you spend in the Island. The Director may ignore days in Guernsey where there are “exceptional and compelling” reasons for doing so.

Days will not be ignored for general travel disruption (such as fog or technical issues with a plane), births, marriages, illness or death of a loved one. However, where travel is disrupted due to Foreign Office or Government advice and borders are closed, for example, this would be treated as exceptional and compelling.

As such, if you are not normally principally resident in Guernsey and can prove that your stay here was because of some such exceptional reason, the Revenue service may ignore some days in determining how long you were here for.

How do I apply to have days ignored?

You will need to explain what the circumstances are and why you feel that certain days should be ignored, in effect let us know what the “exceptional and compelling” reasons are, and the relevant dates.

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Before the Revenue Service agree that days can be ignored, you will need to provide evidence of the situation, for example details of the Government advice not to travel, evidence that your flights were cancelled, and you were not able to leave the Island as future flights/boats were cancelled. If appropriate, evidence that your application for an essential travel permit was denied, or your Doctor’s advice not to travel because of a global pandemic and your health meant you should be shielding.

All the relevant information should be sent to the Revenue Service, who will review the information provided and make the decision as to the number of days, if any, that can be ignored.

I had to self-isolate when I arrived in Guernsey, can these days be ignored?

No. When the decision was made to come to Guernsey you knew that it would require you to go into self-isolation for the mandatory time period. These days will be counted by the Revenue Service.

If I choose to stay in Guernsey after travel restrictions are lifted – will the days I was stuck on Guernsey, because of the restrictions, still count?

Yes. Once you can leave, if you decide to stay, then all days on the Island will be counted when working out your residential status for tax purposes.

Are there any restrictions on the days that can be ignored?

Days spent in the island must be due to “exceptional and compelling” circumstances before they can be ignored for tax residence purposes. Days will not be ignored for general travel disruption (such as fog or technical issues with a plane), births, marriages, illness or death of a loved one.

Additionally, if ignoring days in Guernsey for tax residence purposes means you will be treated as non-resident here, you must be able to show that you will be tax resident in another jurisdiction. If you will not be resident elsewhere, for the relevant year, then the Revenue Service will not ignore those days spent in Guernsey.