

THE PROVISIONAL COLLECTION OF TAX ACT

The Provisional Collection of Tax (Income Tax) Order, 2014

In exercise of the power conferred upon the Minister by section 3 of the Provisional Collection of Tax Act, the following Order is hereby made: -

1. This Order may be cited as the Provisional Collection of Tax (Income Tax) Order, 2014.
2. During the continuance in force of this Order, the Income Tax Act is amended in the manner specified in the Schedule.

SCHEDULE

(Paragraph 2)

Amendments to Income Tax Act

Provision	Amendment
Section 5 (1)	Insert next after paragraph (c) the following as paragraph (d) – “(d) except where section 40(1)(b) does not apply, the income arising from insurance premiums paid by a person resident in the Island to a person who is not resident in the Island.”.
Section 40	1. Delete subsection (1) and substitute therefor the following – “(1) Subject to the provisions of this section, where payment is made to a person who is not resident in the Island by a person resident in the Island in respect of – (a) any interest of money, royalty, annuity, or other

2. Insert next after subsection (1A) the following as subsection (1B) –

“ (1B) Subsection (1)(b) shall not apply where the insurance premium is paid by an insurance company resident in Jamaica that is registered with the Financial Services Commission under Part II of the *Insurance Act* to a person who satisfies all of the following conditions, namely –

- (a) the person is not connected with the insurance company;
- (b) the person, in receiving the insurance premium, is carrying on the business of writing contracts of reinsurance in the international reinsurance market; and
- (c) the Commissioner is satisfied that the person is not acting as, or on behalf of, a captive insurance company in receiving the insurance premium.” .

Section 48 Insert next after subsection (7), the following as subsection (7A) –

“ (7A) Where applicable, the provisions of section 40 (1)(b) shall not affect the operation of subsection (6) or subsection (7).”.

Dated this 30 day of April, 2014.


Minister of Finance and Planning