

Jersey

Rank: #8

Jersey is responsible for 3.89% of the world's corporate tax abuse risks.

CTHI Value: 1,724

Haven Score: 100.0



How much scope for corporate tax abuse the jurisdictions's tax and financial systems allow. 0 means no scope, 100 means unrestrained scope.

Global Scale Weight: 0.51%



How much of the financial activity conducted by multinational corporations around the world is hosted by the jurisdiction.

The jurisdiction's CTHI value (Corporate Tax Haven Index value) is a measure of how intensely the jurisdiction enables multinational corporations to abuse corporate tax. The jurisdiction is ranked on the index by its CTHI value.

A jurisdiction's CTHI Value is calculated by first grading its tax and financial systems with a Haven Score out of 100 where a zero means the jurisdiction's laws allow no scope for corporate tax abuse and a 100 means they allow unrestrained scope. The jurisdiction's Haven Score is then combined with its Global Scale Weight, ie the volume of financial activity conducted in the country by multinational corporations, to calculate how much corporate financial activity the jurisdiction puts at risk of corporate tax abuse.

A higher CTHI value does not mean a jurisdiction has more aggressive tax laws, but rather that the jurisdiction's laws and its position in the global economy combine to create a greater risk of corporate tax abuse by multinational corporations.

Haven Score breakdown



100.0

LOWEST AVAILABLE CORPORATE INCOME TAX

Haven Indicator 1: LACIT ▲



100

This indicator identifies the lowest available corporate income tax rate (LACIT) for any large for-profit company that is tax resident in a country. It takes the statutory corporate income tax rate only as a starting point to analyse legal gaps and loopholes that result in lower accessible rates. The scoring of Haven Indicator 1 is computed by scaling that LACIT rate against the spillover risk reference rate of 35% (the highest available corporate income tax rate in a democracy).

ID 505 — Statutory corporate income tax rate ▲

Question: Statutory-CIT-Rate: What is the statutory CIT rate reported by the OECD (or alternatively by IBFD or KPMG)?

Answer: 0 %

Notes:

- According to the OECD: "The standard rate of company income tax in Jersey has been set at 0% since 2009 (OECD Stats 2020b).

Sources:

- <https://home.kpmg.com/xx/en/home/services/tax/tax-tools-and-resources/tax-rates-online/corporate-tax-rates-table.html>
- https://stats.oecd.org/Index.aspx?DataSetCode=CTS_CIT
- [OECD Stats 2020b](#)
- <http://www.oecd.org/tax/tax-policy/explanatory-annex-non-oecd-statutory-cit-rates.pdf>
- [IBFD 2020d](#)
- [KPMG 2020](#)
- [OECD Stats 2020a](#)

ID 506 — Corporate income tax rate: Correction for size of company ▲

Question: CIT-Rate-Correction-Size: What is the deviating CIT rate, if any, applicable to the largest companies in the jurisdiction?

Answer: Not applicable

ID 507 — Corporate income tax rate: Correction for sectoral exemptions ▲

Question: CIT-Rate-Correction-Sector: What is the lowest deviating CIT rate, if any, applicable to companies in jurisdictions exempting a broad range of sectors (at least four full and/or eight partial exemptions)?

Answer: Not applicable

Notes:

- According to the KPMG: "Financial services companies" that have a permanent establishment in Jersey are taxed at 10%, Jersey-based utility companies are taxed at 20%, large corporate retailers are taxed on a graduated basis at between 0% - 20%, company profits from importing and/or distributing hydrocarbon oils are taxed at 20%. Jersey source rental income and development profits are taxed at 20%. All other companies are subject to the general rate of 0%." (KPMG 2020). However, according to the weakest link, given that the CIT is 0%, we don't consider these special cases.

Sources:

- [KPMG 2020](#)
- <https://home.kpmg.com/xx/en/home/services/tax/tax-tools-and-resources/tax-rates-online/corporate-tax-rates-table.html>
- [OECD Stats 2020b](#)
- <http://www.oecd.org/tax/tax-policy/explanatory-annex-non-oecd-statutory-cit-rates.pdf>

ID 541 — Corporate income tax rate: Correction for subnational regions ▲

Question: CIT-Rate-Correction-Regions: What is the lowest deviating CIT rate, if any, applicable in the political subdivision/subnational region with the lowest CIT rate?

Answer: Not applicable

ID 542 — Corporate income tax rate: Adjustment for retention or distribution ▲

Question: CIT-Rate-Adjustment-Retention: What is the lowest deviating CIT rate, if any, applicable to distributed or retained profits?

Answer: Not applicable

ID 543 — Corporate income tax rate: Adjustment for specific type of company ▲

Question: CIT-Rate-Adjustment-Type: What is the lowest deviating CIT rate, if any, applicable to specific types of companies?

Answer: Not applicable

ID 544 — Corporate income tax rate: Adjustment for territorial tax base ▲

Question: CIT-Rate-Adjustment-Territorial: What is the lowest deviating CIT rate, if any, applicable to active business income from foreign sources?

Answer: Not applicable

ID 545 — Corporate Income Tax Rate: Adjustment for tax rulings ▲

Question: CIT-Rate-Adjustment-Rulings: What is the lowest deviating CIT rate, if any, derived from documented cross-border unilateral tax rulings issued by the authorities in the jurisdiction?

Answer: Not applicable

ID 587 — Corporate tax residency scope ▲

Question: Corporate tax residency scope: Do the domestic rules for corporate tax residency include as tax resident at least all locally incorporated companies?

Answer: NO, not all locally incorporated companies are considered tax resident of the jurisdiction.

Sources:

- IBFD 2020d; Deloitte 2020a [↗](#)

LOOPHOLES AND GAPS

Haven Indicator 2: Foreign Investment Income ▲

100

This indicator assesses whether a country includes worldwide capital income in its corporate income tax base and if its domestic law grants unilateral tax credits for foreign tax paid on certain foreign capital income.

ID 555 — Double taxation relief, dividends, related parties ▲

Question: *Legal Person, Resident, Related Party: Dividends

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (IBFD 2020d).

Sources:

- IBFD 2020d [↗](#)

ID 554 — Double taxation relief, royalties ▲

Question: Legal Person, Resident: Royalties

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (IBFD 2020d).

Sources:

- IBFD 2020d [↗](#)

ID 553 — Double taxation relief, interest ▲

Question: *Legal Person, Resident: Interest

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction.

Sources:

- IBFD 2020d [↗](#)

ID 552 — Double taxation relief, dividends, independent parties ▲

Question: *Legal Person, Resident, Independent Party: Dividends

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (IBFD 2020d).

Sources:

- [IBFD 2020d](#)

Haven Indicator 3: Loss Utilisation ▲

100

This indicator measures whether a jurisdiction provides loss carry backward and/or unrestricted loss carry forward for ordinary and trading losses. Capital losses fall outside the scope of this indicator.

ID 509 — Loss carry backward ▲

Question: Loss Carry Backward: Does the jurisdiction allow loss carry backward?

Answer: Not Applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 510 — Loss carry forward ▲

Question: Loss Carry Forward: Does the jurisdiction restrict loss carry forward independent of change of ownership?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

Haven Indicator 4: Capital Gains Taxation ▲

100

This indicator measures the extent to which a jurisdiction taxes corporate capital gains arising from the disposal of domestic and/or foreign securities (i.e. shares and bonds). As such, it assesses the lowest available tax levied on corporate capital gains, applicable for large for-profit corporations which are tax resident in the jurisdiction, irrespective of whether the capital gains are taxed as part of corporate income tax or as part of another type of tax, such as wealth tax or an independent capital gains tax.

ID 513 — Domestic securities capital gains taxation ▲

Question: Domestic Securities Capital Gains Taxation: What is the lowest available capital gains tax rate arising from disposal of domestic securities applicable for large "for profit" companies which are tax resident in the jurisdiction?

Answer: 0 %

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505). Indeed, capital gains are not included in the taxable income of a corporation (IBFD 2020d: 1.4.).

Sources:

- [IBFD 2020d](#); [PWC 2020a](#)
- <https://taxsummaries.pwc.com/jersey/corporate/income-determination>

ID 514 — Foreign securities capital gains taxation ▲

Question: Foreign Securities Capital Gains Taxation: What is the lowest available capital gains tax rate arising from disposal of foreign securities applicable for large "for profit" companies which are tax resident in the jurisdiction?

Answer: 0 %

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#); [PWC 2020a](#)
- <https://taxsummaries.pwc.com/jersey/corporate/income-determination>

Haven Indicator 5: Broad Exemptions ▲

100

This indicator measures the availability of broad exemptions from corporate income tax (CIT). It covers exemptions applicable to companies engaged in specific activities or sectors.

ID 524 — Real estate investment sector tax exemption (passive) ▲

Question: Real Estate Investment (passive): Are there any (partial) tax exemptions applicable to collective investment companies investing in real estate?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 525 — Financial investment sector tax exemption (passive) ▲

Question: Other Investment (passive): Are there any (partial) tax exemptions applicable to collective investment companies investing in assets other than real estate?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 526 — Extractive sector tax exemption ▲

Question: Extractives (active): Are there any (partial) tax exemptions applicable to companies active in the extractives sector (oil, gas, mining)?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 527 — Agriculture and farming sector tax exemption ▲

Question: Agriculture and farming (active): Are there any (partial) tax exemptions applicable to companies active in the agricultural and farming sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 528 — Manufacturing sector tax exemption ▲

Question: Manufacturing (active): Are there any (partial) tax exemptions applicable to companies active in the manufacturing sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 529 — Construction sector tax exemption ▲

Question: Construction (active): Are there any (partial) tax exemptions applicable to companies active in the construction sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 530 — Infrastructure sector tax exemption ▲

Question: Infrastructures (active): Are there any (partial) tax exemptions applicable to companies active in the infrastructures sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 531 — Transportation and storage sector tax exemption ▲

Question: Transportation and storage (active): Are there any (partial) tax exemptions applicable to companies active in the transportation and storage sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 532 — Distribution sector tax exemption ▲

Question: Distribution (active): Are there any (partial) tax exemptions applicable to companies active in the distribution sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 533 — Accommodation, food and recreation sector tax exemption ▲

Question: Accommodation, food and recreation (active): Are there any (partial) tax exemptions applicable to companies active in the accommodation, food and recreation sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 534 — Information and telecom sector tax exemption ▲

Question: Information and telecom (active): Are there any (partial) tax exemptions applicable to companies active in the information and telecom sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 535 — IT services sector tax exemption ▲

Question: IT services (active): Are there any (partial) tax exemptions applicable to companies active in the IT services sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 536 — Banking and insurance sector tax exemption ▲

Question: Banking and insurance (active): Are there any (partial) tax exemptions applicable to companies active in the banking and insurance sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 537 — Professional and technical services sector tax exemption ▲

Question: Professional and technical services (active): Are there any (partial) tax exemptions applicable to companies active in the professional and technical services sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 538 — Business services sector tax exemption ▲

Question: Business services (active): Are there any (partial) tax exemptions applicable to companies active in the business services sector?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

permanent) given to companies located in designated economic zones.

ID 540 — Tax holidays, non-economic zones, full exemption ▲

Question: NonEZ-Temporary-Full: How many temporary (tax holidays) and full tax exemptions are offered to companies established anywhere in the jurisdiction (except in economic zones or non-autonomous regions)?

Answer: -3

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- IBFD 2020d [↗](#)
- <http://www.ports.je/jerseyharbours/RegulationGuidance/Pages/LawRegulations.aspx>
- <https://home.kpmg/xx/en/home/services/tax/tax-tools-and-resources/tax-rates-online/corporate-tax-rates-table.html>

ID 539 — Tax holidays, non-economic zones, partial exemption ▲

Question: NonEZ-Temporary-Partial: How many temporary (tax holidays) and partial tax exemptions are offered to companies established anywhere in the jurisdiction (except in economic zones or non-autonomous regions)?

Answer: -3

Notes:

- See note above [ID540].

Sources:

- IBFD 2020d [↗](#)

ID 504 — Permanent, economic zones, full exemption ▲

Question: EZ-Permanent-Full: How many permanent and full tax exemptions are offered by the jurisdiction to companies established in economic zones or non-autonomous regions?

Answer: -3

Notes:

- See note above [ID540].

Sources:

- IBFD 2020d [↗](#)

ID 503 — Permanent, economic zones, partial exemption ▲

Question: EZ-Permanent-Partial: How many permanent and partial tax exemptions are offered by the jurisdiction to companies established in economic zones or non-autonomous regions?

Answer: -3

Notes:

- See note above [ID540].

Sources:

- IBFD 2020d [↗](#)

ID 502 — Tax holidays, economic zones, full exemption ▲

Question: EZ-Temporary-Full: How many temporary (tax holidays) and full tax exemptions are offered by the jurisdiction to companies established in economic zones or non-autonomous regions?

Answer: -3

Notes:

- See note above [ID540].

Sources:

- IBFD 2020d [↗](#)

ID 501 — Tax holidays, economic zones, partial exemption ▲

Question: EZ-Temporary-Partial: How many temporary (tax holidays) and partial tax exemptions are offered by the jurisdiction to companies established in economic zones or non-autonomous regions?

Answer: -3

Notes:

- See note above [ID540].

Sources:

- IBFD 2020d [↗](#)

Haven Indicator 7: Patent Boxes ▲

This indicator measures whether a jurisdiction offers preferential tax treatment for income related to intellectual property rights (e.g. patent boxes) and whether the Organisation for Economic Co-operation and Development (OECD) nexus approach constraints are applicable to the patent box.

ID 515 — Patent box ▲

Question: Patent Box: Does the jurisdiction offer preferential tax treatment for income related to intellectual property?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

Haven Indicator 8: Fictional Interest Deduction ▲

100

This indicator measures whether a jurisdiction offers fictional interest deduction to lower the corporate income tax. Because the deduction is given even though no actual interest was paid, the interest deduction is referred to as "fictional" or "nominal". Fictional interest deduction allows a company with a capital structure with high equity (i.e. mostly financed by issuing shares instead of borrowing money) to deduct a certain sum of fictitious financial costs from its tax base.

ID 516 — Fictional interest deduction ▲

Question: Fictional Interest Deduction: Does the jurisdiction offer a scheme that allows deducting from the corporate income tax base a notional return on equity?

Answer: Not Applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

TRANSPARENCY

Haven Indicator 9: Public Company Accounts ▲

100

This indicator considers whether a country requires all available types of company with limited liability (except for small companies) to keep accounts according to the international standard and to file their accounts with a government authority and to make them accessible online for free or at a low cost.

ID 188 — Compliance with international standard on keeping accounting records ▲

Question: *Is there an obligation to keep accounting data?

Answer: Yes

Notes:

- In 2013, Jersey adopted new accounting regulations that set out record keeping obligations (GF 2014: 26). The new regulations "ensure that all relevant entities and arrangements have an obligation to maintain reliable accounting records, including underlying documents in line with the standard [...]" (Ibid: 27). The 2017 Global Forum reported no change in this regard (GF 2017: 73-77).

Sources:

- GF 2011: 46-51; GF 2013: 48-53
- GF 2014: 26-31; GF 2017: 73-77
- http://documents.ocrac.com/jurisdiction/europe/Jersey_Information.pdf
- <https://www.ogier.com/publications/private-companies-in-jersey>

ID 189 — Submission of annual accounts to a government authority ▲

Question: *Are annual accounts submitted to a public authority?

Answer: No, annual accounts are not always required to be submitted to a public authority.

Notes:

- The requirement to submit accounts is relevant only to public companies and to certain private companies "that are deemed public by virtue of Article 17(2) of the Companies Law, those that: have more than 30 shareholders; circulate a prospectus relating to its securities; or are a market traded company within the meaning of Part 16 of the Companies Law." (GF 2017: 71).

Sources:

- GF 2011: 46-47; GF 2013: 53; GF 2017: 71
- http://documents.ocrac.com/jurisdiction/europe/Jersey_Information.pdf
- <https://www.ogier.com/publications/private-companies-in-jersey#>

ID 201 — Online availability of annual accounts / financial statements ▲

Question: *Are annual accounts available on a public online record (up to 10 €/US\$/GBP)?

Answer: Not applicable

Notes:

- Accounts of non public companies need not be submitted to authorities (see note on [ID189]). Accounts of some companies are available at a cost of 2 GBP at the website of Jersey Company Registry (JFSC Companies Registry).

Sources:

- <http://www.jerseyfsc.org/registry/>
- <https://www.jerseyfsc.org/registry/documentsearch/NameSearch.aspx>
- http://documents.ocrac.com/jurisdiction/europe/Jersey_Information.pdf

Haven Indicator 10: Public Country By Country Reporting (CBCR) ▲

100

This indicator measures whether the companies listed on the stock exchanges or involved in certain sectors (eg extractives) or incorporated in a given jurisdiction are required to publish publicly worldwide financial reporting data on a country-by-country reporting basis.

ID 318 — Public country-by-country reporting standard ▲

Question: *CBCR: Are companies listed on the national stock exchange or incorporated in the jurisdiction required to comply with a worldwide country-by-country reporting standard?

Answer: No public country-by-country reporting at all.

Sources:

- Email communication with PWYP International, 19.02.2019 & 05.08.2019 [↗](#)
- Meinzer & Trautvetter 2018 [↗](#)
- Freymeyer 2019 [↗](#)
- Email communication with Eurodad, 09.09.2020 [↗](#)

Haven Indicator 11: Robust Local Filing of Country By Country Reporting (CBCR) ▲

100

This indicator assesses whether a jurisdiction, going beyond the OECD standard, ensures its own access to the country-by-country reports of any relevant foreign multinational enterprises with domestic operations. Access is ensured if the jurisdiction requires country-by-country reports to be filed locally by the local subsidiary or branch of a foreign multinational enterprise whenever the jurisdiction does not obtain these reports through the automatic exchange of information for whatever reason.

ID 419 — Robust local filing of country-by-country reporting ▲

Question: *CBCR: Is there a local filing requirement of a global country-by-country reporting file (according to OECD's BEPS Action 13) by large corporate groups (with a worldwide turnover higher than 750 million Euro) and local subsidiaries of foreign groups?

Answer: OECD Legislation: Secondary mechanism is subject to restrictions imposed by OECD model legislation; or no secondary mechanism at all (only the domestic ultimate parent entity has to file the CbCR)

Notes:

- Jersey confirms that it has applied the local filing obligations in line with the terms of reference, and has published guidance to this effect on its website and therefore, this monitoring point is removed (OECD CBCR 2019: 281). This was confirmed in 2020 (OECD CBCR 2020: 220).
- "Under Jersey's legislation, local filing may be required in circumstances where there is no current international agreement between Jersey and the residence jurisdiction of the Ultimate Parent Entity, which is not permitted under the terms of reference. Although this condition does not reflect the details of paragraph 8 (c) v. b) of the terms of reference (OECD, 2017b) to refer to a "Qualifying Competent Authority in effect" to which Jersey is a Party "by the time for filing the Country-by- Country Report" (as the date when the condition relating to a QCAA may be tested), Jersey confirms that it will apply this provision in accordance with the wording of these terms of reference. It confirms that it has already taken steps to amend its regulations: the new regulations are currently at the drafting stage and are expected to be presented for parliamentary approval in the spring of 2018. As such, no recommendation is made but this aspect will be monitored." (OECD CBCR 2018: 395; OECD CBCR 2019: 281).

Sources:

- OECD CBCR 2018 [↗](#)
- OECD CBCR 2019 [↗](#)
- OECD CBCR 2020 [↗](#)

Haven Indicator 12: Unilateral Cross-Border Tax Rulings ▲

100

This indicator measures whether and to what extent a country publishes online unilateral cross-border tax rulings; and for countries with extractive industries, whether extractive industries contracts are published.

ID 363 — Tax rulings availability ▲

Question: *Tax Rulings: Are unilateral cross-border tax rulings (e.g. advance tax rulings, advance tax decisions) available in laws or regulation, or in administrative practice?

Answer: Yes

Notes:

- Jersey can issue unilateral cross-border tax rulings. The Comptroller or Assistant Comptroller of Taxes usually issues rulings (OECD UTR 2018: 254). According to the OECD, rulings include: "(i) cross-border unilateral APAs and any other cross-border unilateral tax rulings (such as an advance tax ruling) covering transfer pricing or the application of transfer pricing principles; (ii) rulings providing for unilateral downward adjustments, (iii) permanent establishment rulings; and (iv) related party conduit rulings" (OECD UTR 2019: 227). The IBFD adds that although there is no formal advance ruling system, and the rulings are not legally binding, they are normally followed by the Comptroller (IBFD 2020d).

Sources:

- OECD UTR 2018: 254 [↗](#)
- OECD UTR 2019: 227 [↗](#)
- IBFD 2020d [↗](#)

ID 421 — Tax rulings disclosure ▲

Question: *Tax Rulings: Are all unilateral crossborder tax rulings (e.g. advance tax rulings, advance tax decisions) published online for free, either anonymised or not?

Answer: NONE OR SOME: None or only some of the unilateral crossborder tax rulings are published online.

Notes:

- According to Taxes Office's policy on tax rulings, only general tax rulings are published online (www.gov.je). While the 2018 OECD UTR report mentions that rulings are stored on a database, the Jersey Taxes Office seems to have exclusive access as it cannot be found online (OECD UTR 2018: 254). Therefore, we conclude that advance tax rulings are not published online.

Sources:

- OECD UTR 2018: 254 [↗](#)
- <https://www.gov.je/SiteCollectionDocuments/Tax%20and%20your%20money/ID%20Taxes%20Office%20Policy%20on%20Tax%20Rulings%202020>
- OECD UTR 2019 [↗](#)

ID 561 — Mining contracts disclosure in law ▲

Question: *Mining contracts in law: Are all extractive industries mining contracts required by law to be disclosed?

Answer: Not Applicable

Sources:

- Contract Disclosure Policy and Practice Tracker, Natural Resource Governance Institute 28.07.2020 [↗](#)
- <https://docs.google.com/spreadsheets/d/1FXEeD43jw6VYHV8yS-8KJ5-rR5l0XtKxVQZBWzr-ohY/edit#gid=4>

ID 562 — Mining contracts disclosure in practice [▲](#)

Question: *Mining contracts in practice: Are all extractive industries mining contracts published online in practice?

Answer: Not applicable

Sources:

- Contract Disclosure Policy and Practice Tracker, Natural Resource Governance Institute 28.07.2020 [↗](#)
- <https://docs.google.com/spreadsheets/d/1FXEeD43jw6VYHV8yS-8KJ5-rR5l0XtKxVQZBWzr-ohY/edit#gid=41>

ID 563 — Petroleum contracts disclosure in law [▲](#)

Question: *Petroleum contracts in law: Are all extractive industries petroleum contracts required by law to be disclosed?

Answer: Not Applicable

Sources:

- Contract Disclosure Policy and Practice Tracker, Natural Resource Governance Institute 28.07.2020 [↗](#)
- <https://docs.google.com/spreadsheets/d/1FXEeD43jw6VYHV8yS-8KJ5-rR5l0XtKxVQZBWzr-ohY/edit#gid=0>

ID 564 — Petroleum contracts disclosure in practice [▲](#)

Question: *Petroleum contracts in practice: Are all extractive industries petroleum contracts published online in practice?

Answer: Not applicable

Sources:

- Contract Disclosure Policy and Practice Tracker, Natural Resource Governance Institute 28.07.2020 [↗](#)
- <https://docs.google.com/spreadsheets/d/1FXEeD43jw6VYHV8yS-8KJ5-rR5l0XtKxVQZBWzr-ohY/edit#gid=9>

Haven Indicator 13: Reporting of Tax Avoidance Schemes [▲](#)

100

This indicator assesses two components of mandatory reporting to tackle tax avoidance schemes: (i) the reporting of tax avoidance schemes, in which we assess whether a country requires both taxpayers and tax advisers to report tax avoidance schemes they have used; and (ii) the reporting of uncertain tax positions, in which we assess whether a country requires taxpayers and tax advisers to report uncertain tax positions for which reserves have been created in annual corporate accounts.

ID 403 — Taxpayers' mandatory reporting of tax avoidance schemes [▲](#)

Question: *Taxpayers reporting schemes: Are taxpayers required to report at least annually on certain tax avoidance schemes they have used?

Answer: No.

Sources:

- IBFD 2020d [↗](#)

ID 404 — Tax advisers' mandatory reporting of tax avoidance schemes [▲](#)

Question: *Tax advisers reporting schemes: Are tax advisers (who help companies and individuals to prepare tax returns) required to report at least annually on certain tax avoidance schemes they have sold/marketed (if applicable)?

Answer: No.

Sources:

- IBFD 2020d [↗](#)

ID 405 — Taxpayers' mandatory reporting of uncertain tax positions [▲](#)

Question: *Taxpayers reporting uncertain tax positions: Are taxpayers required to report at least annually on details of uncertain tax positions for which reserves have been created in the annual accounts?

Answer: No.

Sources:

- IBFD 2020d [↗](#)

ID 406 — Tax advisers' mandatory reporting of uncertain tax positions [▲](#)

Question: *Tax advisers reporting uncertain tax positions: Are tax advisers required to report at least annually on details of uncertain tax positions for which reserves have been created in the annual accounts of the companies they advised?

Answer: No.

Sources:

- IBFD 2020d [↗](#)

Haven Indicator 14: Tax Court Transparency [▲](#)

100

This indicator assesses the openness of a jurisdiction's judicial system in tax matters by analysing the public online availability of verdicts, judgements, and sentences.

ID 409 — Criminal tax courts' publication of decisions [▲](#)

Question: *Is the full text of judgements / verdicts issued by criminal tax courts published online for free, or for a cost of up to 10 €/US\$/GBP??

Answer: No, full text of verdicts is not always online (up to 10€/US\$/GBP)?

Notes:

- The website of Jersey Legal Information Board (jerseylaw.je/judgments) publishes judgments from the Privy Council, the Jersey Employment Tribunal, and unreported judgments, which are from Jersey Royal Court and Jersey Appeal Court. However, it was not possible to find judgments from the lower courts (Magistrate's Court and Petty Debts Court).

Sources:

- <https://www.jerseylaw.je/judgments/Pages/Search.aspx#k=>
- <https://www.jerseylaw.je/faqs/Pages/What-are-Unreported-Judgments.aspx>
- <https://www.gov.je/Government/NonexecLegal/JudicialGrefe/Pages/CourtLists.aspx>

ID 410 — Civil tax courts' publication of decisions ▲

Question: "Is the full text of judgements / verdicts issued by civil tax courts published online for free, or for a cost of up to 10 €/US\$/GBP?"

Answer: No, full text of verdicts is not always online (up to 10€/US\$/GBP)?

Notes:

- The website of Jersey Legal Information Board (jerseylaw.je/judgments) publishes judgments from the Privy Council, the Jersey Employment Tribunal, and unreported judgments, which are from Jersey Royal Court and Jersey Appeal Court. However, it was not possible to find judgments from the lower courts (Magistrate's Court and Petty Debts Court).

Sources:

- <https://www.jerseylaw.je/judgments/Pages/Search.aspx#k=>
- <https://www.jerseylaw.je/faqs/Pages/What-are-Unreported-Judgments.aspx>
- <https://www.gov.je/Government/NonexecLegal/JudicialGrefe/Pages/CourtLists.aspx>

ANTI-AVOIDANCE

Haven Indicator 15: Deduction Limitation of Interest Payments ▲

100

This indicator assesses a country's limitations on the deduction of interest expenses from the corporate income tax base. It focuses on limits placed on interest paid to non-resident group affiliates ("intra-group interest payments"), including by means of a fixed ratio rule.

ID 517 — Outbound intra-group interest deduction limitation ▲

Question: Outbound intra-group interest deduction limitation: Does the jurisdiction restrict or disallow deducting from the corporate income tax base interest paid to non-resident group affiliates?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 518 — Group ratio rule (as part of fixed ratio interest deduction limitation) ▲

Question: Group ratio rule: Does the jurisdiction apply a group ratio rule opt-in alongside fixed ratio limitations on interest deduction?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

ID 519 — Financial undertaking exclusion (as part of fixed ratio interest deduction limitation) ▲

Question: Financial undertaking exclusion: Does the jurisdiction apply a financial undertaking exclusion alongside fixed ratio limitations on interest deduction?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

Haven Indicator 16: Deduction Limitation of Royalty Payments ▲

100

This indicator measures whether or to what extent a jurisdiction disallows or restricts the deduction of royalties paid to non-resident group affiliates ("intra-group royalty payments") from the corporate income tax base.

ID 520 — Outbound intra-group royalty deduction limitation ▲

Question: Outbound intra-group royalty deduction limitation: Does the jurisdiction restrict or disallow deducting from the corporate income tax base royalties paid to non-resident group affiliates?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

Haven Indicator 17: Deduction Limitation of Service Payments ▲

100

This indicator measures whether or to what extent a jurisdiction restricts or disallows the deduction of intra-group services payments (management fees, technical fees, consulting services fees) paid to non-resident group affiliates from the corporate income tax base.

ID 521 — Outbound intra-group services deduction limitation ▲

Question: Outbound intra-group services deduction limitation: Does the jurisdiction restrict or disallow deducting from the corporate income tax base payments for management, technical, legal or accounting services paid to non-resident group affiliates?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

Haven Indicator 18: Withholding Taxes on Dividend Payments ▲

100

This indicator measures the extent to which a jurisdiction levies withholding taxes on outbound dividends. It assesses the lowest available unilateral withholding tax rate on outbound dividend payments.

ID 508 — Dividend-related party payment ▲

Question: Dividend-Related Party Payment: What is the (lowest) applicable unilateral cross-border withholding tax rate for outgoing dividend payments to a related party?

Answer: 0 %

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

Haven Indicator 19: Controlled Foreign Company Rules ▲

100

This indicator assesses whether countries apply robust non-transactional controlled foreign company (CFC) rules. CFC rules are a type of specific anti-avoidance rules that target particular taxpayers or transactions. Like other types of specific anti-avoidance rules, CFC rules are more effective than general anti-avoidance rules in capturing the specific type of tax avoidance on which they focus.

ID 522 — Controlled Foreign Company (CFC) rules ▲

Question: CFC-Rules: Does the jurisdiction apply robust non-transactional CFC rules?

Answer: Not applicable

Notes:

- Because the statutory tax rate is zero, we conclude this criteria is not relevant and thus not applicable for this jurisdiction (see ID 505).

Sources:

- [IBFD 2020d](#)

DOUBLE TAX TREATY AGGRESSIVENESS

Haven Indicator 20: Treaty Aggressiveness ▲

100

This indicator analyses the aggressiveness of a jurisdiction in their double tax agreements with other countries, as revealed by the withholding tax rates that apply to the payment of dividends, interests and royalties.

ID 571 — Aggregate tax treaty aggressiveness ▲

Question: Aggregate-Aggressiveness: What is the scaled value of all negative differentials between the assessed jurisdiction's treaty withholding rates on all three payment types (dividend, interest and royalty) and those of its treaty partner jurisdiction.

Answer: 100

Global Scale Weight breakdown

0.51%

Inward foreign direct investment (US\$)

\$ 114,386,514,512

Outward foreign direct investment (US\$)

\$ 370,554,625,507

Sum of inward and outward foreign direct investment (US\$)

\$ 484,941,140,018

Global total of sum of inward and outward foreign direct investment (US\$)

\$ 94,690,323,833,261

Global scale weight (share of jurisdiction's inward and outward foreign direct investment on the global total)

0.512%