

INCOME TAX ACT

FORM OF APPLICATION FOR A CERTIFICATE DESIGNATING AN INDIVIDUAL AS A HIGH EXECUTIVE POSSESSING SPECIALIST SKILLS UNDER THE HIGH EXECUTIVE POSSESSING SPECIALIST SKILLS RULES 2008

Finance Centre Director
Finance Centre Department
Suite 761
Europort
Gibraltar

I hereby apply for the issue of a certificate designating an individual remunerated in respect of an occupation carried out for, or a post held with, that company or statutory body as a High Executive Possessing Specialist Skills Individual (hereinafter referred to as a "HEPSS Individual")

1. Particulars of Employer

(a) Name and activity of the company/statutory body employing the individual:

(cross out as applicable)

(b) Address:

(c) Date of incorporation/registration/creation:

2. Particulars of Employee

(a) Full name and address of the individual:

(b) Title and functions of post held by employee in the company or statutory body:

3. Requirements

(a) The individual possesses skills that are necessary to promote and sustain economic activity of particular economic value to Gibraltar or the establishment, development or growth of which the Government is seeking to facilitate and encourage, and who will occupy a high executive or senior management position and will earn more than £120,000 per annum in Gibraltar;

(b) those skills are not available in Gibraltar;

(c) those skills are important for the economic development and growth of Gibraltar;

(d) the individual has available to him for his exclusive use for the period of the certificate, residential accommodation in Gibraltar, approved for this purpose by the Finance Centre Director or such other public officer as the Minister with responsibility for finance may from time to time designate by notice in the Gazette, adequate for himself and any or all of his family in Gibraltar dependent upon him; and

(e) the individual has not been gainfully occupied or resident in Gibraltar in any part of the thirty-six month period immediately preceding the year in which the application is made (although the Minister for finance may waive the requirement of this subparagraph

Please provide under separate cover, written information, showing that the applicant complies with the above requirements

4. Category 3 Individuals are exempted from this provision and may apply for a certificate under this Rule.

5. Terms and conditions of certificate.

(a) A certificate issued pursuant to rule 3 shall specify the name of the individual in respect of whom it is issued and the company or statutory body in respect of which he has an occupation or holds a post and the title and functions of the post.

(b) A certificate issued under rule 3 shall be null and void and of no effect if: –

(i) any matter supplied in the application made under rule 3 was false or incomplete in a material particular;

(ii) the tax payable in accordance with rule 6 is not paid at the times specified in that rule; or

(iii) the individual in respect of whom the certificate is issued no longer meets the conditions of rule 3 or ceases to be of good character and of a reputation such that the continuance of the certificate would be deleterious to the reputation of Gibraltar.

6. In support of this application I append two references, one of which must be from a bank, proof of earnings, copy of passport and CV.

7. To the best of my knowledge and belief the information given in this application is true and correct.

8. I enclose an application fee of £1000, which I acknowledge is not refundable.

Employer's signature:.....

Employee's signature.....

Dated this day of 20...