

HEPSS – RESIDING IN GIBRALTAR

A GUIDE FOR RELOCATING EXECUTIVES 2022 - 2023

HIGH EXECUTIVE POSSESSING SPECIALIST SKILLS

An increasing number of executives are taking advantage of the lifestyle and fiscal advantages attainable by moving to Gibraltar. Specifically, Gibraltar has a tax regime for relocating executives and senior management, this is the High Executives Possessing Specialist Skills (HEPSS) regime.

HEPSS is for individuals who earn more than £160,000 per annum in Gibraltar (2021 - 2022 £160,000) and possess the specialist skills necessary to promote and sustain the Gibraltar economy, or develop and achieve growth in a particular area that the Government is seeking to facilitate and encourage.

For individuals qualifying for the HEPSS regime, prescribed assessable income is capped at £160,000 with tax payable in accordance with the Gross Income Based tax system. This results in an annual tax liability of £43,140. This tax is pro-rated in tax years of arrival and departure.

MAIN REQUIREMENTS

Individuals are required to satisfy the following HEPSS conditions:

- The applicant must have specialist 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
- Those skills are not available in Gibraltar and are important for the economic development and growth of Gibraltar
- The applicant will occupy a high executive or senior management position
- The applicant will earn more than £160,000 per annum in Gibraltar
- The applicant must have exclusive use of approved HEPSS property. The property may either be bought or rented
- The applicant has not previously been resident or working in Gibraltar within the three years preceding the application

HEPSS status is awarded on the decision of the Finance Centre Director.

OTHER KEY TAX BENEFITS

In addition to assessable income under the HEPSS regime being capped at £160,000, Gibraltar does not levy capital gains tax, inheritance tax, gift tax and there is no tax on many types of investment income.

2021 - 2023 TRANSITIONAL RULES

For HEPSS residents, with a valid and in force HEPSS certificate on 31 July 2021, earning more than £120,000 but less than £160,000 there are transitional rules. These rules state that their HEPSS status remains in force until the earlier of:

- a) 31 July 2023, or
- b) the expiration of the period of validity of the certificate or the revocation of the certificate.

From 1 August 2021, such HEPSS residents will be chargeable to Gibraltar tax in accordance with the Gross Income Based tax system on all of their assessable income. This removes the (£120,000) tax cap they previously benefited from and effectively results in any assessable income between £120,000 and £160,000 being taxed at 27%.

These rules apply until 31 July 2023, unless the HEPSS certificate expires or is revoked sooner. If the income of the HEPSS resident increases to over £160,000 by the end of the transitional period, they can revert to benefiting from the HEPSS cap, now set at £160,000.

HOW WE CAN HELP

Sovereign Tax Services can assist with all matters relating to the obtaining of HEPSS Residency in Gibraltar.

We can also combine local and international tax expertise to advise on individual circumstances, in particular we specialise in UK taxation for non-UK residents, so can advise from both a Gibraltar and UK perspective.

The services we provide include:

- Preparation and submission of the HEPSS application
- Obtaining and renewing Gibraltar Civilian Registration Card, reinforcing residency status
- Preparation and submission of Gibraltar income tax returns and other compliance matters
- Introductions to local estate agents, banks, and lawyers
- Assessing the benefit of any UK pension transfer, under the UK's Qualifying Recognised Overseas Pension Scheme (QROPS) regime
- Creation and management of trusts, companies and pension schemes (e.g. Qualifying Non-UK Pension Scheme - QNUPS) within the Sovereign Group of Companies.



Sovereign Tax Services is a trading name of Sovereign Fiscalis Limited, Sovereign Place, 117 Main Street, Gibraltar, GX11 1AA.
Company Registration Number: 84307

For further information contact:

Lynette Chaudhary

UK Chartered Tax Adviser

tax.gib@SovereignGroup.com

T: +350 200 76173 Direct: +350 200 52965 Ext: 212