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| Jurisdiction's name: | Seychelles |
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| Information on Residency for tax purposes |
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Section I – Criteria for Individuals to be considered a tax resident

Please list the domestic legal provisions that determine whether an Individual is to be considered a tax resident of that jurisdictions. Such legal provisions may be articles of the relevant tax code (with hyperlinks to the provisions themselves, where possible), as well as any further regulations specifying the residency criteria (if available, with hyperlinks).

This section should ideally also provide further guidance for Individuals to determine whether they are a resident for tax purposes in the jurisdiction, presented either in narrative form or by means of hyperlinks to the relevant sections of the government or tax authority website or publications.

Legal provisions for a Tax Resident (individual (person)) can be cited in section 2 of the Business Tax Act 2009 which states that a "Resident person" means— (a) an individual—

- (i) who resides in Seychelles ("Resides" means normally resides in Seychelles or who has resided in Seychelles for at least 183 days in a tax year or is domiciled in Seychelles;**
- (ii) whose domicile is in Seychelles unless the person has a permanent place of abode outside Seychelles; or ("Domicile" means in relation to an individual a person who is a long term resident of or is a citizen of Seychelles, unless the Revenue Commissioner is satisfied that the person is not domiciled in Seychelles.**
- (iii) who is present in Seychelles for a period of, or periods amounting in aggregate to, one hundred eighty-three days or more in any twelve-month period that commences or ends during a tax year;**

Section II – Criteria for Entities to be considered a tax resident

Please list the domestic legal provisions that determine whether an Entity is to be considered a tax resident of that jurisdiction. Such legal provisions may be articles of the relevant tax code, as well as any further regulations specifying the residency criteria. Ideally, also a list of domestic Entity types that are in principle considered tax residents of the jurisdiction should be included (if available, with hyperlinks).

This section should ideally also provide further guidance for the different types of Entities to determine whether they are a resident for tax purposes in the jurisdiction. It can be presented either in narrative form or by means of hyperlinks to the relevant sections of the government or tax authority website or publications.

Legal provisions for a Tax Resident (Entity) can be cited in section 2 of the Business Tax Act 2009.

"Resident person" means— (b) an entity—

- (i) incorporated, formed, organized, or otherwise established in Seychelles; or**
- (ii) managed and controlled in Seychelles;**

(c) a trust—

- (i) settled or established in Seychelles; or**
- (ii) in respect of which a trustee of the trust is a resident person;**

(d) a body within paragraph (a) or (b) of the definition of Government body; or

(e) a partnership in which one of the partners is a resident person;

Section III – Entity types that are as a rule not considered tax residents

This item should ideally provide a list of entity types that are considered fiscally transparent by the jurisdiction or are considered to have no tax residence by the jurisdiction based on other criteria, including a particular legal status or tax regime (such as trusts, foundations, partnerships, investment funds etc.), but are considered to have a nexus with the jurisdiction, in particular due to the fact that the entity was incorporated or is organised under the laws of the jurisdiction or has its place of effective management within the jurisdiction. Jurisdictions may wish to complement this section with further guidance on their domestic rules on the topic, either in narrative form or by inserting relevant hyperlinks.

In accordance to Seychelles Business Tax Act, 2009 all entities incorporated under the laws of Seychelles are considered as a resident for tax purposes

As per the BTA, 2009 “Entity” means—

(a) a body or association of persons corporate or unincorporate whether incorporated, created, or formed under the law of Seychelles or elsewhere, including a limited partnership and unit trust; or

(b) a foreign association of persons that the Revenue Commissioner has declared to be an entity for the purposes of this Act,

but does not include an individual, partnership, or trust;

Section IV – Contact point for further information

Please provide the contact details of the competent service within their tax authority, which can be contacted in case of further questions on tax residency.

(EU Member States can furthermore refer to the Taxes in Europe Data Base maintained by the European Union, which contains a wide range of information on all taxes in the EU Member States, including on tax residency.)

Mr. Fred Morel, Acting Commissioner will be the primary point of contact. His contact details are as follows:

Email: commissioner@src.gov.sc

Landline: +248 429 37 49 or +248 429 49 69

Miss Gency Julienne, Acting Director for International Tax Unit

Email: gency.julienne@src.gov.sc or taxresidency@src.gov.sc

Landline: +248 4294921