



**Industry Notice**  
**OFFICE OF THE REGISTRAR OF COMPANIES**  
Economic Substance Act - Non-Resident Entities  
18 August 2022

The Registrar of Companies would like to advise industry the OECD has issued the following guidance note with respect to entities that claim to be a tax resident in another no or only nominal tax jurisdictions.

1. Entities claiming to be a tax resident in one of the following no or only nominal tax jurisdictions should always be rejected for the exclusion: Anguilla, Bahamas, Bahrain, Barbados, Bermuda, British Virgin Islands, Cayman Islands, Turks and Caicos Islands, and the United Arab Emirates.
2. Entities claiming to be tax resident in Guernsey, Isle of Man or Jersey can only be accepted for the exclusion when sufficient proof exists that such entity is resident for corporate income tax purposes and subject to the relevant corporate income tax law and is therefore required to meet substantial activities requirements for all its relevant activities.
3. The Economic Substance Act 2018 will be amended to give effect to this requirement in early course, such that entities will not be permitted to claim non-resident entity status through their tax residency in such jurisdictions. Entities which expect to be affected by this anticipated change should make arrangements accordingly.

**Kenneth Joaquin**  
**Registrar of Companies**