



GOVERNMENT OF BERMUDA
MINISTRY OF FINANCE

PATI Information Statement

Name of Public Authority: Office of the Tax Commissioner

Introduction:

The Public Access to Information Act (PATI) 2010 was designed to give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to certain exceptions. PATI is also intended to increase transparency and accountability in the public sector and provide information on the activities of public authorities and the manner in which they make decisions. As a result of PATI, more information will be routinely placed in the public domain.

The following document is the Information Statement for the Office of the Tax Commissioner (OTC). It contains information regarding the organizational structure, mission statement, legislative responsibilities, services, programmes, and list of documents and records held by the OTC.

Some records of the OTC are protected under Official Secrecy as detailed in Section 4 of the Taxes Management Act 1976. As a consequence, these records fall within Part 4 of the PATI Act and should be viewed as exempt records. Therefore, not all records held by the OTC can be accessed.

Legislation

Departmental Responsibilities

Legislative Responsibilities

Payroll Tax	The Payroll Tax Act 1995 The Payroll Tax Rates Act 1995 The Taxes Management Act 1976 The Tax (Accounts and Records) Regulations 1991
Corporate Services Tax	The Corporate Services Tax Act 1995 The Taxes Management Act 1976 The Tax (Accounts and Records) Regulations 1991
Betting Duty – Turf Betting Duty – Pools	The Betting Act 1975 The Taxes Management Act 1976 The Miscellaneous Taxes Act 1976 The Miscellaneous Taxes (Rates) Act 1980
Stamp Duties	The Stamp Duties Act 1976
Land Tax	The Land Tax Act 1967 The Land Valuation and Tax Act 1967
Foreign Currency Purchase Tax	The Foreign Currency Purchase Tax 1975
Financial Services Tax	The Financial Services Tax Act 2017 The Taxes Management Act 1976 The Tax (Accounts and Records) Regulations 1991
Hotel Occupancy Tax Cruise Ship Departure Tax Yacht Arrivals Tax Passenger Cabin Tax Timesharing Services Tax Timesharing Occupancy Tax	The Miscellaneous Taxes Act 1976 The Miscellaneous Taxes (Rates) Act 1980 The Taxes Management Act 1976 The Tax (Accounts and Records) Regulations 1991

Section B: 1) Functions, powers, duties of the Authority [s5(1)b]

Mission Statement

To leverage modern technology to ensure taxpayer compliance through quality service and effective enforcement.

Vision Statement

To be a modern, innovative, fair and user-friendly tax authority.

Core Values

Our commitment to serve one another within OTC is extended to our internal and external stakeholders as reflected in our core values:

Professionalism
Integrity
Confidentiality
Cooperation

Statement of Purpose

The primary responsibility of the OTC is to administer the collection of the taxes and duties in accordance with our legislative responsibilities.

The legislation listed above contains pertinent information regarding all administrative and operational duties under the direction of the Tax Commissioner.

Section B: 2) Obligations under PATI Act [s5(1)b]

To provide an **information statement** for the public and promulgate it [s5],

- To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
 - General information, e.g. activities of the Authority
 - Log of all information requests and their outcome
 - Quarterly expenditure (upon request) [s6(5)]
 - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner [s12-16]
- To **track information requests**, and provide this data to the Information Commissioner
- To respond to requests from the Information Commissioner [s9]
- To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- To conduct an **internal review** if formally requested [part 5]
- To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required

- To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
- **To do anything else as required** under the PATI Act and subsequent Regulations [s59, 60], including:
 - **Fees** for Requests for information
 - **Management and maintenance of records**
 - **Procedures** for administering the Act
- **To train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- **To designate one of its officers** to be the person to whom requests are directed [s62]

Section C: Services and Programmes [s5(1)c]

Services:

The OTC provides services to the public in relation to the reporting and collection of the following taxes. All services provided are free of charge except for stamp duty fees (refer to Stamp Duties section below).

Payroll Tax

Payroll Tax, introduced on 1st April 1995, is charged on every employer and self-employed person at the standard rate. The tax base consists of actual remuneration paid, given or assessed by the employer and self-employed person to every employee and deemed employee plus any benefits derived by the employee as a result of his/her employment, whether paid in cash or in kind.

Payroll Tax is payable on a quarterly basis and is charged under the authority of the Payroll Tax Act 1995 and the Payroll Tax Rates Act 1995.

Corporate Services Tax

Corporate Services Tax, introduced 1st April 1995, is charged on a local service provider on the gross earned fee revenue charged to an exempted undertaking for taxable corporate services provided during each tax period.

Corporate Services Tax is charged under the authority of the Corporate Services Tax Act 1995. The tax is charged at the rate of 7.00% and is payable quarterly.

Betting Duty

Betting Duty is charged under the authority of the Miscellaneous Taxes Act 1976 and the Betting Act 1975 on licensed bookmakers or pool betting agents who negotiate the bets. The tax is charged at the rate of 20% on all bets made, received or negotiated by the licensed persons.

Land Tax

Land Tax is charged under the authority of the Land Valuation and Tax Act 1967 and the Land Tax Act 1967. Land tax is assessed on the annual rental value of each valuation unit, depending on whether the unit is a private dwelling or a commercial property.

Foreign Currency Purchase Tax (FCPT)

Foreign Currency Purchase Tax is charged under the authority of the Foreign Currency Purchase Tax Act 1975. This tax represents a charge on foreign currency purchased by a resident from a local bank and is payable at the rate of 1.25%.

Financial Services Tax (FST)

Effective 1 April 2017, FST is a tax charged on the following financial services providers:

1. Banks, 0.0075% on its consolidated gross assets as at the end of a tax period;
2. Domestic insurers, 3.5% of gross premiums written in a tax period, excluding premiums relating solely to health insurance and
3. Money Service Business, 1% on aggregated outgoing money transmission volume in a tax period.

Every financial services provider chargeable to FST shall within 30 days after each tax period submit to the OTC a return specifying the consolidated gross assets or gross premiums or aggregated outgoing money volume and pay the financial services tax due in respect of that tax period.

Hotel Occupancy Tax

Hotel Occupancy Tax (introduced in 1973) is charged on the proprietors of hotels licensed under the hotels (Licensing and Control) Act 1969. It is calculated as a percentage of the rack rate charged to the hotel's guests. The term 'rack rate charge' means the total charge made by the hotel to the guest for accommodation, and includes meals where a separate charge has not been made.

Hotel Occupancy Tax is charged under the authority of the Miscellaneous Taxes Act 1976 and the Miscellaneous Taxes (Rates) Act 1980 and their respective Amendments. Tax is charged at the rate of 7.25% and is payable on a monthly basis.

Cruise Ship Departure Tax

This tax is charged under the authority of the Miscellaneous Taxes Act 1976 in respect of every passenger departing from Bermuda by passenger ship. The tax is payable by the owner, operator or agent of the vessel within seven (7) days from the date of departure.

Transport Infrastructure Tax (TIT)

TIT came into effect on 1st May 2020 and is charged under the authority of the Miscellaneous Taxes Act 1976. TIT is charged on the owner, operator or agent of a vessel in respect of each visit by a passenger ship to Bermuda where the ship is docked in Dockyard, or is at anchor with tender to Dockyard..

TIT is calculated by reference to the number of passengers departing from Bermuda on the ship at a rate of \$25 per passenger, where the ship's visit to Bermuda includes any day between 1 April and 31 October. There is no charge for the rest of the year.

Yacht Arrival Tax

This tax is charged under the authority of the Miscellaneous Taxes Act 1976 in respect of every passenger arriving in Bermuda by pleasure craft. The tax is payable on arrival by the owner/operator of the pleasure craft.

Stamp Duties

Stamp duty represents a duty or tax on various instruments (i.e. documents) as specified under the various Heads of Charge in the Schedule to the Stamp Duties Act 1976 (as amended). These include

legal documents such as mortgage deeds and conveyance deeds. The various Heads of Charge stipulate the deadline for the duty payable depending upon the nature of the instrument.

Some stamp duty fees are as follows :

- a. Adjudication fee of \$212.00 (per section 22 of the Stamp Duties Act 1976);
- b. Application fee for primary family homestead designation - \$28; and
- c. A fee for an application for a re-issue of a certificate obtained for primary family homestead designation - \$58

Timesharing Service Tax

Introduced with effect from January 1982, Timesharing Services Tax is charged on the managing agent of a timesharing property as a percentage of the membership and maintenance fees charged in respect of the operational and maintenance costs of the timesharing scheme. The tax is charged at the rate of 5% and is payable on a monthly basis.

Timesharing Occupancy Tax

Introduced with effect from 1st August 1981, Timesharing Occupancy Tax is charged on the developing owner of a timesharing property as a percentage of the purchase price of each timesharing interval. The tax is chargeable on the initial purchase and the resale of each interval.

Timesharing Occupancy Tax is charged under the authority of the Miscellaneous Taxes Act 1976 and the Miscellaneous Taxes (Rates) Act 1980. The tax is charged at the rate of 10% and is payable within a specified period of the sale/resale of each timesharing interval.

Programmes:

Payroll Tax Tutorials are available online at . <https://www.youtube.com/@citybermuda/playlists>.

The OTC administers various relief programmes which can be legislated or administrative. Current relief programmes include Senior Land Tax Relief and Payroll Tax Employer Portion relief.

Persons 65 years old or over who own and occupy a private dwelling, can be exempted from \$1,941 in Land Tax annually. This exemption applies to homes with annual rental value (ARV) up to \$45,500. Tax will be due on the value of the ARV in excess of \$45,500. Application forms must be completed and can be found online at <https://www.gov.bm/sites/default/files/2025-05/SeniorsLandTaxExemption.pdf>.

Employer engaging New Hires; and employers with Disabled Persons can apply for Employer portion tax relief. With effect from April 1, 2019, approved retail establishments are those with remuneration greater than \$500,000 whose primary sales are in fashion, shoes, jewellery, and perfume. New Hire (NH) relief was legislated under the Payroll Tax Amendment Act 2018 and is effective from April 1, 2018 – March 31, 2026. The engaging of the NH must have the effect of increasing the number of full time persons reported on the tax return compared to the number of full time persons reported in the baseline quarter of January – March 2018. In order for an employer to qualify for the Disabled Person relief, a physician must certify that the Employees disability will impede the person's chances of getting full time employment. This came into effect from April 1, 2018 however an employer can also apply for persons hired prior to that date.

New Start Up relief is available for small businesses. An employer who establishes a small business (within the meaning of the Bermuda Economic Development Corp Act 1980) and registers it under

section 4 (1) (c) of that act will be exempt from the Employer portion of tax for the first four (4) quarters of establishing such a business. A Letter must be provided by BEDC confirming eligibility.

Relief is also available for projects that have been approved by the Minister of Finance as projects of national importance.

Section D: Records and documents held [s5(1)d]

The OTC retains all taxpayers' registration information, administration files, returns, assessments, copies of documents and instruments supporting applications, objections and appeals and other related correspondence.

Section E: Administration (all public access) manuals [s5(1)e]

- Office of the Tax Commissioner General Office Policies and Procedures
 - Payroll Tax Guidance Notes
 - Taxi Owner or Operator Guidance Notes

- Guidelines on existing concessions, schemes approval, etc.
 - Guidelines for Approval of Health Insurance Scheme
 - Guidelines for Approval of Training Schemes
 - Guidelines for Approval of Retirement Schemes
 - Guidelines for Approval of Life Insurance Schemes
 - Guidelines on Primary Family Homestead Exemption
 - Minimum Wage Tax Policy
 - Redundancy and Severance Employee Portion Relief Policy

Section F: Decision-making documents [s5(1)f]

The following Acts are used to develop the policies and guidelines for decision making in respect to any taxpayer:

- The Betting Act 1975
- The Corporate Services Tax Act 1995
- The Foreign Currency Purchase Tax Act 1975
- The Land Tax Act 1967
- The Land Valuation and Tax Act 1967
- The Miscellaneous Taxes Act 1976
- The Miscellaneous Taxes (Rates) Act 1980
- The Payroll Tax Act 1995
- The Payroll Tax Rates Act 1995
- The Stamp Duties Act 1976
- The Taxes Management Act 1976

- The Tax (Accounts and Records) Regulations 1991
- The Financial Services Tax Act 2017

Section G: The Information officer [s5(1)g]

Joelene Lindsay
 Tax Commissioner
 Phone : 441-246-8770
 Email : jlindsay@gov.bm

F.B. Perry Building
 40 Church Street, Hamilton HM 12
 P.O. Box HM 1374

Section H: Any Other Information [s5(1)h]

Restrictions:

In the administration of its duties, tax officers are prohibited by Section 4 of the Taxes Management Act 1976 (TMA) to disclose any taxpayer information.

Section 4 of the TMA states:

Official secrecy

4 (1) Except in the performance of his duties under the Taxes Acts, every person who is or has been employed in carrying out or assisting any person to carry out the Taxes Acts shall preserve and aid in preserving secrecy with regard to all matters relating to the affairs of any person that may come to his knowledge in the performance of his duties under the Taxes Acts and shall not communicate any such matter to any person otherwise than—

- (a) to or with the consent of the person to whom such matter relates, his authorized agents or trustees;*
- (b) under the authority of the Minister;*
- (c) for the purposes of any legal proceedings arising out of the Taxes Acts or any criminal proceedings;*
- (d) to a person entitled to such information by virtue of any provision of law.*

Section I: Any Other Information To be Provided? [s5(1)i]

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

Date Information Statement was updated: December 31, 2025

Locations of Information Statement:

Confirm copies of Information Statement are available at the following sites:

- Your principal office: (FB Perry Building, 40 Church Street, Hamilton HM12) **Y/N**
- The Bermuda National Library; **Y/N**
- The Bermuda Archives; **Y/N**
- Available electronically, **Y/N**
- Website for public authority (<https://www.gov.bm>) **Y/N**
- Have you published a notice in the Gazette indicating the places where the information statement is available for the public? **Y/N**
- With the Information Commissioner. **Y/N**

Sign and Date: 31 Dec 2025.



Chidozie Ofoego
Financial Secretary