

**TR 137** (Govt Gazette No. 48 of 01 June 2013)

### **Facts**

A is a domestic partnership registered in Mauritius under the Mauritius Limited Partnership Act 2011. The General Partner is B, a company registered in Seychelles. The Limited Partners are C, a company registered in Seychelles and individuals non-resident in Mauritius who are yet to be appointed. A has a Mauritian based Registered Agent, D. A carries activities mainly overseas.

### **Points at Issue**

- a. Whether the General Partner and the Limited Partners will be liable to pay any tax on the income and capital in Mauritius;
- b. Whether the registered agent will be liable to pay any tax in Mauritius;
- c. What tax effects would an application for a GBC 1 licence by A have on the General Partner, the Limited Partners and the Partnership as a whole and whether the General Partner and the Limited Partners would be liable to pay the 3 % net tax in Mauritius.

### **Ruling**

On the basis of information given by you, this is to confirm that:

- a. being given that both the General Partner and the Limited Partners are non-resident in Mauritius, any income derived by A from overseas will not be taxable in their hands. The General Partner and the Limited Partners will be liable to pay income tax on their share of income derived from A only to the extent that the income is derived by A from Mauritius.
- b. the registered agent, D being resident in Mauritius will be liable to pay tax on income derived from Mauritius and from overseas.
- c. as regards item (c) above, we are unable to give a ruling as it is based on a hypothetical situation.