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Technical Paper: **General Consumption Tax: Treatment of Insurance Coverage for marine activities, aviation and other related activities that are carried on at a shipping port and international airport in Jamaica.**

TECHNICAL ADVISORY

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The following list of abbreviations and terms are used throughout this Technical Advisory. In this document words importing the masculine gender include the feminine.

1) List of Abbreviations

GCT	General Consumption Tax
TAJ	Tax Administration Jamaica

2) Glossary of terms

Aviation	The operation of aircraft (as airplanes or helicopters) that are heavier than air. <i>Source: Merriam Webster Dictionary</i> The aviation industry is the business sector dedicated to manufacturing and operating all types of aircraft.
Broker	According to the Insurance Act of Jamaica, 2001, “broker” means any person who - “(a) in any manner solicits, negotiates or procures insurance or the renewal or continuance thereof on behalf of insurers or on behalf of agents; or (b) arranges insurance business with such insurers or agents on behalf of prospective policy holders.”
General Consumption Tax	The GCT is a value added tax, which is applied on the value added to goods and services at each stage in the production and distribution chain. It is a tax on consumption and is included in the final price the consumer pays for goods and services. ¹
Insurance	This is a coverage by contract whereby one party undertakes to indemnify or guarantee another against loss by a specified contingency or peril. <i>Source: Merriam- Webster Dictionary</i>
Marine	Relating or pertaining to the sea; or transacted at sea. It is a broader term that covers all aspects of activities conducted at sea or ocean or anything related to the sea. <i>Source: Black’s Law Dictionary</i>
Marine adventure	It is defined in section 7(2) of the Marine Insurance Act, 1973 (<i>see Part II, Legislative References</i>)

¹ 3rd Edition “A Guide to Understanding GCT” Reprinted 2006.

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	A very usual word in policies of marine insurance, and everywhere used as synonymous, or nearly so, with 'perils'. It is often used by the writers to describe the enterprise or voyage. <i>Source: Black's Law Dictionary</i>
Marine Insurance	<i>"An agreement to indemnify against injury to a ship, cargo, or profits involved in a certain voyage or for a specific vessel during a fixed period, or to protect other marine interests."</i> <i>Source: Black's Law Dictionary</i>
Maritime	<i>"Pertaining to the sea or ocean or the navigation thereof; or to commerce conducted by navigation of the sea or (in America) of the great lakes and rivers. It includes navigation shipping trade and is used to refer to commercial and legal aspects of activities conducted at sea or on the sea."</i> <i>Source: Black's Law Dictionary</i>
War Risks Insurance	<i>"Insurance covering damage caused by war. Ocean marine policies are often written to cover this type of risk."</i> <i>Source: Black's Law Dictionary</i> War Risk Insurance, also called "Aviation War Risk Insurance provides coverage for hostile acts of violence against airlines, such as terrorism, hijackings, and sabotage. Airlines generally cannot operate without war risk insurance, as aircraft loan and lease agreements typically require airlines to obtain and maintain such insurance. Additionally, some foreign countries require that airlines have war risk insurance as a condition to operate in their airspace or at their airports". <i>Source: https://crsreports.congress.gov/product/pdf/R/R43715, Aviation War Risk Insurance: Background and Options for Congress</i>

3) Preamble

Marine Insurance is a type of insurance that provides coverage for various risks associated with maritime activities, specifically the transportation of goods, cargo, and vessels across waterways. It is designed to protect the interests of the parties involved in maritime trade, including ship owners, cargo owners, and other entities operating in the maritime industry.

The main purpose of Marine Insurance, also referred to as Maritime Insurance, is to mitigate financial losses arising from perils and hazards that can happen during sea voyages or while goods are in transit over water.

Maritime Insurance typically covers a range of risks, including:

- Cargo Insurance – it provides coverage for the goods being transported, compensating the cargo owner for losses or damages incurred during transit.

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- Liability Insurance – it offers protection against liabilities arising from third party claims, such as collisions, property damage, pollution, or injuries caused by the insured vessel.
- Freight Insurance – this covers the loss of freight revenue that a ship owner may suffer due to damage to the cargo or vessel, resulting in the inability to deliver the goods.
- Hull & Machine Insurance – this type of coverage protects the ship owner against damage to the vessel itself, including its hull, machinery and equipment.
- War Risk Insurance – Coverage for protection from potential losses caused by war-related events.

Marine Insurance policies can be tailored to the specific needs of the insured parties and can vary based on the type of cargo, route, duration of the voyage, etc. They may provide coverage for a single voyage or be issued as an annual policy to cover multiple shipments or vessels.

Aviation Insurance

According to OECD's publication², this is a type of insurance where *“insurers provide insurance cover for insureds (airlines, manufacturers, airports, service providers {refuellers, caterers, security screeners and the like}) against loss, damage and liability”*.

The principal insurance coverages, all of which exclude war risks (through an exclusion clause), are:

- Hull – damage to the aircraft itself.
- Passenger – liability for death or injury
- Third party – liability for death and bodily injury (BI) caused by aircraft accidents and property damage (PD) external to the aircraft.
- Airport Operators Liability - Airport operations liability insurance covers the liability of entities which operate and provide facilities at airports, including airport owners and operators, hangar keepers, air traffic control services, maintenance, repair and service facilities, aircraft refuellers and flying clubs and schools³

² www.oecd.org/daf/fin/insurance - Guide to Aviation Insurance - International Union of Aerospace Insurers (December 2012)

³ Published by [Dr. Maniraj Mayan](#) (LinkedIn) 2022, Chief Executive Officer of AERORISK, Speaker and Trainer in Aviation Insurance

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- Airport Premises Liability - covers the liability of an owner or lessee of premises at an airport for loss, damage or injury occurring on the premises, usually because of the owner's or lessee's fault⁴.
- Ground Handlers Liability - coverage in respect of the risks associated with the airside handling of the aircraft including ramp turn-around, baggage handling, aircraft cleaning and aircraft marshalling.

Aviation War risks coverages ("war, hijacking and other perils" including terrorism) are:

- Hull –insured in a separate war risk insurance market.
- Passenger and third party – added to the principal liability policies by an extension standard insurance clause known as AVN52.

Aviation war risk insurance provides coverage for hostile acts of violence against airlines, such as terrorism, hijackings, and sabotage. These cover for each and every occurrence for the insured party. Due to the unprecedented extent of exposure revealed on September 11, 2001, commercial insurance cover for passenger and third party war risks were revised for both the cost and the increased risks. It has since been offered as a separate aviation policy as it is excluded from standard insurance policies due to the high risks involved.

4) Purpose of this Technical Advisory

The purpose of this Technical Advisory is to provide guidance on the GCT treatment for Marine, Aviation and other related insurance coverages within the context of the various activities carried on at a port and international airport in Jamaica. In particular, it aims to clarify how the General Consumption Tax (GCT) exemption in Item 27 of Part II of the Third Schedule, applies to the insurance policies that provide coverage for the exempt services mentioned in that provision. It will therefore explain the implications and practical application of this exemption to such insurance policies.

⁴ Ibid

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5) Legislative References

- The Insurance Act
- The Marine Insurance Act
- The Civil Aviation Act
- The GCT Act

6) Case Laws

- Real Resorts Limited v Commissioner, General Consumption Tax, SCCA No. 11/99
- Commissioners of Taxation v Trustees of St. Mark's Glebe [1902] AC 41

7) Other References

- TAJ's Legal Opinion – *Interpretation of 'rendered at' in Item 27 of Part II of the Third Schedule GCT Act.*
- www.oecd.org/daf/fin/insurance - *Guide to Aviation Insurance - International Union of Aerospace Insurers* (December 2012)
- www.gov.uk “*Insurance (VAT Notice 701/36)*”
- www.pwc.com “*Value-added tax (VAT) rates Marine Insurance IPT Across Europe*” - Sovos UK
- [www.financestrategists.com/insurance /war-risk-insurance/](http://www.financestrategists.com/insurance/war-risk-insurance/) True Tamplin, BSc, CEPF®; Reviewed by Subject Matter Experts Updated on July 12, 2023
- Canada Indirect Tax Guide - KPMG Global

8) Background

Goods and services specified in the Third Schedule are classified as exempt from GCT. Services that fall in the exempt category include “*Services (excluding catering services) rendered at a port or international airport in Jamaica in connection with the importation or exportation of goods or the transportation of people into or out of Jamaica*”.

Where a service is exempt from the tax, no GCT is charged on the supply of such service. This also means that an input tax credit is not allowed for the GCT paid on the inputs used to make these supplies because they are non-taxable. Instead, the GCT paid is to be included as part of the cost of those goods and services.

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9) The Issue

Registered taxpayers in the Shipping/Marine, Aviation and Insurance Industry, particularly insurance brokers, are unsettled about:

- Whether Marine Insurance and Aviation Insurance qualify as services rendered at a port or airport **‘in connection with’** the importation or exportation of goods or transportation of people into or out of Jamaica, and
- Whether these services fall within the ambit of services that are exempt from GCT under the Third Schedule of the Act.

Varied interpretations have been applied when determining whether a service is rendered at a port or international airport in Jamaica **‘in connection with’** the importation or exportation of goods or the transportation of people into or out of the island. However, in this Technical Advisory, that determination will be made by addressing the following questions:

- (1) Does the service have to be executed directly at the location of a shipping port or international airport in Jamaica?
- (2) How does one determine that a service is **‘in connection with’** an activity?
- (3) Does Marine/ Maritime, Aviation or other related insurance services qualify for exemption pursuant to the Third Schedule of the GCT Act?

10) TAJ’s Position

- Marine Insurance and Aviation Insurance are typically regarded as financial services that require no physical presence or activity at a port or international airport. These services are not inextricably linked to the actual movement or handling of goods or people at the port or international airport. It should be noted that maritime or marine insurance services or aviation insurance services cover a broad range of risks including:
 - Storms and natural disasters
 - Fire and explosion
 - Piracy and theft
 - Collision and grounding
 - Jettison (throwing cargo overboard to save the ship)

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- General average (shared loss among stakeholders)
- The cost of the marine and aviation insurance is directly related to all of the risks covered, which means the risks associated with the losses that may occur at the port or airport cannot be seen as the main or dominant risk of a policy. Therefore, the majority of the premium costs is not associated with any activity at the port. The distinctive nature of this insurance is that it provides protection against financial loss in relation to shipping and logistics, which may or may not occur at a port. Marine and Aviation insurance is a financial contingency tool that:
 - Transfers Risk;
 - Provides Liquidity;
 - Supports Continuity;
 - Provides predictability.
- Given the nature and purpose of Marine and Aviation Insurance, it can be concluded that they do not fall within the scope of the exempted activities provided for in Item 27 of Part II of the Third Schedule. For these services to fall within the construct of this particular provision of the GCT Act, they must satisfy the following **two conditions**:
 1. They must be location-specific services that can only be physically **rendered at** a port or international airport; and
 2. They must be services that have a direct or immediate link to the importation or exportation of goods or the transportation of people into and out of Jamaica.

The construction of Item 27 using the terms “rendered at” and “in connection with” implies operational type of services inextricably linked to the importation or exportation of goods or the transportation of people. Item 27 did not contemplate remote financial services that cover contingencies that may never materialize.

- It is TAJ’s view, that for services to be deemed to be “***in connection with...***” as per Item 27 in Part II of the Third Schedule to the GCT Act, they must be sufficiently, closely connected with the importation and exportation of goods or the transportation of people into and out of Jamaica. In other words, they must be highly essential or integral to the movement of goods or people into or out of the island.
- Some of the operational services that meet both conditions include, for example:
 - Cargo handling and storage
 - Freight forwarding

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- Security services specifically rendered at the port
 - Maintenance and repair of transportation equipment specifically used at the port or airport
 - Passenger handling
 - Baggage handling
 - Air traffic control
 - Port management
 - Marine pilotage or docking Aircraft ground handling
- As a consequence of the foregoing, insurance products such as Air Cargo Policy, Aviation Liability Policy, Aviation War Risk Policy, Transport Insurance or any classification of insurance which is used to provide coverage for activities associated with the actual movement or handling of goods or people at a port or international airport into and out of Jamaica, do not fall within the ambit of the GCT exemption provision. In addition, these particular types of insurance can be properly classified as 'financial services'. However, they do not qualify for exemption under Item 23 (which extensively classifies the 'financial services' that qualify), nor under any other Item in Part II of the Third Schedule."
 - Finally, the position of TAJ on the above issues is not a new interpretation of the legislation and therefore remains consistent and unchanged. The Advisory merely serves to provide clarity and further reinforcement of the operation of the law as it relates to how the above activities/services shall be treated for the purposes of GCT.

11) Analysis of the Issues

Issue #1: Does the service have to be executed directly at the location of a port or international airport in Jamaica?

Meaning of the phrase “rendered at the port or international airport”

- The meaning of the phrase ‘rendered at the port or international airport’ is of importance in the interpretation of Item 27 of Part II of the Third Schedule. According to Black’s Law Dictionary, the word ‘rendered’ is a term that means inter alia “*to perform a service*”, Likewise, the Merriam-Webster Dictionary defines the word to mean, “*to do (a service) for another*”.

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- Outside of a definition accorded in the legislation, the literal meaning of this word is taken. Therefore, it is reasonable to accept that in the context of this provision (read provision) *“to render a service at a port or international airport,”* means that the performance of that service must take place physically at the port or international airport. This does not apply to the provision of insurance services where its supply is made at the time of payment, which precedes the activities at the port and the insurable risks that may occur. Marine and aviation insurance, by nature, are contracted through brokers, insurers, or online platforms, and not physically rendered at the port or international airport. The place of supply is typically considered to be where the service is performed or consumed. In this case, marine or aviation insurance is not performed at the port or international airport; it merely relates to goods or people that may be at the port or international airport. This distinguishes it from services like cargo handling or customs clearance, which are physically performed on site.

Issue #2: How does one determine that a service is ‘in connection with’ an activity?

Definition of the term ‘in connection with’

The GCT Act does not define the term ‘*in connection with*’. However, in the case of *Real Resorts Ltd. v The Commissioner of General Consumption Tax*, a narrow interpretation was given to the term where it was the opinion of the courts that for a service to be deemed to be ‘*in connection with*’, “*it must sufficiently be closely connected to the taxable activity*”. In other words, the service must have a direct, immediate link with the activity. Similarly, in the *Commissioners of Taxation v Trustees of St. Mark’s Glebe*, a narrow interpretation was applied to the term as it was concluded that the intent of the section of the statute in question justified the words being given a narrow interpretation.

These principles can be brought to bear in the case of Marine Insurance and Aviation Insurance for the purposes of exemption from GCT. Within the context of the activities outlined (i.e. the importation or exportation of goods or the transportation of people within and out of Jamaica) these types of insurance policies are connected to the importation and exportation of goods and the transportation of people into or out of Jamaica. A similar argument can also be made for Aviation Liability Insurance. However, there must be a real, substantial, and functional nexus with activities at the port because the service must also be physically rendered at the port.

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Issue #3: Does Marine/Maritime, Aviation or other related insurance services qualify for exemption pursuant to the Third Schedule of the GCT Act?

Is Marine Insurance a service that is rendered at the Port?

- Marine Insurance is a type of insurance that provides coverage against risks and losses associated with marine and maritime activities. There are different arms of this insurance ranging from coverage that protects risks associated with shipping goods by sea, inland waterways or air. It also covers damage to vessels, cargo, or liability for third party damages.
- This type of insurance is not a service that is typically rendered from a fixed place of business at the port. The nature of the insurance is that while some level of insurance-related services may be available at the ports e.g. through brokers or agents offering information or even selling this particular insurance itself, it is not exclusive to port locations and can be obtained and managed from various other locations. The insurance coverage is usually in effect during the entire voyage from the point of departure to the destination rather than being provided at and within the designated port(s). It should also be noted that the time of supply of the insurance service is when payment is made for it and this precedes the eventuality of any risk materializing on the port.

Is Aviation Liability/Airport Liability Insurance a service rendered at the International Airport?

- As outlined above, Aviation Liability Insurance is a type of insurance coverage that is provided by insurance companies to protect persons involved in aviation activities, such as aircraft owners, operators, pilots, ground handling and maintenance providers, against liabilities arising from accidents, injuries, or property damage. The Civil Aviation Act requires the purchase of an Airport Liability Policy which covers “*passengers, aircraft and otherwise*” for airport operators and airlines to render their services at the airport.
- Aviation liability insurance is typically obtained through insurance brokers or companies specializing in aviation insurance. These insurance providers assess the risks associated with aviation activities and offer coverage options tailored to the specific needs of individuals or organizations involved in the aviation industry. These insurance policies are usually purchased and managed outside of the airport premises, through traditional insurance channels. Therefore, they are not services that fall within the ambit of the

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exemption provision of the GCT Schedule irrespective of such coverages being mandatory by law.

12) Guidance

- Item 27 of Part II of the Third Schedule limits the exemption to services (except catering services) rendered at a port or international airport in Jamaica. There is a clear distinction between the service of providing insurance protection against the risks that may materialize from conducting marine, maritime and aviation activities at a port or airport or between them, respectively; and the actual execution of these activities at the port or international airport or between them. These insurance services are not part of the maritime, marine or aviation services rendered at the port or international airport.
- The purpose for which Item 27 exists is to exempt from GCT certain activities carried out at either a port or an international airport. To be rendered at the port, the services must be physically performed within the geographic boundaries of the port facility. Therefore, for this exemption to apply, the service provider must be physically present and execute the service within the boundaries of the port or airport.
- However, these activities do not include Marine or Aviation Insurance, which is only necessary for indemnifying affected persons should any loss or damage to property or persons occur from the conduct of the exempt activities at the port or airport. This indemnification is obtained in advance and is usually away from the ports. Further, the inclusion of the bracketed phrase “*(excluding catering services)*” implies the class of persons to enjoy the exemption benefits. This class references persons carrying out day to day functions of an operational nature at the ports with respect to trade (import/export) and travel (exit/entry into Jamaica) but excluding catering services; the latter although carried out at that location does not even qualify for the exemption.
- Thus, the arrangement of Marine Insurance and Aviation Insurance that typically occurs before the goods, aircraft or ship arrives at the port cannot be construed as meeting the statutory criteria for exemption from GCT because it is not rendered at the port. Merely verifying documentation of this insurance at the port does not amount to rendering the insurance service at the port.

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13) Conclusion

Guiding Principles on Insurance Policies/Coverages in relation to Marine/Maritime or Aviation Liability

- Section 6 (7) of the GCT Act prescribes the time of supply for ‘insurance contracts’: that is, when payment is made to an insurer or broker. Unlike a policy of life assurance or reinsurance, marine and aviation insurance are not insurance contracts excluded from the definition of “contract of insurance” in section 6 (8) of the Act. Nor are they specifically exempted in Item 13 (which only prescribes life assurance services) or Item 27 (which broadly covers financial services) of Part II of the Third Schedule.
- The principles articulated above are therefore applicable to similar /related insurance coverages including, Air Cargo Policy, Airport Liability Policy or any Transport Insurance for services rendered at a port or international airport in relation to the importation or exportation of goods or the transportation of people into and out of Jamaica. These insurance coverages are not considered as being **rendered at** a port or international airport and consequently do not qualify for exemption under Item 27 of Part II of the Third Schedule.

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Appendices

Details of Legislative References

I. The Insurance Act, 2001

Section 2 – Interpretation

““Marine, aviation and transport insurance business” means the business of effecting and carrying out (otherwise than incidentally to some other class of insurance business) contracts of insurance –

- (a) upon vessels or aircraft, or upon the machinery, tackle, furniture or the equipment of vessels or aircraft;*
- (b) upon goods, merchandise or property of any description whatever on board vessels or aircraft;*
- (c) upon the freight of, or any other interest in or relating to, vessels or aircraft;*
- (d) against damage arising out of or in connection with the use of vessels or aircraft, including third-party risks;*
- (e) against risks incidental to the construction, repair or docking of vessels, including third-party risks;*
- (f) against transit risks (whether the transit is by sea, inland water, land or air, or partly one and partly another) including risks incidental to the transit insured from the commencement of the transit to the ultimate destination covered by the insurance, but not including risks the insurance of which is motor vehicle insurance business; or*
- (g) against any other risks the insurance of which is customarily undertaken in conjunction with or as incidental to any business referred to in the foregoing paragraphs of this definition”.*

II. The Marine Insurance Act, 1973

Section 5 – Marine insurance defines

“A contract of marine insurance is a contract whereby the insurer undertakes to indemnify the assured, in manner and to the extent thereby agreed, against marine losses, that is to say, the losses incidental to marine adventure.”

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Section 6 – Mixed sea and land risks.

“A contract of marine insurance may, by its express terms, or by usage of trade, be extended so as to protect the assured against losses on inland waters or on any land risk which may be incidental to any sea voyage”.

Section 7 – Marine Adventure and maritime perils defined.

- (1) Subject to the provisions of this Act, every lawful marine adventure maybe the subject of a contract of marine insurance
- (2) In particular, there is a marine adventure where –
 - (a) any ship, goods or other moveables are exposed to maritime perils. Such property is in this Act referred to as “insurable property”;
 - (b) the earning or acquisition of any freight, passage money, commission, profit, or other pecuniary benefit, or the security for any advances, loan, or disbursements, is endangered by the exposure of insurable property to maritime perils
 - (c) any liability to a third party maybe incurred by the owner of, or other person interested in or responsible for, insurable property, by reason of maritime perils.
- (3) “Maritime perils” means the perils consequent on, or incidental to, the navigation of the sea, that is to say, perils of the seas, fire, war perils, pirates, rovers, thieves, captures, seizures, restraints and detainments of princes and peoples, jettisons, barratry, and other perils, either of the like kind or which may be designated by the policy.

III. The Civil Aviation Act

Part II - Regulation of Civil Aviation Section 3 (2)(y)

3. Power to give effect to the Chicago Convention⁵ and to regulate air navigation.

(2) Without prejudice to the generality of subsection (1) regulations under that subsection may make provision –

(y) “for the insurance of passengers, aircraft and otherwise by owners and operators of aircraft”.

⁵ Chicago Convention" means the Convention on International Civil Aviation concluded at Chicago on the seventh day of December, 1944, and to which Jamaica has adhered by notification dated the 26th day of March, 1963;

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IV. The GCT Act

Section 2 – Interpretation

“Taxable activity” means any activity, carried on in the form of a business, service, trade, profession, vocation, association or club, whether or not for a pecuniary profit which- ... does not include- ... any activity specified in the Third Schedule”.

Section 3 - Imposition of GCT

- (1) *“Subject to the provisions of this Act, there shall be imposed, from and after the 22nd day of October, 1991, a tax to be known as general consumption tax-*
 - (a) on the supply in Jamaica of goods and services by a registered taxpayer in the course or furtherance of a taxable activity carried on by that taxpayer; and*
 - (b) on the importation into Jamaica of goods and services, by reference to the value of those goods and services...*
- (2) *General consumption tax shall be paid by-*
 - (a) a registered taxpayer; and*
 - (b) any other person, who imports into Jamaica any goods and services”.*

Section 6 - Time of supply for purposes of GCT

Section 6 (7) *“Where a taxable supply is made by an insurer pursuant to a contract of insurance, a supply takes place for the purposes of this Act at the time when payment is made to a broker or insurer for that supply”.*

Section 6 (8) *In subsection (7) "contract of insurance" includes a policy of insurance and renewal thereof but does not include a policy of life assurance, or reinsurance”.*

Section 18 – Meaning of Supply

“(1) For the purposes of this Act "supply" includes-

- (a) the sale, transfer or other disposition of goods by a registered taxpayer so that the goods sold, transferred or otherwise disposed of no longer form part of the assets of a taxable activity;*

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- (b) the exercise of a power of sale by a person other than a registered taxpayer in satisfaction of a debt owed by a registered taxpayer;*
- (c) the provision of services”.*

Section 25 - Exemption from GCT

“The goods and services specified in the Third Schedule shall be exempt from the payment of tax under this Act”.

The GCT Act Third Schedule: Goods & Services Exempt from GCT

Part II Item 13

“Services rendered under a contract of life assurance.”

Part II Item 27

“services (excluding catering services) rendered at a port or international airport in Jamaica in connection with the importation or exportation of goods or the transportation of people into or out of Jamaica”.

The term “Services” is defined in section 2 of the Act and **the Fourth Schedule (section 18 (8))** to include -

- (d) the supply other than the sale of real property, of anything for a consideration which is not a supply of goods;*

V. Case Laws

▪ Real Resort Limited v Commissioner of General Consumption Tax

The Jamaican courts had to consider whether or not the appellant was carrying on a taxable activity within section 2 (2)(b) of the GCT Act and was therefore entitled to claim input tax. Under section 2 (2)(b) of the said Act a taxable activity is defined as “*anything done in connection with the commencement or termination of that activity*”. The court took the view that unless an activity has a direct or immediate link to another activity, the first cannot be said to be ‘*in connection with*’ the second.

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- ***Commissioners of Taxation v Trustees of St. Mark's Glebe [1902] AC 413***

In this case, the courts concluded that while the term '*in connection with*' had a wide meaning, the intent of the section of the statute in question justified the words being given a narrow interpretation. It therefore appears that the intendment of the legislation dictates what credence is to be given the meaning of the term in a particular context.