

GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

No. 18

FRIDAY, 18th MAY

2018

[LEGAL NOTICE NO. 31]

INCOME TAX ACT 2015

Income Tax (Rates of Tax and Levies) (Amendment) Regulations 2018

IN exercise of the powers conferred upon me by section 142 of the Income Tax Act 2015, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Income Tax (Rates of Tax and Levies) (Amendment) Regulations 2018.

(2) These Regulations are deemed to have come into force on 1 January 2017.

New regulation 4 inserted

2. The Income Tax (Rates of Tax and Levies) Regulations 2016 is amended after regulation 3 by inserting the following new regulations—

“2017 Income Tax assessment

4.—(1) This regulation applies for the purposes of computing the Income Tax imposed on a person for the tax year commencing on 1 January 2017.

(2) In this regulation, unless the context otherwise requires—

“Period 1” means the period from 1 January 2017 to 31 July 2017;

“Period 1 tax rate” means the rate or rates of Income Tax applicable to the chargeable income of a person in Period 1;

“Period 2” means the period from 1 August 2017 to 31 December 2017;

“Period 2 tax rate” means the rate or rates of Income Tax applicable to the chargeable income of a person in Period 2; and

“person” means a resident individual, other than a trustee where the income of the trust is taxed in the hands of the trustee.

(3) Where a person derived chargeable income only in Period 1 and not in Period 2, the total Income Tax for that period is computed by applying the Period 1 tax rate.

(4) Where a person derived chargeable income only in Period 2 and not in Period 1, the total Income Tax for that period is computed by applying the Period 2 tax rate.

(5) Where a person derived chargeable income in both Period 1 and Period 2, the total Income Tax for both periods is computed in accordance with the following formula—

$$\text{Income Tax} = \frac{7x}{12} + \frac{5y}{12}$$

where—

“x” means the Income Tax computed by applying the Period 1 tax rate to the chargeable income of the person for the tax year commencing on 1 January 2017;

“y” means the Income Tax computed by applying the Period 2 tax rate to the chargeable income of the person for the tax year commencing on 1 January 2017; and

“year” means the calendar year.

2017 Social Responsibility Tax assessment

5.—(1) This regulation applies for the purposes of computing the Social Responsibility Tax imposed on a person for the tax year commencing on 1 January 2017.

(2) In this regulation, unless the context otherwise requires—

“Period 1” means the period from 1 January 2017 to 31 July 2017;

“Period 1 tax rate” means the rate or rates of Social Responsibility Tax applicable to the chargeable income of a person in Period 1;

“Period 2” means the period from 1 August 2017 to 31 December 2017;

“Period 2 tax rate” means the rate or rates of Social Responsibility Tax applicable to the chargeable income of a person in Period 2; and

“person” means a resident individual, other than a trustee where the income of the trust is taxed in the hands of the trustee.

(3) Where a person derived chargeable income only in Period 1 and not in Period 2, the total Social Responsibility Tax for that period is computed by applying the Period 1 tax rate.

(4) Where a person derived chargeable income only in Period 2 and not in Period 1, the total Social Responsibility Tax for that period is computed by applying the Period 2 tax rate.

(5) Where a person derived chargeable income in both Period 1 and Period 2, the total Social Responsibility Tax for both periods is computed in accordance with the following formula—

$$\text{Social Responsibility Tax} = \frac{7x}{12} + \frac{5y}{12}$$

where—

“x” means the Social Responsibility Tax computed by applying the Period 1 tax rate to the chargeable income of the person for the tax year commencing on 1 January 2017;

“y” means the Social Responsibility Tax computed by applying the Period 2 tax rate to the chargeable income of the person for the tax year commencing on 1 January 2017; and

“year” means the calendar year.”.

Made this 15th day of May 2018.

A. SAYED-KHAIYUM
Attorney-General and Minister for Economy