

BILL NO. 8 OF 2022

A BILL

FOR AN ACT TO AMEND THE INCOME TAX ACT 2015

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Income Tax (Revised Budget Amendment) Act 2022.

(2) This Act comes into force on 1 April 2022.

(3) In this Act, the Income Tax Act 2015 is referred to as the “Principal Act”.

Section 17 amended

2. Section 17(1B) of the Principal Act is amended by—

(a) in paragraph (a), deleting “31 December 2021” and substituting “31 December 2022”; and

(b) in paragraph (b), deleting “31 December 2022” and substituting “31 December 2023”.

Section 85 amended

3. Section 85 of the Principal Act is amended after subsection (14) by inserting the following new subsections—

“(15) Subsection (8) does not apply to a State-controlled entity that is in the business of generating, distributing and retailing electricity.

(16) For the purposes of subsection (15), the meaning of State control is given in section 11 of the Public Enterprises Act 2019.”.

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March 2022

INCOME TAX (REVISED BUDGET AMENDMENT) BILL 2022

EXPLANATORY NOTE

(This note is not part of the Bill and is intended only to indicate its general effect)

1.0 BACKGROUND

1.1 The Income Tax (Revised Budget Amendment) Bill 2022 (**‘Bill’**) seeks to amend the Income Tax Act 2015 (**‘Act’**).

2.0 CLAUSES

2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on 1 April 2022.

2.2 Clause 2 of the Bill amends section 17(1B) of the Act to provide for debts created on or before 31 December 2022 and forgiven between 1 April 2020 and 31 December 2023, to not be treated as business income and therefore not be subject to income tax.

2.3 Clause 3 of the Bill amends section 85 of the Act to exempt State-controlled entities that are in the business of generating, distributing and retailing electricity from the application of subsection (8).

3.0 MINISTERIAL RESPONSIBILITY

3.1 The Act comes under the responsibility of the Minister responsible for finance.

A. SAYED-KHAIYUM
Attorney-General