

EXTRAORDINARY



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GOVERNMENT OF FIJI

INCOME TAX (AMENDMENT) (NO. 2) DECREE 2012
 (DECREE NO. 13 OF 2012)

IN exercise of the powers vested in me as President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority of Fiji Decree 2009, I hereby make the following Decree—

Short title and commencement

1. This Decree may be cited as the Income Tax (Amendment) (No. 2) Decree 2012, and shall be deemed to have come into force on the 1st day of January 2012.

New section inserted

2. The Income Tax Act [Cap. 201] is amended by inserting the following new section after section 7B—

"Branch profit remittance additional normal tax

7CA.—(1) Notwithstanding the repeal of section 7C of the Act by the Income Tax (Budget Amendment) Decree (No. 8 of 2010), any branch profit remittance additional normal tax payable, paid, levied, or assessed under section 7C for any period before the 1st day of January 2010, shall be made without regard to subsection (4) of section 7C.

(2) For the avoidance of doubt, subsection (4) of section 7C shall not apply to any branch profit paid, credited or remitted pursuant to section 7C for any period before the 1st day of January 2010.

(3) Notwithstanding the repeal of section 7C of the Act, any branch profit remittance additional normal tax liable to be paid, levied or assessed under section 7C for any period before the 1st day of January 2010 shall be payable, regardless of whether the remittance is made after the 1st day of January 2010.”

GIVEN under my hand this 19th day of January 2012.

EPELI NAILATIKAU
 President of the Republic of Fiji