
[LEGAL NOTICE NO. 28]

INCOME TAX ACT 2015

Income Tax (Rates of Tax and Levies) (Amendment) Regulations 2022

IN exercise of the powers conferred on 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 2022.

(2) These Regulations are deemed to have come into force on 1 April 2022.

(3) In these Regulations, the Income Tax (Rates of Tax and Levies) Regulations 2016 is referred to as the “Principal Regulations”.

Regulations 7, 8 and 9 inserted

2. The Principal Regulations are amended after Regulation 6 by inserting the following new regulations—

“2022 Social Responsibility Tax assessment

7.—(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 2022.

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

“Period 1” means the period from 1 January 2022 to 31 March 2022;

“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 April 2022 to 31 December 2022;

“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—

$$\text{Social Responsibility Tax} = \frac{3x}{12} + \frac{9y}{12}$$

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 2022;

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 2022; and

year means the calendar year.

2022 Environment and Climate Adaptation Levy assessment

8.—(1) This regulation applies for the purposes of computing the Environment and Climate Adaptation Levy imposed on a person for the tax year commencing on 1 January 2022.

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

“Period 1” means the period from 1 January 2022 to 31 March 2022;

“Period 1 tax rate” means the rate or rates of Environment and Climate Adaptation Levy applicable to the chargeable income of a person in Period 1;

“Period 2” means the period from 1 April 2022 to 31 December 2022; and

“person” means an 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 Environment and Climate Adaptation Levy 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 Environment and Climate Adaptation Levy for that period is \$0.

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

$$\text{Environment and Climate Adaptation Levy} = \frac{3x}{12}$$

where—

x means the Environment and Climate Adaptation Levy computed by applying the Period 1 tax rate to the chargeable income of the person for the tax year commencing on 1 January 2022; and

year means the calendar year.

Imposition and collection of plastic levy on plastic bags

9.—(1) Pursuant to section 98(A), the plastic levy charged on plastic bags is \$0.50 per plastic bag.

(2) The plastic levy on plastic bags is payable by the person to whom a plastic bag is provided.

(3) The levy imposed under subsection (1) shall—

(a) not be subject to the Value Added Tax imposed under the Value Added Tax Act 1991; and

(b) be clearly and separately shown on a tax invoice, invoice or receipt issued for the purchase of any goods.

(4) The plastic levy charged on plastic bags must be collected by a cashier at the point at which a plastic bag is provided by the business to a consumer.

(5) The accountable person must—

(a) ensure that the plastic levy is collected in accordance with subregulation (4);

(b) ensure that the plastic levy collected under subregulation (4) is paid to the CEO before or on the last day of each month following the month in which the plastic levy is collected; and

(c) provide together with such payment a report in respect of the month in which the plastic levy is collected, setting out the—

(i) number of plastic bags stocked by the business at the beginning of that month;

(ii) number of plastic bags provided to consumers in that month;

(iii) number of plastic bags remaining in the stock of the business at the end of that month; and

(iv) amount of plastic levy collected in that month.

(6) Notwithstanding subregulation (5), the CEO may, in any particular case, require that the plastic levy be paid within a period of less than one month.

(7) Pursuant to subregulation (6), the accountable person must—

- (a) not later than 14 days from the date the CEO requires, pay to the CEO the plastic levy collected at the time the CEO makes such a request; and
- (b) provide along with such payment a report containing the particulars contained in subregulation 5(c).

(8) A business must display a notice informing consumers of the plastic levy charged on plastic bags.

(9) Pursuant to subregulation (8), the notice must be legible and displayed in a conspicuous place.

(10) In this regulation—

“accountable person” means the owner, manager, sole precedent partner and otherwise the person who is responsible for the daily management of a business;

“business” means any business that utilises a register;

“cashier” means a person who, as part of his or her employment with a business, operates a register for the business; and

“register” means a point of sale invoicing device into which a cashier enters data for a transaction.”.

Schedule amended

3. The Schedule to the Principal Regulations is amended by deleting paragraph (1) and substituting the following—

“(1) The rates of Income Tax and Social Responsibility Tax are—

Resident Individuals

<i>Chargeable Income \$</i>	<i>Income Tax \$</i>	<i>Social Responsibility Tax \$</i>
0 – 30,000	Nil	Nil
30,000 – 50,000	18% of excess over \$30,000	Nil
50,000 – 270,000	\$3,600 + 20% of excess over \$50,000	Nil
270,000 – 300,000	\$47,600 + 20% of excess over \$270,000	18% of excess over \$270,000
300,000 – 350,000	\$53,600 + 20% of excess over \$300,000	\$5,400 + 19% of excess over \$300,000
350,000 – 400,000	\$63,600 + 20% of excess over \$350,000	\$14,900 + 20% of excess over \$350,000
400,000 – 450,000	\$73,600 + 20% of excess over \$400,000	\$24,900 + 21% of excess over \$400,000
450,000 – 500,000	\$83,600 + 20% of excess over \$450,000	\$35,400 + 22% of excess over \$450,000
500,000 – 1,000,000	\$93,600 + 20% of excess over \$500,000	\$46,400 + 23% of excess over \$500,000
1,000,000 +	\$193,600 + 20% of excess over \$1,000,000	\$161,400 + 24% of excess over \$1,000,000

Non-resident Individuals

Chargeable Income \$	Income Tax \$	Social Responsibility Tax \$
0 – 30,000	20% of excess over \$0	Nil
30,000 – 50,000	\$6,000 + 20% of excess over \$30,000	Nil
50,000 – 270,000	\$10,000 + 20% of excess over \$50,000	Nil
270,000 – 300,000	\$54,000 + 20% of excess over \$270,000	18% of excess over \$270,000
300,000 – 350,000	\$60,000 + 20% of excess over \$300,000	\$5,400 + 19% of excess over \$300,000
350,000 – 400,000	\$70,000 + 20% of excess over \$350,000	\$14,900 + 20% of excess over \$350,000
400,000 – 450,000	\$80,000 + 20% of excess over \$400,000	\$24,900 + 21% of excess over \$400,000
450,000 – 500,000	\$90,000 + 20% of excess over \$450,000	\$35,400 + 22% of excess over \$450,000
500,000 – 1,000,000	\$100,000 + 20% of excess over \$500,000	\$46,400 + 23% of excess over \$500,000
1,000,000 +	\$200,000 + 20% of excess over \$1,000,000	\$161,400 + 24% of excess over \$1,000,000”.

Made this 3rd day of April 2022.

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