



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

SURCHARGE ON INCOME TAX
(AMENDMENT)
ACT, No. 13 OF 1995

[Certified on 25th July, 1995]

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Surcharge on Income Tax (Amendment) Act,
No 13 of 1995

[Certified on 25th July, 1995]

L. D.—O. 7/95.

AN ACT TO AMEND THE SURCHARGE ON INCOME TAX
ACT. NO. 7 OF 1989

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Surcharge on Income Tax (Amendment) Act, No. 13 of 1995. Short title.

2. The long title to the Surcharge on Income Tax Act, No. 7 of 1989 (hereinafter referred to as the “principal enactment”) is hereby amended by the substitution for the words and figures “YEARS OF ASSESSMENT COMMENCING RESPECTIVELY, ON APRIL 1, 1989, ON APRIL 1, 1990, ON APRIL 1, 1991, ON APRIL 1, 1992, ON APRIL 1, 1993, AND ON APRIL 1, 1994,” of the words and figures “YEARS OF ASSESSMENT COMMENCING RESPECTIVELY, ON APRIL 1, 1989, ON APRIL 1, 1990, ON APRIL 1, 1991, ON APRIL 1, 1992, ON APRIL 1, 1993, ON APRIL 1, 1994, AND ON APRIL 1, 1995,”. Amend-
ment of
long title
to Act No. 7
of 1989.

3. Section 2 of the principal enactment is hereby amended by the substitution, for the words and figures “but ending not later than March 31, 1995,” of the words and figures “but ending not later than March 31, 1996,”. Amend-
ment of
section 2
of the
principal
enactment.

4. Section 3 of the principal enactment is hereby amended as follows:— Amend-
ment of
section 3
of the
principal
enactment.

(1) in paragraph (v) of that section, by the substitution, for the words and figures “relevant year commencing on April 1, 1993; and”, of the words and figures “relevant year commencing on April 1, 1993,”;

(2) in paragraph (vi) of that section, by the substitution, for the words and figures “relevant year commencing on April 1, 1994,” of the words and figures “relevant year commencing on April 1, 1994, and”; and

(3) by the addition, immediately after paragraph (vi) of that section, of the following paragraph:—

“(vii) (a) not less than fifty *per centum*, on or before August 15, 1995, and

(b) the balance, on or before November 15, 1995, of the amount of the surcharge payable by him for the relevant year commencing on April 1, 1995.”.

Amend-
ment of
section 4
of the
principal
enactment.

5. Section 4 of the principal enactment is hereby amended as follows:—

(1) in paragraph (e) of that section, by the substitution for the words “from the remuneration of that employee for that year; and”, of the words “from the remuneration of that employee for that year;”;

(2) in paragraph (f) of that section by the substitution for the words “from the remuneration of that employee for that year”, of the words “from the remuneration of that employee for that year; and”; and

(3) by the insertion immediately after paragraph (f) of that section, of the following paragraph:—

“ (g) for the relevant year commencing on April 1, 1995-

(i) from the remuneration payable to such employee for the month of July, 1995, $7\frac{1}{2}$ per centum; and

(ii) from the remuneration payable to such employee for the month of October, 1995, $7\frac{1}{2}$ per centum,

of the total income tax deductible from the remuneration of that employee for that year, ”.

Amendment
of section
5 of the
principal
enactment.

6. Section 5 of the principal enactment is hereby amended in subsection (2) of that section, by the repeal of paragraph (ii) of the proviso to that subsection, and the substitution therefor of the following paragraph:—

“ (ii) where any person who is liable to pay the surcharge under this Act for a relevant year pays as such surcharge—

(a) for the relevant year commencing on April 1, 1989-

(i) not less than $7\frac{1}{2}$ per centum on or before August 15, 1989, and

(ii) not less than $7\frac{1}{2}$ per centum on or before November 15, 1989,

of the income tax payable by him under the Inland Revenue Act, for the year of assessment commencing on April 1, 1988;

(b) for the relevant year commencing on April 1, 1990—

(i) not less than $7\frac{1}{2}$ *per centum* on or before August 15, 1990, and

(ii) not less than $7\frac{1}{2}$ *per centum* on or before November 15, 1990,

of the income tax payable by him under the Inland Revenue Act, for the year of assessment commencing on April 1, 1989 ;

(c) for the relevant year commencing on April 1, 1991—

(i) not less than $7\frac{1}{2}$ *per centum* on or before August 15, 1991, and

(ii) not less than $7\frac{1}{2}$ *per centum* on or before November 15, 1991,

of the income tax payable by him under the Inland Revenue Act, for the year of assessment commencing on April 1, 1990 ;

(d) for the relevant year commencing on April 1, 1992—

(i) not less than $7\frac{1}{2}$ *per centum* on or before August 15, 1992, and

(ii) not less than $7\frac{1}{2}$ *per centum* on or before November 15, 1992,

of the income tax payable by him under the Inland Revenue Act, for the year of assessment commencing on April 1, 1991 ;

(e) for the relevant year commencing on April 1, 1993—

(i) not less than $7\frac{1}{2}$ *per centum* on or before August 15, 1993, and

(ii) not less than $7\frac{1}{2}$ *per centum* on or before November 15, 1993,

of the income tax payable by him under the Inland Revenue Act, for the year of assessment commencing on April 1, 1992 ;

(f) for the relevant year commencing on April 1, 1994-

(i) not less than $7\frac{1}{2}$ per centum on or before August 15, 1994, and

(ii) not less than $7\frac{1}{2}$ per centum on or before November 15, 1994,

of the income tax payable by him under the Inland Revenue Act, for the year of assessment commencing on April 1, 1993,

(g) for the relevant year commencing on April 1, 1995—

(i) not less than $7\frac{1}{2}$ per centum on or before August 15, 1995, and

(ii) not less than $7\frac{1}{2}$ per centum on or before November 15, 1995,

of the income tax payable by him under the Inland Revenue Act, for the year of Assessment commencing on April 1, 1994,

such person shall not be liable to any penalty under this section, in respect of the payments he is required to make under section 3 if he pays the excess of the surcharge payable by him for that relevant year over the amount paid by him, on or before—

November 30, 1990, in the case of the relevant year commencing on April 1, 1989,

November 30, 1991, in the case of the relevant year commencing on April 1, 1990,

November 30, 1992, in the case of the relevant year commencing on April 1, 1991,

November 30, 1993, in the case of the relevant year commencing on April 1, 1992,

November 30, 1994, in the case of the relevant year commencing on April 1, 1993,

November 30, 1995, in the case of the relevant year commencing on April 1, 1994, and

November 30, 1996, in the case of the relevant year commencing on April 1, 1995.”

7. Section 8 of the principal enactment is hereby amended by the repeal of sub-paragraph (b) of paragraph (1) of the definition of "income tax", and the substitution therefor of the following sub-paragraph:—

**Amend-
ment of
section 8
of the
principal
enactment.**

" (b) for the relevant year commencing respectively, on April 1, 1993, April 1, 1994 and April 1, 1995 means the income tax payable under the Inland Revenue Act, by that company for that relevant year, after deducting therefrom the aggregate of—

(i) any income tax payable by that company for that year under paragraph (b) of subsection (1) of section 33, and

(ii) any relief granted for that year under section 32 or section 33 and any deduction allowed under section 85A of that Act. "

8. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

**Sinhala
text to
prevail in
case of
inconsistency.**

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