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**ACT NO. 3 OF 1999**



I assent.

[L.S.]

K. K. T. MARA  
President

[19 March 1999]

**AN ACT**

TO AMEND THE INCOME TAX ACT

ENACTED by the Parliament of the Fiji Islands—

*Short title, and commencement*

1.—(1) This Act may be cited as the Income Tax (Amendment) Act 1999.

(2) This Act is deemed to have come into force on 1st January 1999.

*Interpretation*

2. In this Act “principal Act” means the Income Tax Act (Cap. 201).

*Section 2 amended*

3. Section 2 of the principal Act is amended—

(a) in the definition of “dependent child” by deleting “\$400” and substituting “\$1,000”;

(b) by inserting after the definition of “dependent child” the following new definition—

““hardware” for the purposes of section 21(1)(t) means the components comprising a computer, but excludes visual display units, printers, scanners and other peripherals;”

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- (c) by inserting after the definition of "shareholder" the following new definition—
- "software" for the purposes of section 21(1)(f) includes—
- (a) the copyright in software;
  - (b) the right to use the copyright in software;
  - (c) the right to use software; and
  - (d) a copy of a software program which has been purchased;";
- (d) by inserting after the definition of "year" the following new definition—
- "year-2000-compliant", in relation to a computer means that the performance and functionality of the computer are not affected by dates prior to, during or after the year 2000;".

*Section 9A amended*

4. Section 9(A)(3)(e) of the Principal Act is amended by deleting "other" and substituting "less".

*Section 21 amended*

5. Section 21 (1) of the principal Act is amended—
- (a) in paragraph (q) by deleting "bank" and substituting "financial institution licensed under the Banking Act 1995";
  - (b) in paragraph (r) by deleting "31 December 1998" and substituting "31st December 2001"; and
  - (c) by adding the following new paragraph immediately after paragraph (s)—
- "(t) any amount expended between 1st January 1998 and 31st December 2000 on either the modification and testing of hardware or software in making a computer year 2000 compliant, or the acquisition of hardware or software to make a computer year 2000 compliant;
- Provided that any amount to which this paragraph applies must be deducted from total income in 3 equal parts in the year of expenditure and the 2 subsequent years of income;".

*Section 25 amended*

6. Section 25 of the principal Act is amended—
- (a) in subsection (1)(a) by deleting "\$750" and substituting "\$1,000";

(b) in subsection (1) by deleting paragraphs (b), (c) and (d) and the proviso to paragraph (d) and substituting the following new paragraph—

“(b) in the case of a taxpayer who is widowed, an allowance of \$1,000 must be deducted.”;

(c) in subsection (1)(A) by deleting “seven hundred and fifty dollars” wherever it occurs and substituting “\$1,000”;

(d) in subsection (1) (B) by deleting “seven hundred and fifty dollars” and substituting “\$1,000”;

(e) in subsection (2) by deleting “two hundred dollars” and “one thousand dollars” and substituting respectively “\$300” and “\$1,500”.

*Section 26 amended*

7. Section 26(2) of the principal Act is amended by deleting all the words after “aggregate” and substituting “\$1,500”.

*Section 31 amended*

8. Section 31 of the principal Act is amended—

(a) in subsection (1)(a) by deleting “\$750” and substituting “\$1,000”;

(b) by deleting subsection (1)(b) and the proviso and substituting the following—

“(b) in respect of a non-resident who is widowed, an allowance of \$1,000”; and

(c) in subsection (2)(b) by deleting the words “with a dependent child or children”.

*Section 43 amended*

9. Section 43 of the principal Act is amended by deleting “\$750” and substituting “\$1,000” in subsection (1)(a), subsection (9) and subsection (10)(ii).

10. The Fourth Schedule to the principal Act is amended by deleting Tables A and B and substituting the following—

**"A. RESIDENTS**

<i>Chargeable Income</i> \$	<i>Tax payable</i> \$
0-6,500	Nil
6,501-8,500	Nil + 15% of excess over \$6,500
8,501-15,500	300 + 25% of excess over \$8,500
15,501+	2,050 + 35% of excess over \$15,500

**B. NON-RESIDENTS**

<i>Chargeable Income</i> \$	<i>Tax payable</i> \$
0-6,500	Nil + 20% in excess of \$0
6,501-8,500	1,300 + 25% in excess over \$6,500
8,501-15,500	1800 + 30% of excess over \$8,500
15,501+	3,900 + 35% of excess over \$15,500

Passed by the House of Representatives this 4th day of February 1999.

Passed by the Senate this 1st day of March 1999.