

No. 12 of 2007.

Income Tax (Amendment) Act 2007.

Certified on : 03/10/07



No. of 2007.

Income Tax (Amendment) Act 2007.

ARRANGEMENT OF SECTIONS.

1. Deductions of gifts to political parties (Amendment of Section 69).
2. Registration of Tax agents (Amendment of Section 346).
3. Annual Notice by tax agents (Amendment of Section 347).
4. Cancellation of Registration of tax agents (Amendment of Section 348).
5. Unregistered tax agents not to charge fees (Amendment of Section 349).



No. of 2007.

AN ACT

entitled

Income Tax (Amendment) Act 2007,

Being an Act to amend the *Income Tax Act 1959*,

MADE by the National Parliament.

1. DEDUCTIONS OF GIFTS TO POLITICAL PARTIES (AMENDMENT OF SECTION 69).

Section 69 of the Principal Act is amended in Subsection (2) by repealing the word "Gifts" and replacing it with the following:-

"Effective from 21st February 2002, gifts".

2. REGISTRATION OF TAX AGENTS (AMENDMENT OF SECTION 346).

Section 346 of the Principal Act is amended –

(a) by repealing Subsection (1) and replacing it with the following:-

"(1) A person or partnership desiring to be registered as a tax agent may apply to the Registrar."; and

(b) by repealing Subsection (2) and replacing it with the following:-

"(2) An application under this section shall be accompanied by a lodgement fee of –

(a) K1,000.00; and

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- (b) an additional K500.00 for each nominee where the applicant is a partnership or company."; and
- (c) in Subsection (3) by repealing Paragraph (c) and replacing it with the following:-

"(c) in the case of the company – a person, specified in the application, employed by the company, is a fit and proper person to prepare income tax returns and transact business on behalf of taxpayers of a kind permitted to be prepared or carried out by a person registered as a tax agent and the Registrar may publish guidelines for the purposes of deciding whether a person is a fit and proper person and further."; and

- (d) by repealing Subsection (3A); and
- (e) in Subsection (5) by repealing the letter and figure "K50.00" and replacing it with the letter and figure "K500.00"; and
- (f) in Subsection (6) by repealing the words "of a class in respect of which the application is made".

3. ANNUAL NOTICE BY TAX AGENTS (AMENDMENT OF SECTION 347).

Section 347 of the Principal Act is amended by repealing Paragraph (f) and replacing it with the following:-

- "(f) pay a renewal fee of –
 - (i) K500.00; and
 - (ii) an additional K250.00 for each nominee where the applicant is a partnership or company."

4. CANCELLATION OF REGISTRATION OF TAX AGENTS (AMENDMENT OF SECTION 348).

Section 348 of the Principal Act is amended in Paragraph (b) of Subsection (2) -

- (i) by repealing Subparagraph (iia); and
- (ii) inserting after Subparagraph (iii) the following new subparagraph:-

"(iv) has not within the previous three years lodged sufficient numbers of income tax returns or transacted sufficient income tax business as a tax agent to warrant remaining registered; or".

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**5. UNREGISTERED TAX AGENTS NOT TO CHARGE FEES
(AMENDMENT OF SECTION 349).**

Section 349 of the Principal Act is amended in Subsection (1) by repealing the words "of a class permitted to prepare that return or objection or transact that business".

I hereby certify that the above is a fair print of *Income Tax (Amendment) Act 2007* which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Income Tax (Amendment) Act 2007* was made by the National Parliament on 25 April 2007.

Speaker of the National Parliament.

