

# 2021 - 2022

# NATIONAL BUDGET SUMMARY OF REVENUE POLICIES

# Part 1 – Direct Tax Measures

#### (i) Income Tax Act

Policy	Description			
	in the ICT Sector will be gra			
	Carital Investment (\$)	Tay Haliday		
	Capital Investment (\$) \$2m to \$5m	Tax Holiday		
	\$5m to 10m	10-year tax holiday		
		15-year tax holiday		
1. Investment in	In excess of \$10m	20-year tax holiday		
infrastructure for IC purposes.	selling it to ICT/ BPO c	If the investor is also involved in developing strata titles and selling it to ICT/ BPO companies, the sale proceeds will also be exempt from income tax.		
	3. <u>Customs Exemption</u>			
		ion for the establishment of the ude raw materials, machinery and arts.		
	existing ICT/ BPO Compani			
		Fark (including data storage services) and a duty concession package.		
2. Incentive for Investment in an IC	1. <u>Tax Exemption Structu</u>	<u>Jre</u>		
Park	Capital Investment (\$)	Тах Holiday		
/Tologoma ICT Doule	\$10m to \$30m	20-year tax holiday		
(Telecom ICT Park, planned to be	In excess of \$30m	25-year tax holiday		
constructed at Lot 2 SO 5213, Princess	2. <u>Customs Exemption</u>			
road, Tamavua.)	business. Exemption will in	Customs import duty exemption for the establishment of the business. Exemption will include raw materials, machinery and equipment including spare parts.		
Any company who wishes to invest in network cablin cable) and associated infrastructure development will tax holiday and duty concession package. The cable so Fiji.  Network Cabling and		invest in network cabling (submarine ucture development will be provided a		
infrastructure.	1. <u>Tax Exemption Structu</u>	<u>лге</u>		
	Capital Investment (\$)	Tax Holiday		

		Investment above \$40 million	30-year tax holiday		
		2. <u>Customs Exemption</u>			
			n for the establishment of the le raw materials, machinery and		
		<ol> <li>Extend SLIP to renovation hotels or resorts.</li> </ol>	ns and refurbishments of existing		
		incentive will be available	nvestments more than \$2m. The e for the next 18 months effective ncentive can be claimed only once.		
		2. SLIP for new hotels			
3.	Hotel Investment	Another tax exemption tie excess of \$40 million.	er will be added for investments in		
	Incentive	Capital Investment (\$)	Tax Holiday		
		250,000 - \$1m	5-year tax holiday		
		\$1m-\$2m	7-year tax holiday		
		\$2m-\$40m	13-year tax holiday		
		In excess of \$40m	25-year tax holiday		
		effective from 1 August 2022. import.	hotels and resorts for 18 months 5% ECAL will also be waived on all ling business will be granted a tax		
		holiday and a duty concession pace			
		Capital Investment (\$)	Tay Holiday		
		\$250,000 to \$500,000	Tax Holiday 3-year tax holiday		
4.	Incentive for	\$500,000 to \$2m	5-year tax holiday		
4.	Investment in	\$2m to \$5m	10- year tax holiday		
	Recycling Business.	\$5m to 10m	15- year tax holiday		
	Recycling Dusiness.	In excess of \$10m	20-year tax holiday		
		Customs Exemption	_ zo year askinonesy		
			n for the establishment of the le raw materials, machinery and		
5.	Agriculture Incentive	➤ In the bid to encourage investment in the agriculture sector, the government has further incentivized the agriculture incentive, whereby any new activity in commercial agricultural farming and agro-processing qualify for income tax exemption based on the following capital investment levels:			

	Capital Investment (\$)	Tax Holiday
	\$100,000 - \$250,000	5 years
	\$250,000 - \$1,000,000	10 years
	\$1,000,000 - \$2,000,000	15 years
	More than \$2,000,000	20 years
	The agriculture sector will continuof all machinery, plants, equipme	nt and tools.
6. Natural Disaster Reserve Fund	deposits being made for pande Funds kept in the NDR as at 30th pandemic purposes.	h June 2021 can be also utilized for ness continuity during pandemics
7. Export Income Deduction Incentive	is valid till 2022. Given the neg exports, the deduction will be 2024.  > Agriculture and fisheries secto	ed from 50% to 60% and the rate gative impact of the pandemic on maintained until 31 December
8. Taxation of the mining sector	<ul> <li>December 2024</li> <li>The taxation on mining sector of lincome Tax Act 2015 will be m 2021.</li> </ul>	
9. Income Tax Exemption for Unit Trusts	> All Unit Trusts will be exempte	d from Income Тах.
10. Tax deduction for development or upgrade of online shopping websites with integrated payment platforms	> A 200% tax deduction will be a upgrade of online shopping we platforms.	allowed on the development or ebsites with integrated payment
11. Tax deduction for investment in fogging machines		allowed for investment in fogging decontamination and sanitizing
12. Debt Forgiveness		rgiveness is not subject to income given from 1 April 2020 up to 31 ill now be further extended. Itended from 31 December 2020

13. Exempt interest income	Income Tax Act will be amended to simplify the rules to allow interest income earned to be exempted on income less than \$30,000.
14. Re-organization	<ul> <li>Section 88 of the Income Tax Act 2015 will extend the scope to cover partnership structure.</li> <li>Furthermore, the definition of group companies will be expanded to include transfer of assets between companies that have common shareholders.</li> </ul>
15. Tax deduction for salary and wages paid	<ul> <li>The 300% deduction allowed on salaries and wages paid to an employee quarantined and/or tested positive for COVID-19 will be further extended from 31 December 2020 to 31 December 2022.</li> <li>Letter from the Ministry of Health and Medical Services will be required for verification.</li> </ul>
16. Tax deduction for reduction of commercial rent	<ul> <li>The tax deduction given to landlords for the amount of reduction of commercial rent will be increased from 100% to 200%.</li> <li>The tax deduction will be further extended until 31 July 2022.</li> </ul>
17. FNPF Contribution	<ul> <li>The mandatory FNPF contribution will be increased from 5% to 6 percent.</li> <li>Employer contribution exceeding the 6% mandatory FNPF contribution up until 10% will be allowed a tax deduction of 300% of the excess. A 100% deduction is allowed under Section 23 of the Income Tax Act whilst the remainder 200% will be provided through the Other Incentives Regulations.</li> </ul>
18. Film Making and Audio-Visual Incentives	Film Tax Rebate payment for pending payments will resume in the new fiscal year, while processing of all new provisional applications will still be suspended.

#### (ii) Tax Administration Act

Policy	Description
1. Withholding Tax on professional service fees	<ul> <li>Consistent with DTAs and domestic law provisions, FRCS will facilitate refund of withholding tax collected on professional service fees.</li> <li>Withholding tax directly paid to non-residents will be refunded through discussions with the respective competent authorities using Mutual Agreement Process article in the DTAs. Tax Administration Act will be amended to explicitly provide for this;</li> <li>Withholding tax paid by Fiji residents on behalf of non-residents will be paid using the section 33(5) of the Tax Administration Act after verifying documents and assessments</li> </ul>
2. Section 11 – Amendment of Tax Assessments	> FRCS will only go back 3 years to amend tax returns of Companies that have a gross turnover of less than \$1.25 million. Section 11 of the Tax Administration Act will be amended accordingly.
3. Dishonored cheques	➤ In an effort to deter taxpayers from presenting dishonored cheques, a fine of \$500 will be imposed.

4.	Tax write-off threshold	The tax write-off threshold for CEO FRCS will be increased from \$500 to \$100,000.
5.	Tax amnesty	<ul> <li>Tax Amnesty will be granted to taxpayers with tax arrears to obtain waiver for all penalties upon payment of real taxes.</li> <li>To qualify for the amnesty, taxpayers must make payment arrangements within 3 months from 1 August 2021 and make payments before 30 June 2022.</li> </ul>
6.	Tax refunds to offset customs debt and customs refund to offset tax debt	➤ Tax payers will be allowed to use excess credit in VAT/Income Tax or any other tax type to offset against customs debt. This policy will not be applicable for disputed tax. Similarly taxpayers will be allowed to use excess customs credit to offset against any tax debt.
7.	Rulings	> The ruling legislation will be implemented from 1 August 2021.
8.	Any court of competent jurisdiction may remit the matter to the CEO	Section 86 of the Tax Administration Act will be amended to allow matters to be referred to the CEO by any court of competent jurisdiction.
9.	VAT Monitoring System (VMS)	<ul> <li>The implementation of the Vat Monitoring System (VMS) as captured in the Electronic Fiscal Device (EFD) Regulations will be further deferred until 31 December 2023. Implementation will be made compulsory on businesses from 1 January 2024.</li> <li>Furthermore, businesses who wish to implement VMS on a voluntary basis until 31 December 2023, will qualify for a tax deduction of 300% based on the expenditure incurred in the implementation process.</li> </ul>

# Part 2 – Indirect Tax Measures

#### (i) Value Added Tax Act

Policy	Description
VAT exemption on all climate and disaster parametric insurance	<ul> <li>A climate and disaster parametric insurance refers to microinsurance products targeting farmers, fishermen, small businesses, market vendors and other vulnerable groups, for which a small subscription fee is paid and in the event of disasters, the insured party receives payout.</li> <li>Indemnity payout will be exempted from VAT.</li> <li>Schedule 1 of the VAT Act will be amended to ensure that parametric insurance is an exempt supply.</li> </ul>
2. Definition for omnibus	The definition of omnibus for VAT zero rating purposes will be amended to align with the definition contained in the LTA Act.
Disclosure of VAT registration status	> The Value Added Tax Act will be amended to include the provision of disclosing or publishing of registration status of registered persons by the CEO.

4. VAT exemption on crew allowance	Section 14 will be amended to include concession code 218A for VAT exemption on crew allowance.
5. VAT exemption on unaccompanied luggage	Section 14 will be amended to include concession code 219A for VAT exemption on unaccompanied luggage for a travelling passenger.

# (ii) Environmental & Climate Adaptation Levy Act

Po	licy	Description	
1.	Refund of the Environment & Climate Adaptation Levy (ECAL)	Provision will be made to allow refund of ECAL for any errors and omissions, along with customs duty.	
2.	ECAL exemption on private importation	Schedule 2 of ECAL Act will be amended to include concession code 212 for exemption of ECAL on private importation.	
3.	ECAL exemption on passenger/ crew allowance	Schedule 2 of ECAL Act will be amended to include concession codes 218 and 218A for exemption of ECAL on crew allowance.	1
4.	ECAL exemption on travelling passenger's unaccompanied luggage	Schedule 2 of ECAL Act will be amended to include concession codes 219A for exemption of ECAL on travelling passenger's unaccompanied luggage.	ıg
5.	ECAL exemption on importation of goods for hotels and resorts	Schedule 2 of ECAL Act will be amended to include concession codes 235 and 235A for exemption of ECAL on importation of goods for hotels and resorts.	1

#### (iii) Customs Tariff Act – Fiscal Duty and Import Excise Changes

Po	licy	Description
1.	Increase in fiscal duty on steel pipes, galvanized pipes, stainless steel pipes and rectangular tubing	Tariff on steel pipes, galvanized pipes, stainless steel pipes and rectangular tubing will be increased to fiscal duty of 32% or \$0.40 per kg whichever is greater and 10% import excise. The description will be aligned to include pipes with a wall thickness of 1.6mm to 2.3mm.
2.	Reduction in fiscal duty on liquid milk, full cream milk, yogurt, butter and cheese	<ul> <li>Fiscal duty on liquid milk, full cream powdered milk, yogurt, cheese and butter will be reduced to 5%.</li> <li>The new duty will be effective from 31 August 2022.</li> </ul>
3.	Reduction in fiscal duty on green tea	Fiscal duty on green tea will be further reduced from 5% to 0%.

4. Concession Code 221 –	>	Concession code 221 will be extended to include plastic seals,
Shipping companies  5. Reduction in fiscal duty		bolt seals and dangerous goods stickers.
on spare parts for electrical equipment	<b>A</b>	Fiscal duty on spare parts for electrical equipment such as detector machines will be reduced to 0%.
6. Reduction in fiscal duty on cement	Λ Λ	Given the current shortage of cement in the market, fiscal duty on cement will be reduced to 5% for a period of 6 months, from 01 August 2021 to 31 January 2022.  Importation of cement will be facilitated under concession code 124.
7. Importation of egg trays and cup holders	<b>A</b>	Importation of egg trays and cup holders will be subject to fiscal duty of 32%, however orders placed prior to 16 July 2021 can be facilitated under concession code 231.
8. Concession code 124 – Concessions applicable to particular goods	<b>\</b>	Concession code 124 will be extended to include cement, timber, reinforcing bars, veneer plywood and nails in the event that there is unavailability of supply by local manufacturers.
9. Reduction in duty on fruit juices	<b>A</b>	Fiscal Duty will be reduced from 32% to 15% on fruit juices that: - are not manufactured locally; or - have no added sugar.
10. Increase in fiscal duty on nonwoven bags	\(\lambda\)	Fiscal duty on nonwoven bags classified under chapter 63 will be increased to 32%.  To provide protection for the domestic suppliers and align the tariff, the fiscal duty will be increased from 5% to 32% on sacks and bag falling under heading 6305 of the Customs Tariff Act.
11. Reduction in fiscal duty on automotive batteries	<b>A</b>	As a relief measure to bus companies and taxi operators, fiscal duty on all automotive batteries will be reduced from 32% to 15%.
12. Concession code 302 – broadcasting and network service provider	<b>&gt;</b>	Duty concession at the rate of Free fiscal duty and Free import excise will be extended towards importation of transmission and graphic equipment and spare parts.
13. Reduction in fiscal duty on audio visual equipment	<b>A</b>	Fiscal duty on audio visual equipment as stipulated below, will be reduced to 0%:  i. Television cameras, digital cameras and video camera recorders;  ii. Pocket-size radio cassette players; and  iii. Radio receivers.
14. Concession code 256 – Companies, entities and educational institutions	A	Concession code 256 applicable on companies, entities and educational institutions will be removed as fiscal duty for items classified under this code have already been reduced in the 2020-2021 National Budget.
15. Removal of HMC License	<b>A</b>	To reduce cost of doing business and modernize/ simplify business processes, the requirement to acquire a HMC license will be revoked.
16. Fiscal duty for vegemite	>	Fiscal duty on vegemite will be reduced from 32% to 5%.
17. Concession code 235 – Existing hotels and resorts	>	Concession code 235 will be extended to include outdoor equipment.

18. Concession code 219 – A bona fide passenger finally disembarking in	In addition, duty concession on heavy plant and mach be removed as fiscal duty have already been reduced 2020 – 2021 National Budget.  Concession code 219 will be extended to include pro unaccompanied luggage.  In addition, concession code 219 will be extended to 219A to accommodate duty free allowance on unaccompanied.	in the vision for include
Fiji  19. Concession code 218 – A bona fide passenger finally disembarking in Fiji	luggage of a travelling passenger.  Concession code 218 will be amended to increase allo accompanied luggage from \$1,000 to \$2,000.  The code will also be amended to include allow unaccompanied luggage of an accumulated value of \$1 addition, concession code 218 will be extended 218A to legislate crew allowance for flight crew disc from an aircraft.	owance for wance for \$2,000. to include
20. Concession code 115 – Concessions applicable to particular goods	Concession code 115 will be amended to <b>remov</b> classified under headings 89.01, 89.02, 89.03, 89.04 as fiscal duty for these have already been reduced to 2020-2021 National Budget. Furthermore, the code will be amended to <b>includ</b> classified under heading 8903.99.90 – other vessels.	and 89.05 0% in the
21. Concession code 273 – Companies or entities	Concession code 273 will be extended to include e accessories and chemicals related to desalination and treatment projects.	
22. Concession code 252 – Companies or entities involved in mining industry	Concession code 252 will be extended to include a involved in mining exploration.	companies
23. Concession code 301 – termidor chemicals	Duty concession on the importation of termidor che Free fiscal duty.	
24. Concession code 117 - Concessions applicable to particular goods	Concession code 117 applicable on shaped textile assembled fabrics will be removed as fiscal duty classified under this description have already been r 5% in the 2020-2021 National Budget. Additional Note 15 to Chapter 50 will also be deleted explanatory note for concession code 117.	for items reduced to
25. Concession code 287 – Approved taxi operators	Concession code 287 (iv) will be amended to increase limit for used and reconditioned petrol and diesel vehology 2 years to 5 years from the year of manufacture.	
26. Concession code 291 – Approved companies or entities	Concession code 291 applicable on approved comentities will be removed as fiscal duty on importational alcohol classified under this code have already bee significantly in the 2020-2021 National Budget.	n of ethyl

# (iv) Customs Legislation

Policy		Description	
1.	Dishonored cheques	> A fine of \$500 will be imposed for both tax and customs	
		revenue streams.	

2. Advanced notification	> Section 11A of the Customs Act will be amended to allow ships
of arrival of a ship	to provide advanced notification of arrival not less than 48 hours.
3. Importation of goods for commercial purposes	A maximum threshold of \$2,000 will be introduced for the registration of the Customs entry import value for commercial consignments for Gold Card Tax Payers.
4. Section 96	<ul> <li>A new provision on re-lodgment of refund will be included in Section 96 of the Customs Act 1986, whereby re-lodgment will be allowed for maximum of 30 days.</li> <li>Furthermore, Section 96(6) of the Customs Act 1986 will be amended to increase the minimum refund amount of \$50. The minimum refund of \$10 remains.</li> </ul>
5. Customs refunds to offset tax debt	Excess credit or overpayment of customs duties, bonds or fees will be used to offset against tax debt. This policy will not be applicable for disputed amount.
6. New 100% Electric vehicles and quad bikes	Schedule 3 Item 6 of the Customs Prohibited Imports and Exports Regulations will be amended to exempt new 100% electric vehicles and quad bikes from being Euro 4 compliant.
7. Arrival and Report Of Aircraft and Ships	Section 36(1) of the Customs Regulations will be amended to reword and replace the words "excess or short" with "amendment", to allow all forms of amendments to be made to the inward report.
8. Departure and Clearance of Aircraft and Ships	Regulation 94 of the Customs Regulations will be amended to reword and replace the words "excess or short" with "amendment", to allow all forms of amendments to be made to the manifest.
9. Service of Notices	Section 188 of the Customs Act will be amended to include provision for serving notice by electronic means.
10. Penalty	<ul> <li>Regulation 15 of the Customs Prohibited Imports and Exports Regulations will be amended to increase penalty from \$10,000 to \$25,000. This is to align to the other penalties for offences stipulated in the Custom laws.</li> </ul>
11. Duty Deferment payment for Bonded Warehouse Operators	Section 92 of the Customs Act will be amended to allow removal of goods from Bonded Warehouse without customs duty being payable immediately, subject to certain conditions.
12. Notice of Claim on seizure of goods	<ul> <li>Section 157 (1) of the Customs Act will be amended to reduce the period of claim from 3 months to 14 days.</li> <li>Section 158 will also be amended to reduce the period for procedure after notice of claim from 2 months to 14 days.</li> </ul>
13. Recovery of Duties	With the aim of harmonizing tax and customs legislations, Section 95 of the Customs Act will be amended to include provisions where Directors/Shareholders will be personally liable for recovery of duties and penalties for companies that are in financial difficulty.
14. Offence for not maintaining Proper Records	Section 114B of the Customs Act will be amended to include an offence provision whereby businesses will be deemed accountable for failing to keep proper records.

15. Electronic Submission of documents	>	Regulation 107(3) of the Customs Regulations will be amended to allow taxpayers or customs agents to submit relevant documents electronically.
16. E-cigarettes	>	Schedule 2 – Item 16 of the CPEIR will be amended to include e-cigarettes as a restricted item for importation. A permit to import will be required prior to importation.
17. Definition of freight forwarders	>	To ensure compliance to customs laws, the Customs Act will be amended to include the definition of freight forwarders.
18. Licensing of freight forwarders	V	The Customs Act will be amended to include provision for licensing of freight forwarders.
19. Recovery of Duty as a result of Audit and Investigation	<b>\</b>	Section 101A of the Customs Act will be amended to include timeline for recovery of duty as a result of audit or investigation. In the case of fraud, recovery can be made anytime, while for any other reason, recovery is to be made within 6 years.
20. Import VAT payments	Y	Import VAT payments for Gold Card Taxpayers will be deferred for two (2) months effective from 1 August 2021.
21. Importation of pasta, chips, noodles and biscuits	<b>A</b>	To ensure availability of unexpired quality products, the CPIER will be amended to include provision remaining shelf life on the importation of pasta, chips, noodles and biscuits to not less than 12 months.

# (v) Gambling Turnover Tax Act

Policy	Description		
1. Gambling	The Gambling Turnover Tax rate will be applied on at the rate of		
Turnover Tax	15% on the value of ticket.		

# (vi) Fiji Revenue and Customs Service (Information Sharing) Regulations 2019

Policy	Description	
Information     Sharing	Information sharing will be extended between FRCS, authorized government agencies and statutory bodies.	