



**PUBLIC ENTERPRISES REFORM
COMMISSION OF SRI LANKA**

11-01 West Tower,
World Trade Center, Echelon Square,
Colombo 1, Sri Lanka.

Tel : 2346831/2338756
Fax : 2326116/2342544

E-mail : info@perc.gov.lk
http://www.perc.gov.lk

Dr. P.B. Jayasundera
Secretary to the Treasury

IMPORTANT

NOTE

I enclose a copy of a Notice published by the Department of Inland Revenue in today's Newspaper.

The Inland Revenue (Regulation of Amnesty) Act No. 10 of 2004 did not specify that a **fresh / new Application** has to be made.

Section 3 very clearly stipulates that Declarations made under Act No. 7 of 2002 and Act No. 10 of 2003, as amended by Act No. 31 of 2003, **shall be deemed to be Declarations to which the provisions of the said Section shall be applicable i.e. to grant of Income Tax Amnesty to 31.3.2002.**

In fact, Section 3 (3) provides for the Commissioner General or any Officer not below the rank of Deputy Commissioner authorised by him, where necessary to require persons, whose Declarations had been acknowledged to furnish with any necessary additional particulars, within a period of 2 weeks.

The foregoing contemplates the Commissioner General or any Officer or any Deputy Commissioner authorised by him to examine all Declarations and forward them to the respective / concerned Assessors to be included in the existing Tax Payer's Files for the granting of Income tax Amnesty upto 31.3.2002 and for correct taxes to be collected for the Years of Assessment 2002/2003 onwards, and or where these are no existing Income Tax Files to open new Income Tax Files granting Income Tax Amnesty to the extent of Declarations upto 31.3.2002 and for correct taxes to be collected for the Years of Assessment 2002/2003 onwards.

The other Authorities i.e. Director General Customs, Exchange Controller, Excise Commissioner, Controller of Imports & Exports, Bribery & Corruption Commission would be entitled to have copies of the relevant Declarations to collect the correct revenue under the said Statutes and also deal with Bribery & Corruption. I understand that the Controller of Exchange has already called for such Declarations.

The "secrecy" **does not apply to the Declarations now** in terms of the Inland Revenue (Regulation of Amnesty) Act No. 10 of 2004, and **Declarations should not be suppressed.** *In fact, there is a Case pending in which the subject matter are these very Declarations.*

Kind regards,

Nihal Sri Ameresekere

cc: ✓ Mr. K. Susilar, Commissioner General of Inland Revenue

Director General Customs
Controller of Exchange
Director General Excise
Controller of Imports & Exports
Director General, Commission to Investigate Allegation of Bribery & Corruption

Hon. Minister of Finance
H.E. the President

1.12.2004



Department of Inland Revenue

Inland Revenue (Regulation of Amnesty) Act No. 10 of 2004

Notice on regularization of the tax amnesty under Inland Revenue (Regulation of Amnesty) Act No. 10 of 2004.

The provisions of the Inland Revenue (Special Provisions) Act No. 10 of 2003 have been abolished by the above Act.

Accordingly, persons entitled for amnesty in respect of the following taxes or duties or surcharges specified in the Schedule of that Act (No. 10 of 2003) will not be entitled for amnesty under this Act.

- (1) Tax payable under PAYE Scheme by the employers
- (2) Indirect Taxes Eg: Goods & Services Tax, National Security Levy, Turnover Tax, etc.
- (3) Stamp Duty
- (4) Charges under Exchange Control Act
- (5) Charges under Import & Export Control Act
- (6) Excise duty
- (7) Duties or Surcharges under Customs Ordinance
- (8) Betting & Gaming Levy
- (9) Estate Duty
- (10) Duties under Excise (Special Provisions) Act

In terms of the Inland Revenue (Regulation of Amnesty) Act No. 10 of 2004 amnesty will be granted in respect of income tax and wealth tax only. Accordingly, only following persons will be eligible for immunity.

Any person who -

- (i) is in receipt of an acknowledgement by the Commissioner General of Inland Revenue to the effect that the declaration made under the Inland Revenue (Special Provisions) Act No. 10 of 2003 has been accepted; and
- (ii) has disclosed any income or assets which had not been declared to the Department of Inland Revenue as at 31st March 2002, or prior to that, in that declaration.

It is hereby informed that all eligible persons as referred to in above who wish to obtain the tax amnesty should comply with the following.

A letter addressed to Commissioner General of Inland Revenue requesting for granting amnesty should be sent. In that letter indicate the number (TPSU/.....) given in the acknowledgement letter sent by the Commissioner General of Inland Revenue, regarding any declaration made on or before August 31, 2003, or attach a copy of that acknowledgement letter.

Please note that those documents should be sent to reach the following address on or before 31st December 2004.

**"Commissioner General of Inland Revenue
Taxpayer Services Unit
1st Floor, Department of Inland Revenue
Colombo 02."**

If an application is made as given above, you will be informed by the Commissioner General of Inland Revenue after examining your declaration whether you are eligible or not for amnesty under Inland Revenue (Regulation of Amnesty) Act No. 10 of 2004.

For further clarification, please contact:

1. Rathnayake M. Jothipala, Commissioner - Taxpayer Services Unit
Tel: 2327353
2. H.M. Premaratne Banda, Deputy Commissioner - Taxpayer Services Unit
Tel: 2324396

Commissioner General of Inland Revenue