

CHAPTER 173

THE FINANCE ACT, 1974.

Arrangement of Sections.

Section

1. Tax, etc. liability of statutory corporations.
2. Payments into the Consolidated Fund.

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THE FINANCE ACT, 1974.

Commencement: 12 June, 1974.

An Act to provide for the imposition of certain taxes and duties, for compulsory payments into the Consolidated Fund by statutory corporations and for other matters incidental thereto.

1. Tax, etc. liability of statutory corporations.

(1) No statutory corporation shall gain any exemption from any tax imposed generally by any written law, whether the tax is expressed as a tax, levy, duty or otherwise unless the corporation is expressed in or under the law as exempted from the tax or entitled to such remission as may be granted under the law; except that in respect of income tax any exemption purported to have been granted otherwise than in accordance with this section shall be deemed to be of no effect.

(2) Any provision of any written law which is inconsistent with subsection (1) shall be deemed to be amended to the extent of the inconsistency.

(3) In granting any exemption or remission under subsection (1), the authority empowered in that behalf shall distinguish between statutory corporations which are business enterprises and which shall, as far as possible, be treated as private persons, and statutory corporations which provide utility services and which shall in principle be exempted or entitled to remission.

2. Payments into the Consolidated Fund.

(1) Except where the Treasury otherwise directs, every statutory corporation which is a business enterprise shall, notwithstanding anything to the contrary in any written law, within six months from the end of its financial year, pay to the Treasury a sum being not less than one-third of the net profit or surplus earned or received by the enterprise for the financial year or such other sum as the Treasury may direct in respect of any financial year.

(2) Where, after the expiration of the period specified under

subsection (1), the corporation has not declared and paid anything required by that subsection, the Treasury may take any steps to enforce compliance with the subsection, including the withholding of any grants to the corporation and a report thereon to the Cabinet.

History: Decree 13/1974; Decree 21/1974; Decree 6/1975, s. 6.