

S.I. 54 of 2019

BUSINESS TAX ACT

(Act 28 of 2009)

Business Tax (Business Tax Return Form) (Amendment) Regulations, 2019

In exercise of the powers conferred by sections 80, 60(2) and 61(2) of the Business Tax Act, the Minister responsible for Finance makes the following regulations —

1. These regulations may be cited as the Business Tax (Business Tax Return Form)(Amendment)Regulations, 2019.

Citation

2. The Business Tax(Business Tax Return Form) Regulation, 2013 is hereby amended in paragraph 2 as follows —


Amendment of
S.I. 83 of 2013 as
last amended
by S.I. 99 of 2014

(a) by inserting after sub paragraph (b) the following sub paragraph —

“(c) the Business Tax Return for non-resident ship owners, aircraft owners and charterers shall be in the forms set out in Schedule 3”.

(b) by inserting after Schedule 2, the following Schedule —


“SCHEDULE 3

	SEYCHELLES REVENUE COMMISSION TAX DIVISION Business Tax Return FOR NON-RESIDENT SHIP OWNERS, AIRCRAFT OWNERS & CHARTERERS	<i>To be completed by businesses liable to Business Tax under Section 60 and 61 of the BTA 2009</i>
YEAR: _____ QUARTER (if applicable): _____		

A Business Information		
Indicate the commencement date and end date to which the gross revenue derived applies.	From: Date/Month/Year	To: Date/Month/Year
Taxpayer Identification Number (TIN)		
Name of Taxpayer/ Business		
Name of Public Officer/Senior Partner		
National Identification Number (NIN)		
Postal Address for service of notices (Use Block Letters) <input type="checkbox"/> (Please tick if address has changed)		
Business Telephone Number:		
E-Mail Address:		
Full Details of Nature of Business:		

B Tax Computation			
<i>Please refer to Section E overleaf for guidance about filling up this section.</i>			
1	Gross Revenue Derived:	1	SR
2	Tax Payable @ 3%:	2	SR
3	Less: Any pre-payment of Business Tax Paid	3	SR
4	Tax Payable/Refundable:	4	SR

C Declaration	
DECLARATION OF PUBLIC OFFICER/AUTHORISED PERSON	
<p>I, the person making this return, declare that the particulars shown herein are true and correct in every particular, and disclose without reservation or exception a full and complete statement of the total annual turnover derived from all sources in Seychelles by the business during the year of income. I am aware of the penalties that I may incur in the event that I am selected for a random audit and it is found that I have made a misleading declaration to Seychelles Revenue Commission.</p>	
Dated this _____ day of _____ 20__	
Signature: _____ Full name: _____	
TAX AGENTS' CERTIFICATE OF DECLARATION	
<p>To be completed by any person who charges directly, or indirectly, any fee for preparing or assisting to prepare this return. _____, having charged the business a fee for preparing or assisting in the preparation of this return, hereby certify that this return has been prepared in accordance with the information supplied by the Business, including books, accounts, records and other relevant documentation and that to the best of my knowledge, the return correctly reflect the data and transactions to which they relate.</p>	
Dated this _____ day of _____ 20__	
Agent's Signature: _____ Agent's Full Name: _____	
Agent's registered number: _____	

	Seychelles Revenue Commission Business Activity Statement PAYMENT OF BUSINESS TAX FOR NON-RESIDENT SHIP OWNERS, AIRCRAFT OWNERS AND CHARTERERS	Trading Name: _____ TIN: _____
Year: _____ Quarter (if applicable): _____		
Business Tax	Tax Payable SR _____	Penalty and Others SR _____
Total Business Tax to Remit: _____		
Declaration: I declare that the information on this form is true and correct, and that I am authorised to make this declaration.		
Name: _____		Signature: _____ Date: _____

D Information**Business Tax Return for non-resident ship owners, aircraft owners and charterers**

By virtue of the Business Tax Act, 2009 (as amended) and the Revenue Administration Act, 2009, you are hereby required to make on this form a true and correct statement of gross income derived from all the sources computed in accordance with the said Act, and to lodge the form and the payment as prescribed in the Business Tax Act 2009 Section 60 and 61. I.e.,

For Ship Owners and Charterers - Before departure of a ship owned or chartered from a port in Seychelles.

For Aircraft Owners and Charterers - 21 days after the end of each respective quarter

Late lodgment of the return will result in additional tax in accordance with Section 42 of the Revenue Administration Act, 2009.

ONLY NON-RESIDENT SHIP OWNERS, AIRCRAFT OWNERS AND CHARTERERS UNDER SECTION 60 AND 61 OF THE BUSINESS TAX ACT 2009 SHOULD FILL UP THIS FORM.

Refer to Section 60 and 61 of the Business Tax Act 2009 for additional information.

This return must be submitted in an electronic format using our E-Service OR a hardcopy sent to 'Malson Collet, Victoria, Mahé' or P.O. Box 50, 'Victoria, Mahé', post free in an envelope addressed to "The Revenue Commissioner".

Telephone 4293737. Fax 4225565. commissioner@arc.gov.sc

E Guidance for Section B

The tax applicable on non-resident ship owners, aircraft owners and charterers is on the gross revenue derived.

Section B: The tax payable is calculated by applying the applicable tax rate to the gross revenue derived.

Box 1 - Insert the exact amount of gross revenue derived received for the period.

e.g. For the period your gross revenue derived was SR 400,000.

1	Gross Revenue Derived:	1	400,000.00	SR
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Box 2 - The tax payable will be = $\frac{\text{Box 1}}{100} \times 3\%$.

e.g. Gross Revenue Derived = SR 400,000, Tax rate = 3%, therefore SR 400,000 \times 3% = SR 12,000 (Tax Payable).

2	Tax Payable @ 3%:	2	12,000.00	SR
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Box 3 - Insert pre-payments of Business Tax (if any).

e.g. For the respective period you have made a pre-payment of SR5,000.

3	Less: Any pre-payment of Business Tax Paid	3	5,000.00	SR
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Box 4 - Subtract the amount in **Box 3** from **Box 2**. Insert the result in **Box 4**. If it is a payable this is the amount you have to remit to SRC.

E.g. Pre-payments of tax during the year was SR5,000, then SR12,000 (tax payable in Box 2) - SR5,000 = SR7,000. Your total tax payable is SR7,000.

4	Tax Payable/Refundable:	4	7,000.00	SR
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Payment

Payment for Business Tax liable under section 60 & 61 under the Business Tax Act 2009 should be made using the Business Activity Statement (BAS) form below.

Business Activity Statement (BAS) for payment of Business Tax for non-resident ship owners, aircraft owners and charterers

For the purpose of the business tax applicable to non-resident Ship owners, Aircraft owners and Charterers, payment for the amount payable should be made using this slip. The total business tax to remit includes the tax payable and any additional payments such as penalty if any.

Due date for payment is as follows:

For Ship Owners and Charterers - Before departure of a ship owned or chartered from a port in Seychelles.

For Aircraft Owners and Charterers - 21 days after the end of each respective quarter.

The existing BAS form which allows a business to report and pay for a range of taxes into one statement should be used when making payments for other taxes such as Income & Non Monetary Benefits Tax.

The payment slip should be handed over to the cashier during payment.

MADE this 9th day of September, 2019.

**MAURICE LOUSTAU-LALANNE
MINISTER OF FINANCE, TRADE, INVESTMENT
AND ECONOMIC PLANNING**
