

2021/2022 NATIONAL BUDGET SUMMARY OF REVENUE POLICIES

Part 1 – Direct Tax Measures

(i) Income Tax Act

Policy	Description		
1. Investment in infrastructure for ICT purposes.			
	Capital Investment (\$)	Tax Holiday	
	\$2m to \$5m	10-year tax holiday	
	\$5m to 10m	15-year tax holiday	
	In excess of \$10m	20-year tax holiday	
	selling it to ICT/ BPO combe exempt from income tax 3. Customs Exemption Customs import duty exemption business. Exemption will include equipment including spare parts.	lived in developing strata titles and appanies, the sale proceeds will also in for the establishment of the literal materials, machinery and and will also be extended to existing	
2. Incentive for	-	rk (including data storage services)	
Investment in an ICT Park (Telecom ICT Park,	will be granted a tax holiday and a 1. Tax Exemption Structure	,	
planned to be	Capital Investment (\$)	Tax Holiday	
constructed at Lot 2	\$10m to \$30m	20-year tax holiday	
SO 5213, Princess	In excess of \$30m	25-year tax holiday	
road, Tamavua.)		on for the establishment of the le raw materials, machinery and	
3. Incentive for	<u> </u>	est in network cabling (submarine	
investment in a	_ · · · · · · · · · · · · · · · · · · ·	re development will be provided a	

Network Cabling a	nd
infrastructure.	

tax holiday and duty concession package. The cable should land in Fiji.

1. Tax Exemption Structure

Capital Investment (\$)	Tax Holiday
Investment above \$40 million	30-year tax holiday

2. <u>Customs Exemption</u>

Customs import duty exemption for the establishment of the business. Exemption will include raw materials, machinery and equipment including spare parts.

3. Hotel Investment Incentive

- 1. Extend SLIP to renovations and refurbishments of existing hotels or resorts.
- ➤ 5-year tax holiday for investments more than \$2m. The incentive will be available for the next 18 months effective from 1 August 2021. This incentive can be claimed only once.
- 2. SLIP for new hotels
- Another tax exemption tier will be added for investments in excess of \$40 million.

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

- 3. Standard Allowance will be increased to 50% from 25%.
- ➤ Duty free importation for all hotels and resorts for 18 months effective from 1 August 2022. 5% ECAL will also be waived on all import.

4. Incentive for Investment in Recycling Business.

Any new investment in the recycling business will be granted a tax holiday and a duty concession package.

Tax Exemption Structure

Capital Investment (\$)	Tax Holiday
\$250,000 to \$500,000	3-year tax holiday
\$500,000 to \$2m	5-year tax holiday
\$2m to \$5m	10- year tax holiday

	\$5m to 10m	15- year tax holiday
	In excess of \$10m	20-year tax holiday
	Customs Exemption	
	Customs import duty exemptio	n for the establishment of the
	<u> </u>	e raw materials, machinery and
	equipment including spare parts.	·
5. Agriculture Incentive	➤ In the bid to encourage investr	ment in the agriculture sector, the
	S	tivized the agriculture incentive,
	3 3	mmercial agricultural farming and
		come tax exemption based on the
	following capital investment le	vels:
	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
	=	e to enjoy duty free importation of
	all machinery, plants, equipment a	
6. Natural Disaster	-	ter Reserve Fund will now include
Reserve Fund	deposits being made for pander	
	for pandemic purposes.	0 th June 2021 can be also utilized
	1 1	ness continuity during pandemics
	will be available for future use.	· · · · · · · · · · · · · · · · · · ·
7. Export Income		19 Response Budget, the Export
Deduction Incentive		ed from 50% to 60% and the rate
	is valid till 2022. Given the ne	gative impact of the pandemic on
	exports, the deduction will be	e maintained until 31 December
	2024.	
		110 0 5
	_	or will qualify for Export Income
	December 2024	etion will be maintained until 31
8. Taxation of the		as stipulated under Part 6 of the
mining sector	0	made effective from 01 August
mining sector	2021.	made effective from of riugust
9. Income Tax	➤ All Unit Trusts will be exempted	ed from Income Tax.
Exemption for Unit	r	
Trusts		
10. Tax deduction for	➤ A 200% tax deduction will be	e allowed on the development or
development or		vebsites with integrated payment
upgrade of online	platforms.	

shopping websites	
with integrated	
payment platforms	
11. Tax deduction for	➤ A 200% tax deduction will be allowed for investment in fogging
investment in	machines specifically used for decontamination and sanitizing
fogging machines	purposes.
12. Debt Forgiveness	➤ As announced in the COVID-19 Response Budget and the 2020-
12. Beet Forgiveness	2021 National Budget, debt forgiveness is not subject to income
	tax for all debt outstanding forgiven from 1 April 2020 up to 31
	December 2021. This policy will now be further extended.
	➤ Debt creation period will be extended from 31 December 2020 to
	31 December 2021.
	➤ Debt forgiveness period will be extended from 31 December 2021
	to 31 December 2022
13. Exempt interest	➤ Income Tax Act will be amended to simplify the rules to allow
income	interest income earned to be exempted on income less than
	\$30,000.
14. Re-organization	➤ Section 88 of the Income Tax Act 2015 will extend the scope to
	cover partnership structure.
	Furthermore, the definition of group companies will be expanded
	to include transfer of assets between companies that have
	common shareholders.
15. Tax deduction for	➤ The 300% deduction allowed on salaries and wages paid to an
salary and wages	employee quarantined and/or tested positive for COVID-19 will
paid	be further extended from 31 December 2020 to 31 December
	2022.
	Letter from the Ministry of Health and Medical Services will be
16 77 1 1 1 1	required for verification.
16. Tax deduction for	The tax deduction given to landlords for the amount of reduction
reduction of	of commercial rent will be increased from 100% to 200%.
commercial rent 17. FNPF Contribution	The mandatory ENDE contribution will be increased from 5% to
17. FINER COMMIDUMON	The mandatory FNPF contribution will be increased from 5% to 6 percent.
	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.
18. Film Making and	Film Tax Rebate payment for pending payments will resume in
Audio-Visual	the new fiscal year, while processing of all new provisional
Incentives	applications will still be suspended.
	TT STATE STATE

(ii) Tax Administration Act

Po	licy	Description
_	Withholding Tax on professional service fees	 Consistent with DTAs and domestic law provisions, FRCS will facilitate refund of withholding tax collected on professional service fees. 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; 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
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	 Tax Amnesty will be granted to taxpayers with tax arrears to obtain waiver for all penalties upon payment of real taxes. To qualify for the amnesty, taxpayers must make payment arrangements within 3 months from 1 August 2021 and make payments before 30 June 2022.
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.
	Rulings	➤ The ruling legislation will be implemented from 1 August 2021.
	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)	 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. 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.

<u>Part 2 – Indirect Tax Measures</u>

(i) Value Added Tax Act

Po	licy	Description
1.	VAT exemption on all climate and disaster parametric insurance	 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. Indemnity payout will be exempted from VAT. Schedule 1 of the VAT Act will be amended to ensure that parametric insurance is an exempt supply.
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.
3.	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

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

5.	ECAL exemption	\wedge	Schedule 2 of ECAL Act will be amended to include concession
	on importation of		codes 235 and 235A for exemption of ECAL on importation of
	goods for hotels		goods for hotels and resorts.
	and resorts		

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

Po	licy	De	scription
1.	Increase in fiscal duty on steel pipes, galvanized pipes, stainless steel pipes and rectangular tubing	A	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		Fiscal duty on liquid milk, full cream powdered milk, yogurt, cheese and butter will be reduced to 5%. The new duty will be effective from 31 August 2022.
3.	Reduction in fiscal duty on green tea	>	Fiscal duty on green tea will be further reduced from 5% to 0%.
	Concession Code 221 – Shipping companies	>	Concession code 221 will be extended to include plastic seals, bolt seals and dangerous goods stickers.
5.	Reduction in fiscal duty on spare parts for electrical equipment	>	Fiscal duty on spare parts for electrical equipment such as detector machines will be reduced to 0%.
6.	Reduction in fiscal duty on cement	A A	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	A	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	>	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	\	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	A	Fiscal duty on nonwoven bags classified under chapter 63 will be increased to 32%.
bags	>	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	A	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	A	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	A	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	A	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		Concession code 235 will be extended to include outdoor equipment.
hotels and resorts	>	In addition, duty concession on heavy plant and machinery will be removed as fiscal duty have already been reduced in the 2020 – 2021 National Budget.
18. Concession code 219 – A bona fide passenger finally	A A	Concession code 219 will be extended to include provision for unaccompanied luggage. In addition, concession code 219 will be extended to include 219A
disembarking in Fiji		to accommodate duty free allowance on unaccompanied luggage of a travelling passenger.
19. Concession code 218 – A bona fide	>	Concession code 218 will be amended to increase allowance for accompanied luggage from \$1,000 to \$2,000.
passenger finally disembarking in	`	The code will also be amended to include allowance for unaccompanied luggage of an accumulated value of \$2,000.
Fiji	>	In addition, concession code 218 will be extended to include 218A to legislate crew allowance for flight crew disembarking from an aircraft.

20. Concession code		Concession code 115 will be amended to remove vessels classified
115 – Concessions		under headings 89.01, 89.02, 89.03, 89.04 and 89.05 as fiscal duty
applicable to		for these have already been reduced to 0% in the 2020-2021
particular goods		National Budget.
	\triangleright	Furthermore, the code will be amended to include vessels classified
		under heading 8903.99.90 – other vessels.
21. Concession code	>	Concession code 273 will be extended to include equipment,
273 – Companies		accessories and chemicals related to desalination and sewerage
or entities		treatment projects.
22. Concession code	>	Concession code 252 will be extended to include companies
252 – Companies		involved in mining exploration.
or entities		
involved in mining		
industry		
23. Concession code	>	Duty concession on the importation of termidor chemicals to Free
301 – termidor		fiscal duty.
chemicals		
24. Concession code		Concession code 117 applicable on shaped textile fabric or
117 - Concessions		assembled fabrics will be removed as fiscal duty for items classified
applicable to		under this description have already been reduced to 5% in the 2020-
particular goods		2021 National Budget.
		Additional Note 15 to Chapter 50 will also be deleted as it is an
		explanatory note for concession code 117.
25. Concession code		Concession code 287 (iv) will be amended to increase the age limit
287 – Approved		for used and reconditioned petrol and diesel vehicles from 2 years
taxi operators		to 5 years from the year of manufacture.
26. Concession code		Concession code 291 applicable on approved companies or entities
291 – Approved		will be removed as fiscal duty on importation of ethyl alcohol
companies or		classified under this code have already been reduced significantly
entities		in the 2020-2021 National Budget.

(iv) Customs Legislation

Po	licy	Description
1.	Dishonored cheques	➤ A fine of \$500 will be imposed for both tax and customs revenue streams.
2.	Advanced notification of arrival of a ship	Section 11A of the Customs Act will be amended to allow ships 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	 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. 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.
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	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.
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	 Section 157 (1) of the Customs Act will be amended to reduce the period of claim from 3 months to 14 days. Section 158 will also be amended to reduce the period for procedure after notice of claim from 2 months to 14 days.
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	>	To ensure compliance to customs laws, the Customs Act will be
freight forwarders		amended to include the definition of freight forwarders.
18. Licensing of		The Customs Act will be amended to include provision for licensing
freight forwarders		of freight forwarders.
19. Recovery of Duty	>	Section 101A of the Customs Act will be amended to include
as a result of		timeline for recovery of duty as a result of audit or investigation. In
Audit and		the case of fraud, recovery can be made anytime, while for any other
Investigation		reason, recovery is to be made within 6 years.
20. Import VAT	\triangleright	Import VAT payments for Gold Card Taxpayers will be deferred for
payments		two (2) months effective from 1 August 2021.
21. Importation of	>	To ensure availability of unexpired quality products, the CPIER will
pasta, chips,		be amended to include provision remaining shelf life on the
noodles and		importation of pasta, chips, noodles and biscuits to not less than 12
biscuits		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
1. Information	➤ Information sharing will be extended between FRCS, authorized
Sharing	government agencies and statutory bodies.