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24th October 2014.

To: Clients of Tudor V. Perera & Co.

Dear Client,

Budget Proposals - Year 2015 (Taxation)

It gives us great pleasure in forwarding herewith an overview of the Budget Proposals (Taxation) announced by His Excellency the President Mahinda Rajapakse, in his capacity as the Finance Minister, in the Parliament on 24th October 2014.

However, this should not be treated as authoritative statement, since the Budget Proposals for the year 2015 are pending legislation.

The facts given are for general guidance and professional advice should be sought prior to acting on same.

Should you need further clarifications, please feel free to contact us.

Yours faithfully, *TUDOR V. PERERA & CO.*

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BUDGET PROPOSALS 2015 - TAXATION

1. Income Tax (Amendments to the Inland Revenue Act No. 10 of 2006)

1.1. Exemptions/Taxation at Concessionary Rates

- 1.1.1. Exemptions
 - 1.1.1.1. Profits and income arising or accruing to any Unit Trust from investments made on or after January 1, 2015, in US Dollar deposits or US Dollar denominated securities listed in any foreign Stock Exchange.
 - 1.1.1.2. Profits and income arising or accruing to any company, partnership or body of persons outside Sri Lanka from any payment made by way of royalty as a specific requirement of any IT/BPO Company in Sri Lanka for a period of 2 years from the commencement of such IT/BPO Company. (Section 13 of the Inland Revenue Act will be amended)
 - 1.1.1.3. The interest or discount accruing or arising to any person from any investment made on or after January 1, 2015 in any Corporate Debt Security, issued by the Urban Development Authority.(Section 9 of the Inland Revenue Act will be amended)
- 1.1.2. Concessionary Rates
 - 1.1.2.1. Pioneering Industry Allowance

A deduction of 10% of income tax payable by any local manufacturer who has commenced the business of manufacturing during 1970's and sustained competitiveness with imports, on the profits and income from the sale of such manufactured products in the local market.

- 1.1.2.2. The concessionary tax rate of maximum 16% applicable for certain categories of employment (Professionals) will be expanded to cover the other employment categories as well.
- 1.1.2.3. Concessionary tax rate of 12% applicable for agricultural sector will be extended to the local sugar industry.
- 1.1.2.4. The annual turnover limit of Rs. 500 Mn. referred to in Section 59B will be increased to Rs. 750 Mn.
- 1.1.2.5. One half of the profits and income from the production of films or dramas of any individual who produces an award winning cinema or a drama at an international film/drama festival will be exempt for a period of 5 years from the year in which such award is received.
- (Relevant Sections and the Rate Schedule will be amended)

1.2. Tax concessions for new investments

1.2.1. The time limit to complete investments and to commence the commercial operations by new undertakings which have been approved under Section 17A of the Act, prior to 01.04.2014 and which would not be able to complete their investments prior to 01.04.2015 and commence commercial operations prior to 01.04.2016, will be extended to 01.04.2017.

The tax holiday period will be rationalized depending on the nature of the activity approved to carry out by such undertaking.

1.2.2. Any new undertaking with an investment of not less than US\$ 2 Mn. will be granted a frontloaded depreciation allowance, on the acquisition of any fixed asset on which depreciation allowance is claimable within the provisions of Section 25, where such undertaking engaged in manufacture of products for export and the exemption will be granted on the dividend distributed out of such profits or from deemed dividend tax, for a period of 5 years from the commencement of commercial operations of the new undertaking.

- 1.2.3. The applicable tax rate on the profits and income of an existing enterprise carrying on a business of manufacture of products (other than liquor or tobacco), will be reduced by 50% up to a maximum not exceeding Rs. 500 Mn. for a period of 5 years, if such enterprise is liable for income tax at the rate of 28% and expands such enterprise in any province other than the Western Province by investing not less than Rs. 300 Mn. on or after 01.04.2015 but prior to 01.04.2017 by the acquisition of any fixed asset on which depreciation allowance is claimable within the provisions of Section 25.
- 1.2.4. Any company which registers with the Inland Revenue Department for tax purposes on or before December 31, 2015 with a committed investment in excess of Rs. 500 Mn., to be made in any manufacturing business (other than liquor or tobacco) within a specified period as approved by the Commissioner General of Inland Revenue will be entitled for a reduction of 50% of the applicable tax rate for a period of 7 years from the commencement of commercial operations.

1.3. Withholding Tax on Interest Income from Deposits

The present withholding tax regime applicable to individuals and charitable institutions will be revised by introducing a single withholding tax rate of 2.5% irrespective of the amount of interest.

Exemption on interest income of senior citizens will be expanded by removing the exempt threshold presently applicable on interest income. *(Sections 9 and 133 of the Inland Revenue Act will be amended)*

1.4. Deductibility of Expenses

A triple deduction will be granted, to any person registered with the Tertiary Vocational Education Commission (TVEC) on expenditure incurred on standard skill development training (Eg. NVQ Level) provided to trainees.

(Section 25 of the Inland Revenue Act will be amended)

2. Value Added Tax (VAT) [Amendments to Value Added Tax Act No.14 of 2002]

2.1. Reduction of Tax Rate

The present rate of VAT of 12% will be reduced to 11%.

2.2. Exemptions

- 2.2.1. Import of machinery, equipment and spare parts by Sri Lanka Ports Authority (SLPA) to be used exclusively within specified ports (Paragraph (c) of PART II of the First Schedule will be amended).
- 2.2.2. Current limit of the sample value for the exemption from VAT of Rs. 25,000/- will be expanded to Rs. 50,000/- (item (xxx) of Paragraph (c) of PART II of the First Schedule will be amended).

2.3. VAT on Wholesale and Retail Trade

The present threshold of value of supplies for a consecutive period of three months of any calendar year of any person or partnership carrying on a business of wholesale or retail trade for the chargeability to VAT will be reduced to Rs. 100 Mn.

2.4. Registration Threshold

Threshold of liable supplies for the registration for VAT purpose will be increased to Rs. 15 Mn. per annum.

3. Nation Building Tax (NBT) [Amendments to NBT Act No. 9 of 2009]

3.1. Exemptions

3.1.1. Threshold of liable turnover of NBT will be increased to Rs. 3.75 Mn. per quarter.

- 3.1.2. Import of machinery, equipment and spare parts by SLPA to be used exclusively within specified ports.
- 3.1.3. Current limit of the sample value for exemption from NBT of Rs. 25,000/- will be expanded to Rs. 50,000/-.
- 4. Betting and Gaming Levy (Amendments to Betting and Gaming Levy Act No. 40 of 1988) 4.1. Tax rate applicable for gross collection will be revised to 10%.
 - 4.2. An entry fee of US\$ 100 will be charged per person who enters casino entertainment.

5. Other Amendments

- 5.1. To encourage the modernization, disposal of machinery used for more than 10 years in a BOI Company will be exempt from duty.
- 5.2. Cess and Customs Duty rates will be revised to strengthen the domestic value addition.
- 5.3. Consolidation of taxes to further simplification of tax system.
 - 5.3.1. Excise (Special Provisions) Duty will be charged in lieu of VAT, NBT, Cess, Customs Duty and Ports and Airport Development Levy (PAL) on certain articles specified under Chapter 87 of the Customs Tariff Guide;
 - 5.3.2. In lieu of VAT and NBT:-
 - (a) Excise (Ordinance) Duty will be charged on the manufacture of liquor,
 - (b) Customs Duty and Cess will be charged on the import of liquor, and
 - (c) Excise (Special Provisions) Duty will be charged on the manufacture or import of cigarettes, at the rates and in the manner specified in the relevant Gazettes, published for that purpose.

(*Relevant provisions of the VAT Act and NBT Act will be amended with immediate effect*)

6. Recovery of Tax in Arrears

A special refinance facility scheme which is re-payable within 5 years will be provided at 6% interest rate to facilitate the settlement of arrears in EPF/ETF and arrears in taxes up to 31.12.2010. (*Default Tax Recovery (Special Provisions) Act No.16 of 2010 will be amended*)

7. Technical Rectifications and Administrative Provisions

Necessary amendments will be made to the respective provisions of the Inland Revenue Act No. 10 of 2006, Value Added Tax Act No. 14 of 2002, Nation Building Tax Act No. 9 of 2009, Economic Service Charge Act No. 13 of 2006, Finance (Amendment) Acts, Betting and Gaming Levy Act No. 40 of 1988, Default Tax (Special Provisions) Act No. 16 of 2010, Telecommunication Levy Act No. 21 of 2011, Ports and Airports Development Levy Act No. 18 of 2011, Tax Appeals Commission Act No. 23 of 2011, Imports and Exports (Control) Act No. 1 of 1969 and Strategic Development Projects Act No. 14 of 2008 in order to streamline the revenue administration and to rectify certain ambiguities and unintended effects (including differences in translations).

8. Amendments to Appropriation Act No. 36 of 2013 for the Financial Year 2014

The maximum borrowing limit specified in the Appropriation Act No. 36 of 2013 is increased by Rs. 200 Bn., which includes the bonds issued for the capitalization of state enterprises and recording foreign debt disbursements. Consequential amendments will be made to Section 2(1) and Section 2(2) of the said Act. These amendments are incorporated in the Printed Estimates for 2015 which are now under submission to Parliament. The required amendments will be introduced at the Committee Stage of the Appropriation (Amendment) Bill.

Rs. Mn.			Rs. Mn.
	2014		2015
Ceylon Petroeum Corporation	30,690.49	Ceylon Petroleum Corporation	150,000.00
Bank of Ceylon	28,713.00	Bank of Ceylon	5,000.00
Sri Lankan Airlines	25,927.06	National Water Supply and Drainage Board60,0	
Mihin Lanka	6,528.23	CECB, SD&DC, SEC	3,000.00
Fisheries Corporation	208.22	Sri Lankan Airlines	19,500.00
State Trading Corporation	494.70	Agrarian Insurance Board	1,500.00
Paddy Marketing Board	5,388.64	Inventors' Fund	500.00
BCC	294.15		
Lanka Salusala	35.02		
Co-operative Wholesale Establishment	370.30		
STC Wholesale Co. Ltd.	44.48		
SL. Consumer Co-operative Socialists Federation Ltd.	65.94		
Ceylon Fertilizer Co. Ltd.	2,161.00		
Colombo Commercial Fertilizer Ltd.	667.00		

9. Bonds Issued for Capital Infusion, Liquidity Improvements and Debt Capitalization of State Owned Business Enterprises

Further allocation of Rs. 60 Bn. recording of foreign debt disbursements is also included in 2014 figures.

10. Effective Dates of Proposals

Unless stated otherwise, the proposals in relation to;

- (i) Income Tax will take effect commencing from April 1, 2015.
- (ii) Value Added Tax and Nation Building Tax will be implemented with effect from January 1, 2015.
- (iii) Cess, Ports and Airport Development Levy, Custom Duty, Excise (Special Provisions) and Special Commodity Levy will take effect immediately.

		CORPORATE INCOME TAX		MISCELLANEOUS Contd	
ΤΑΥ ΒΑΤΕς			Rate		<u>Rate</u>
TAX RATES		• Unit Trust, Mutual Funds and Unit Trust Management		• Operation and maintenance of facilities for storage,	
2015/2016		Companies	10%	development of software or supply of labour	
2013/2010		Venture Capital Companies	12%	- Maximum 10% (individual)	
		· Company (other than the above and any holding Company, a		10% (companies)	10%
		subsidiary company or associate company of a group of		• On qualified export profits (subject to a maximum of 15%	
INDIVIDUAL INCOME TAX		companies) where the taxable income of which does not exceed		for individuals)	
Tax free allowance (Resident Individuals) Rs. 500,000/-	Rate	Rs. 5 Mn.	12%	- Deemed exports (subject to a maximum of 15% for	
First Rs. 500,000/- of taxable income	4%	• Any company (including a group company) which become QPC		individuals)	12%
Next Rs. 500,000/- of taxable income	8%	prior to 01.04.2011, for five years from the beginning of the year		- Services rendered in Sri Lanka to a person or partnership	
Next Rs. 500,000/- of taxable income	12%	of assessment becoming QPC and taxable income of which		outside Sri Lanka by any resident company	15%
Next Rs. 500,000/- of taxable income	16%	exceed Rs. 5 Mn, but commences after 01.04.2006	33.33%	Transshipment agency fees in foreign currency	15%
Next Rs. 1,000,000/- of taxable income	20%	Other Companies	28%	• Partnership tax on divisible profits and other income of a	
	24%	• Company listed after 01.04.2013 and before 31.03.2017 with 20%		partnership business, if divisible profits exceeds	
Excluded from Statutory Income (If WHT has been paid)	/-	of shares to public - tax rate will be reduced by 50% for 3 years.		Rs. 1,000,000/- (on the excess)	8%
- Interest & Dividends		1 5 5		• Non citizen carrying on the profession or vocation of	
Employment Income of Government and Private Sector subject to		WITHHOLDING TAX		entertainer or artiste	12%
PAYE Tax			10%		
		If the interest is paid or credited to Company Depth carbon provide the second s		Petroleum exploration 2% of fundo received by NCOs	12%
Tax deducted under PAYE Scheme will be treated as final		- Partnership	8%	3% of funds received by NGOs	28%
Tax free allowance deductible will be Rs. 600,000/- per annum	1(0/	 If the interest is paid or credited to an individual or charitable institution 	2 5 9/	• Lottery or betting or gaming activity, liquor or tobacco	
Maximum rate of tax for employment income	16%	institution	2.5%	productsProfits and income from educational services	40%
TAY ON TEDMINAL DENIETTS EDOM EMDLOVMENT (DET	TIDINC	Interest paid to Senior Citizens (from State Banks)Interest or discount on corporate debt security	Exempt		10%
TAX ON TERMINAL BENEFITS FROM EMPLOYMENT (RET GRATUITY ETC.) UNDER UNIFORM BASIS	TIKING	· ·	10%	• Any undertaking engaged in manufacture or providing	
		• Dividends	10%	service of which turnover does not exceed Rs. 500 Mn.	
• On the first Rs. 5 Mn. of the sum where the period of service or		Government rewards or shares of fines	10%	(other than holding or subsidiary)	12%
	Exempt	 Lottery prices in excess of Rs. 500,000/- 	10%	• Export or supply to exporter with domestic value addition	
• On the first Rs. 2 Mn. of the sum where the period of service or		 Winnings from betting or gambling 	10%	65% or more & exported under Sri Lankan brand name	
	Exempt	• Treasury Bills, Treasury Bonds etc. (only in the hand of the		- Individual maximum 10%	
• On the next Rs. 1,000,000/-	5%	primary dealers)	10%	- Company 10%	
On the balance	10%	Annuities & Royalties	10%	• Profits and income of newly setup branch of a Commercial	
Compensation under Voluntary Retirement Scheme (in the		• Management fees or similar payments (persons & partnerships		Bank dedicated to development banking	24%
opinion of CGIR) up to Rs. 2 Mn.	Exempt	not liable to ESC).	5%	• Profits and income from activities carried out as research	
Compensation under Labour Commissioner approved		• On remuneration/benefit paid to Directors/Chairperson/ Board		and development	
retrenchment scheme up to Rs. 2 Mn.	Exempt	of Directors or an individual having more than one employment		- Person other than a Company	16%
• Non-uniform compensation for loss of employment under	1	or aggregate of such amount		- Company	20%
	16%	- If monthly benefit does not exceed Rs. 25,000/- per month	10%	Organic Tea in Bulk - Non Traditional	12%
		- If exceed Rs. 25,000/- per month	16%	 Manufacturer of tea in joint venture with tea exporter in 	
Employment income from Government Service - Payee system appli such tax will be final, unless there is other source of income	lied and	- II exceed RS. 25,000/ - per month	10 /0	value added form with Sri Lankan brand name	
such tax will be final, unless there is other source of income		MISCELLANEOUS			12%
			100/	Handloom Industry	12%
DIVIDEND TAX	100/	Clubs and Associations	10%	Health Care Services	12%
, I J	10%	ETF, EPF or other provident of pension funds	10%	Unspecified rate	28%
• If 10% of distributable profits of the previous year is not		Charitable Institutions	10%	Poultry Farming	10%
distributed, tax on the difference between the 33 1/3% of such		Cooperative Societies	Exempt	Supply of goods/provision of services for foreign	
	1 = 0/	Entrepot Trade	10%	ships for payment in foreign currency	12%
	15%		10 /0		
	15 %	· Entrepor fraue	10 /0	 Sale of any product manufactured in Sri Lanka for payment in foreign exchange earning account (Deemed Exports) 	

TUDOR V. PERERA CO.

Chartered Accountants

MISCELLANEOUS Contd		ECONOMIC SERVICE CHARGE Contd		BETTING & GAMBLING LEVY
	<u>Rate</u>	Persons granted exemptions/concessionary rates/others	Rate	Business of book maker
 Mini hydro projects or alternative energy source 	12%	- Who are exempt from income tax (including tax holiday		- Betting business done through agents Rs. 2,000,000/-
• New company listings on or after 01.04.2013 and more than 20%		Companies)	0.25%	- If live telecast facilities are used Rs. 500,000/-
of its shares offered to the public - Rate of tax will be reduced by	50%	- Who during certain periods are incurring losses	0.25%	- If live telecast facilities are not used Rs. 25,000/-
 Pilots and identified professional employees (maximum) 	16%	- Who are subject to tax under concessionary rates	0.25%	Business of gaming Rs. 100,000,000/-
 Professionals providing professional services - Profit 		- Who are engaged in wholesale or retail trade other than		In lieu of all indirect taxes other than above 10% all inclusive levy will be
below 25Mn.	12%	products manufactured or produced by the seller (excepting		charged on gross collection monthly.
25 Mn 35 Mn.	14%	distributors of dealers in motor vehicles or liquor)	0.25%	US\$ 100/- per person entering Casino Entertainment.
above 35 Mn.	16%	- Who carry out primary conversion of any tea, rubber or		
		coconut plantation including desiccated coconut, coconut oil		CONSTRUCTION INDUSTRY GUARANTEE FUND LEVY
CAPITAL ALLOWANCES		or fiber, copra and sheet rubber, but excluding any		Value of contract <u>Rate</u>
a) Information technology equipments and calculating equipments		conversion which produces any alcoholic beverage	0.25%	- Less than Rs. 15 Mn. Exempt
including software (other than locally manufactured)	25%	Advertising Agents		- Not less than Rs. 15 Mn. but less than Rs. 50 Mn. 0.25%
b) Commercial vehicles, furniture	20%	- Prior to 01st April 2011	1%	- Not less than Rs. 50 Mn. but less than Rs. 150 Mn. 0.5%
c) Machinery and equipments not referred to in (a) & (b) above		- On or after 01st April 2011	0.25%	- Rs. 150 Mn. or more 1%
(acquired or assembled) and plant etc. not referred to in item (d)	33.33%	 Any other businesses including of which the turnover is defined 	0.20 /0	
d) Plant, machinery or equipments used in health care, printing on	00.00 %	by Notice published in the Gazette (including dealers in motor		STAMP DUTY
paper, gem cutting and polishing, packaging of any commodity,		vehicles, liquor, tobacco and petroleum)	1%	Specified Instruments
rice milling, ships	33.33%	Turnover as gazetted in respect of the following;	1%	Affidavit Rs. 50/-
e) Qualified building, constructed on or after 01.04.2011	10%	 Freight forwarders on gross commission 	170	Policy of Insurance Rs. 1/- for every Rs. 1,000/-
f) Industrial or hotel building acquired from a person who has	10 /0	 Garment exporters CMP/CMT Values (on NFE Basis) 		Notary Warrant Rs. 2,000/-
used such building in any trade or business	6.67%	 Gem/Diamond Exporters on CMP Values 		Periodic license to carry on trade, Rs. 2,000/- or 10% of
g) Purchase of locally developed of software	100%	 Primary dealer of securities on sale proceeds over aggregation of 		business etc. license fee whichever is less
h) Any bridge, railway track, reservoirs, electricity, water	100 /0	invest on purchase of securities & interest paid or discount		Any license issued authorizing the holder to carry
distribution line and toll roads (constructed or acquired)	6.67%	allowed		on any trade or business for sale of liquor Rs. 20,000/-
i) High-tech plant, machinery or equipment acquired on or after	0.07 /0			Claim or demand of money on
01.04.2012 for energy efficiency purposes/power generation out		VALUE ADDED TAX (VAT)		usage of credit cards Rs. 15/- for Rs. 1,000/- or part
of alternative sources.	100%	Standard Rate	11%	Share Certificate Rs. 5/- for Rs. 1,000/- or part
j) Technology upgrading or new technology	50%	VAT on Financial Services	11%	Mortgage Rs. 1/- for Rs. 1,000/- or part
k) Broker-Back office to be in complaint with CSE requirements	100%	 Direct exports of goods and supply of certain services referred to 	11/0	Promissory Note Rs. 1/- for Rs. 1,000/- or part
 Any export industry (60% or more turnover from exports) 	50%	in Section 7 of the VAT Act	0%	1 101113501 y 140te 161 17 - 101 183. 170007 - 01 put
m) Scientific, industrial, agricultural research through any	0070	Threshold		Lease or hire of any property
institution	300%			Thereof, of the aggregate rent or Rs. 10/- for Rs. 1,000/- or part
nstration	500 /0		5 Mn. p.q.	
ECONOMIC SERVICE CHARGE			0 Mn. p.q.	
(applicable if quarterly turnover exceeds Rs. 50 Million)			• • • • • • • • • • • • •	(payable for the whole terms comprised in the lease or hire agreement
Chargeability - ESC is payable only on the turnover of any		NATION BUILDING TAX (NBT)		shall be deemed to be the aggregate of the hire or lease payable for
business, the profits of which are not liable to		On liable turnover	2%	the first 20 years of such terms)
income tax or incurring losses during that period.		(wholesale or retail - 50% of the turnover)	2 /0	
0 0 1		(Distributors - 25% of the turnover)		• A receipt or discharge given for money or property
• Enterprises to which the Board of Investment of Sri Lanka Law,			n norn a	
No. 4 of 1978 is applicable (liable to pay income tax)		Threshold Rs. 15 Mn. p.a. or Rs. 3.75 Mi	n. per p.q.	
		ΩΠΑΡΕ ΤΡΑΝΟΑ ΟΤΙΩΝ Ι ΕΥΝ		- Up to and including Rs. 25,000/- Exempt
- Apparel exporters	0.1.0/	SHARE TRANSACTION LEVY	0.0%	- Above Rs. 25,000/- Rs. 25/-
- Board of Investment house	0.1%	• On the turnover (of the buyer and the seller)	0.3%	
- Manufacturers of textiles for apparel exporters				