

PARLIAMENT OF CEYLON

3rd Session 1954-55



Income Tax (Amendment) Act, No. 11 of 1955

Date of Assent : April 12, 1955

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AN ACT TO AMEND THE INCOME TAX ORDINANCE.

[Date of Assent: April 12, 1955]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the Income Tax (Amendment) Act, No. 11 of 1955.

Short title.

2. (1) Section 9 of the Income Tax Ordinance (hereinafter referred to as "the principal enactment") is hereby amended in sub-section (1) of that section as follows:—

Amendment of
section 9 of
Chapter 188.

(a) in paragraph (cc) (inserted by Act No. 44 of 1949), by the substitution, in sub-paragraph, (i) of that paragraph, for the words "are being ascertained;", of the words "are being ascertained other than any plant, machinery or fixtures so purchased which was or were used in such undertaking before he commenced to carry on such undertaking;" and

(b) in paragraph (ccc) (inserted by Act No. 28 of 1954), by the substitution, in sub-paragraph (i) of that paragraph, for the words "are being ascertained;", of the words "are being ascertained other than any plant, machinery or fixtures so purchased which was or were used in such undertaking before he commenced to carry on such undertaking;".

(2) The amendment made in section 9 of the principal enactment by paragraph (a) of sub-section (1) of this section shall be deemed to have come into force on the first day of April, 1949, and the amendment made in that section by paragraph (b) of sub-section (1) of this section shall be deemed to have come into force on the first day of April, 1953.

Amendment of
section 20 of
the principal
enactment.

3. Section 20 of the principal enactment is hereby amended in sub-section (10) of that section by the substitution, for the words "determined by the Commissioner.", of the following:—

"determined by the Commissioner:

Provided, further, that where the sum which is in commutation of such pension or which is refunded as aforesaid is received by such individual on or after the first day of April, 1954; the rate at which the aforesaid excess is chargeable shall be the same as that at which such excess would have been chargeable if such sum had been received by such individual in the year of assessment commencing on the first day of April, 1953."

Amendment of
section 54 of
the principal
enactment.

4. Section 54 of the principal enactment is hereby amended by the insertion, immediately after sub-section (4) of that section, of the following sub-section:—

" (4A) An Assistant Commissioner, or an Assessor with the approval of an Assistant Commissioner, may retain in his custody, as long as such retention is necessary for any purpose of this Ordinance, any deeds, plans, instruments, books, registers, accounts, trade lists, stock lists, cheques, paying-in-slips or documents which are or have been produced before him or transmitted to him under sub-section (4) or which otherwise come or have come into his possession."