

# PARLIAMENT OF CEYLON

1st Session 1960-61



## Surcharge on Income Tax Act, No. 6 of 1961

*Date of Assent : February 20, 1961*

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*Surcharge on Income Tax Act,  
No. 6 of 1961*

L. D.—O. 25/60.

AN ACT TO PROVIDE FOR THE PAYMENT OF A SURCHARGE BY EVERY PERSON CHARGEABLE WITH INCOME TAX FOR THE YEAR OF ASSESSMENT COMMENCING ON APRIL 1, 1960.

[Date of Assent: February 20, 1961.]

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 Surcharge on Income Tax Act, No. 6 of 1961.

Short title.

2. (1) Every person who is chargeable with income tax for the year of assessment commencing on April 1, 1960, shall, notwithstanding anything contained in any other written law or in any convention, grant or agreement, be liable to pay a surcharge equivalent to fifteen per centum of the amount of the income tax payable by him for that year of assessment.

Every person chargeable with income tax for the year of assessment commencing on April 1, 1960, liable to pay a surcharge equivalent to fifteen per centum of the income tax payable by him for that year.

(2) The surcharge referred to in sub-section (1) shall, in the case of a non-resident company, be reckoned on the amount of income tax that would have been payable by such company for the year of assessment commencing on April 1, 1960, if the sum equal to six per centum of the taxable income of such company for that year of assessment, which should have formed part of the amount of income tax in accordance with the provisions of section 53C of the Income Tax Ordinance, had not been included in the amount of income tax.

(3) The surcharge referred to in sub-section (1) shall, in the case of any person who is entitled to a set off under sub-section (3) of section 44, or under sub-section (6) or sub-section (7) of section 53D, of the Income Tax Ordinance, be reckoned on the amount of income tax that would have been payable by such person for the year of assessment commencing on April 1, 1960, if such set off had not been made.

(4) For the purposes of the assessment, payment and recovery of the surcharge referred to in sub-section (1), the provisions of Chapter X, Chapter XI, Chapter XII, and Chapter XIII of the Income Tax

Ordinance shall apply in all respects as though the surcharge were income tax payable for the year of assessment commencing on April 1, 1960.

(5) Where any person is under section 84 of the Income Tax Ordinance entitled to have refunded any amount paid by him as income tax in excess of the amount which he was properly chargeable for the year of assessment commencing on April 1, 1960, such person shall, if he has paid the surcharge referred to in sub-section (1) of section 2 of this Act, be in addition entitled to have refunded an amount representing fifteen per centum of the amount refunded under the said section 84.

(6) In this section—

“income tax” means the tax charged and levied under the Income Tax Ordinance;

“non-resident company” shall have the same meaning as in that Ordinance; and

“year of assessment” shall have the same meaning as in that Ordinance.