

INCOME TAX AMENDMENT BILL 2015

SAMOA

Explanatory Memorandum

Introduction

The Bill seeks to amend the Income Tax Act 2012 (“Principal Act”).

The objective of the Bill is to impose a new small business tax to replace the current taxable income for small business under section 36 of the Principal Act.

TULAFONO TAU FAAOFI O TEUTEUGA O LE TULAFONO O LAFOGA O TUPE MAUA 2015

SAMOA

Faamatalaga e Faamalamalama ai

Faatomuaga

Ua taumafai le Tulafono Tau Faaofi e teuteu le Tulafono o Lafoga o Tupe Maua 2012 (“Tulafono Autu”).

O le sini o le Tulafono Tau Faaofi, o le faaee atu lea o lafoga o pisinisi fou laiti e suia ai tupe maua e lavea i le lafoga o i ai nei mo pisinisi laiti i lalo o le fuaiupu 36 o le Tulafono Autu.

Clauses:

- Clause 1:** - provides the short title and commencement provisions.
- Clause 2:** - amends section 2 of the Principal Act by inserting new definitions in their correct alphabetical order.
- Clause 3:** - inserts new section 11A dealing with the new income tax regime for small business. Small businesses covered are those operating one (1) or two (2) taxis or buses or operating a small shop or flea market stall with less than \$130,000 annual turnover.
- Clause 4:** - amends section 27(1)(b) of the Principal Act to insert new subparagraph (iii) to provide for tax benefits to accrue to non-profit organisations established solely for charitable purposes, and renumber the same accordingly.
- Clause 5:** - amends Schedule 1 of the Principal Act to insert new paragraph (9) for the rate of small business tax pursuant to the proposed section 11A.

Fuaiupu:

- Fuaiupu 1:** - ua aiaia ai le igoa puupuu ma aiaiga e amata faamamaluina ai.
- Fuaiupu 2:** - ua teuteu ai le fuaiupu 2 o le Tulafono Autu e ala i le faaoifiina o faamatalaga fou i o latou faasologa sao i le pi faitau faa-Peretania.
- Fuaiupu 3:** - ua faaoifiina ai le fuaiupu 11A fou e faafae ai le pulega fou o lafoga o tupe maua mo pisinisi laiti. O pisinisi laiti ua aofia ai, o pisinisi ia o lo o faagaioia ni taavale laiti laupasese se tasi (1) po o le lua (2) po o ni pasi po o o lo o faagaioia se faleoloa laitiiti po o se fausaga lē tumau e faatau atu ai oloa i le maketi o oloa laiti eseese e itiiti ifo i lo le \$130,000 le tupe maua faaletausaga.
- Fuaiupu 4:** - ua teuteuina le fuaiupu 27(1)(b) o le Tulafono Autu ina ia faaoifiina ai le faaparakalafa (iii) fou, e aiaia ai o faamanuiaga tau lafoga e faatupulaia i faalapotopotoga e le o ni faalapotopotoga sue tupe, ia na faavaeina faapitoa lava mo faamoemoega o galuega alofa, ma toe faatulaga ai o ia lava faamanuiaga tau lafoga.
- Fuaiupu 5:** - ua teuteu ai le Faamatalaga 1 o le Tulafono Autu ina ia faaoifiina ai le parakalafa (9) fou mo le fua faatatau o lafoga o pisinisi laiti e tusa ai ma le fuaiupu 11A ua fuafuaina.

Clause 6: - provides for consequential amendments to the Principal Act, including repeal of section 36 of the Principal Act.

Fuaiupu 6: - ua aiaia ai mo teuteuga faatupulaia i le Tulafono Autu, e aofia ai le soloia o le fuaiupu 36 o le Tulafono Autu.

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(Hon TUILOMA Lameko)
MINISTER FOR REVENUE

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(Hon TUILOMA Lameko)
MINISITA MO TUPE MAUA