



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

SURCHARGE ON INCOME TAX
ACT, No. 31 OF 1981

[Certified on 15th May, 1981]

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*Surcharge on Income Tax
Act, No. 31 of 1981*

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L. D.—O. 88/80.

AN ACT TO IMPOSE A SURCHARGE ON EVERY PERSON CHARGEABLE WITH INCOME TAX FOR THE YEAR OF ASSESSMENT COMMENCING ON APRIL 1, 1980, BY REFERENCE TO THE INCOME TAX PAYABLE BY SUCH PERSON FOR THAT YEAR OF ASSESSMENT; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Surcharge on Income Tax Act, No. 31 of 1981. Short title.

2. Every person who is chargeable with income tax for the year of assessment commencing on April 1, 1980, (in this Act referred to as the "relevant year") shall, notwithstanding anything contained in any other written law or in any convention, grant or agreement, be liable to pay a surcharge equivalent to ten *per centum* of the amount of the total income tax payable by him for the relevant year. Imposition of surcharge.

For the purposes of this section "income tax" shall not include—

(a) in the case of a resident company, the income tax payable by that company under paragraph (b) (ii) of subsection (1A) of section 33 of the Inland Revenue Act;

(b) in the case of a non-resident company, such part of the income tax payable by that company under section 34 of the Inland Revenue Act as is computed under that section at the rate of thirty three and one-third *per centum* or eleven and one-ninth *per centum*.

3. Every person liable to pay a surcharge under section 2 shall pay to the Commissioner-General on or before the fifteenth day of May 1981, a sum equivalent to fifty *per centum* or more of the amount of such surcharge, and on or before the thirtieth day of November 1981, the balance, if any, of such surcharge. Payment of surcharge.

4. Every employer who has in his employ any person from whose remuneration income tax was deductible under the provisions of Chapter XV of the Inland Revenue Act for the year of assessment commencing on April 1, 1980, shall Deduction of surcharge from employees.

deduct a sum equivalent to ten *per centum* of the total income tax deductible from such employee for that year of assessment in eight equal monthly instalments commencing from the month of April, 1981.

Certain provisions of the Inland Revenue Act to apply to the deduction, assessment, recovery and payment of the surcharge.

5. The provisions of Chapters XV, XVII, XVIII, XIX, XX and XXI of the Inland Revenue Act relating to the deduction from employees, assessment, appeals against the assessment, payment and recovery of income tax shall, *mutatis mutandis*, apply to the deduction from employees, assessment, appeals against the assessment, payment and recovery of the surcharge payable under section 2.

Refunds.

6. Where any person is entitled under the provisions of Chapter XXIII of the Inland Revenue Act, to a refund of any amount paid by him as income tax in excess of the amount with which he was properly chargeable for the relevant year such person shall, if he has paid the surcharge payable under section 2, be entitled to a refund of an additional amount equal to ten *per centum* of the amount of the refund to which he is entitled under the provisions of Chapter XXIII.

Interpretation.

7. In this Act unless the context otherwise requires—
 “Inland Revenue Act” means the Inland Revenue Act, No. 28 of 1979 ;
 “income tax” means the income tax charged and levied under the Inland Revenue Act ; and
 “Commissioner-General”, “company”, “employer”, “employee”, “person”, and “year of assessment” have the same meanings respectively, as in the Inland Revenue Act.

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