

**THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of May 12, 2017

SUPPLEMENT

(Issued on 12.05.2017)



NATION BUILDING TAX (AMENDMENT)

A

BILL

to amend the Nation Building Tax Act, No. 9 of 2009

Ordered to be published by the Minister of Finance

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 6.00

Postage : Rs. 10.00

STATEMENT OF LEGAL EFFECT

Clause 2 : This clause amends both Part I and Part II of the First Schedule to the Nation Building Tax Act, No. 9 of 2009 (hereinafter referred to as the “principal enactment”) and the legal effect of the section as amended is -

- (a) to revise existing criteria of exemptions relating to certain articles and services specified in the First Schedule to the principal enactment; and
- (b) to extend exemption provided under the said First Schedule to certain print material and to international telecommunication services provided by External Gateway Operators,

in keeping with the budget proposals 2017.

Nation Building Tax (Amendment)

L.D.—O. 71/2016

AN ACT TO AMEND THE NATION BUILDING TAX
ACT, NO. 9 OF 2009

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

5 **1.** This Act may be cited as the Nation Building Tax (Amendment) Act, No. of 2017, and shall be deemed to have come into operation from April 1, 2017 unless different dates of operation are specified hereunder. Short title and date of operation.

10 **2.** The First Schedule to the Nation Building Tax Act, No. 9 of 2009 (hereinafter referred to as the “principal enactment”), as last amended by Act, No. 22 of 2016 is hereby further amended as follows:- Amendment of the First Schedule to the Act, No. 9 of 2009.

(1) in Part I of that Schedule-

(a) in item (iv) thereof, by the deletion of sub-item (iv) and substitution therefor of the following:-

15 “(iv) any other similar purpose,

and is to be re-shipped, within a period of one year from the date of importation of such article to Sri Lanka or within a period of ninety days after the completion of such project;”;

20

(b) by the substitution for item (xi) thereof, of the following item:-

25 “(xi) (a) petroleum and petroleum products for any period prior to May 2, 2016, and for the period

commencing from July 11, 2016, and ending on or before November 1, 2016; or

5 (b) petroleum and petroleum products other than lubricants classified under Harmonized Commodity Description and coding numbers for customs purposes, for the period
10 commencing from May 2, 2016 and ending on July 11, 2016 and for the period commencing on November 1, 2016;”;

15 (c) in item (xviA) thereof by the substitution for the words “Air Lanka Catering Services Ltd;” of the following words and figures:-

“Air Lanka Catering Services Ltd, for any period prior to April 1, 2017;”;

20 (d) in item (xviii) thereof, by the substitution for the words “any article imported or sold”, of the words and figures:-

“any article imported or sold prior to April 1, 2017”;

25 (e) by the insertion, immediately after item (L), the following new item:-

30 “(LI) printed books, magazines, journals or periodicals other than newspapers, identified under Harmonized Commodity Description and Coding Numbers;”;

(2) in Part II of that Schedule-

(a) by the substitution for item (ii) thereof, of the following item:-

5 “(ii) (a) for any period ended prior to May 2, 2016, and for the period commencing from July 11, 2016, but prior to April 1, 2017 supply of electricity; or

10 (b) on or after April 1, 2017 generation of electricity and supply of electricity other than the supply of electricity by Ceylon Electricity Board established under the Ceylon Electricity Board Act, No. 17 of 15 1969;” and

(b) by the substitution for item (vii) thereof, of the following item:-

“(vii) service-

20 (a) prior to January 1, 2011, of a construction contractor, not being a sub-contractor; or

25 (b) on or after January 1, 2011, but prior to April 1, 2017, of a construction contractor or sub-contractor; or

(c) on or after April 1, 2017, of a construction sub-contractor,

30 in so far as such services are in respect of constructing any

4 *Nation Building Tax (Amendment)*

5 building, road, bridge, water supply, drainage or sewerage system, harbour, airport or any infrastructure project in telecommunication or electricity;"

(c) by substitution for item (xiv) thereof, of the following item:-

 “(xiv) the services of a travel agent in respect of inbound tours operated-

10 (a) prior to April 1, 2017;

 (b) on or after April 1, 2017, where the payment for such services is received in foreign currency through a bank,

15 if such agent is registered with the Ceylon Tourist Board;”;

(d) by the substitution for item (xxii) thereof, of the following item:-

20 “(xxii) any service rendered in or outside Sri Lanka to any person or partnership outside Sri Lanka for the utilization out of Sri Lanka for payment in foreign currency, if such foreign
25 currency is remitted to Sri Lanka through a bank;”;

(e) in item (xxxiv) thereof, by the substitution for the words “services provided by any society” of the words and figures “services provided prior to April 1, 2017 by any
30 society”;

(f) by the substitution for item (xxxviii) of the following item:-

5 “(xxxviii) for any period ended prior to
April 1, 2017, the business of
real estate and improvements
thereon, being construction
and sale of residential
10 accommodation, in so far as
the value of the construction
project relating to the supply
of such residential
accommodation is less than
15 ten million United States
dollars or its equivalent in any
other currency;”;

(g) by the addition, immediately after the item (xxxviii), the following new item:-

20 “(xxxix) International telecommunication
services provided to local
operators by External Gateway
Operators.”.

3. Where the Commissioner-General of Inland Revenue Validation.
or the Director-General of Customs as the case may be,
collects under the provisions of section 4 or section 5
25 respectively of the principal enactment, the tax calculated
considering the provisions of this Act, during the period
commencing from April 1, 2017 and ending on the date on
which the certificate of the Speaker is endorsed in respect of
this Act, from a person to whom the provisions of this Act
30 applies, such collection shall be deemed for all purposes to
have been, and to be, validly made:

35 Provided that the aforesaid provisions of this section shall
not affect any decision or order made by any Court or any
proceeding pending in any Court in respect of any tax
collected during the aforesaid period.

4. In the event of any inconsistency between the Sinhala Sinhala text
and Tamil texts of this Act, the Sinhala text shall prevail. to prevail in
case of
inconsistency.

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.