



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

**FINANCE (AMENDMENT)
ACT, No. 13 OF 2007**

[Certified on 11th April, 2007]

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Finance (Amendment) Act, No. 13 of 2007

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L.D.—O. 2/2007.

AN ACT TO AMEND THE FINANCE ACT, NO. 11 OF 2006 ; THE FINANCE ACT, NO. 5 OF 2005 AND THE FINANCE ACT, NO. 11 OF 2002

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

1. This Act may be cited as the Finance (Amendment) Act, No. 13 of 2007. Short title.

PART I

AMENDMENT OF THE FINANCE ACT, NO. 11 OF 2006

2. Part I of the Finance Act, No. 11 of 2006 (Motor Vehicle Concessionary Levy) (hereinafter in this Part referred to as the “principal enactment”) is hereby amended in section 2 thereof, as follows :— Amendment of the Finance Act, No. 11 of 2002.

- (1) by the re-lettering of paragraph (b) of subsection (1) of that section as paragraph (b) (i) thereof ;
- (2) by amending the re-lettered paragraph (b) (i) as follows :—
 - (i) by the substitution for the words “from every individual who,” of the words “for the period commencing on March 31, 2006 and ending on the date of commencement of this Act, from every individual who,” ; and
 - (ii) by the substitution for the words “on the aggregate of such taxes and levies.”, of the words “on the aggregate of such taxes and levies, where such individual has commenced the importation process by the opening of a Letter of Credit.”;

(3) by the addition immediately after the re-lettered paragraph (b) (i) of the following paragraphs :—

“(ii) from and after the date of commencement of this Act, from every individual who has not in terms of paragraph (i) above availed himself of the concession referred to therein, or every individual who has paid in respect of any period of five consecutive years of assessment, commencing on April 1, 2001, income tax in terms of the Inland Revenue Act, No. 38 of 2000 or the Inland Revenue Act, No. 10 of 2006, as the case may be, an amount not less than rupees two hundred and fifty thousand (250,000/-) in respect of each such year of assessment and certified as such by the Commissioner-General of Inland Revenue, imports a motor vehicle falling within a category of motor vehicles as may be determined by the Minister by Order published in the *Gazette* to be a permitted motor vehicle, shall be required to pay at the time of importation of such vehicle, the levy calculated on the applicable rate from and out of such rate or rates as may be determined by the Minister by Order published in the *Gazette*, of the aggregate of any tax or fiscal levy which such individual is liable to pay in terms of the Customs Ordinance (Chapter 235), the Excise (Special Provisions) Act, No. 13 of 1989 and the Value Added Tax Act, No. 14 of 2002 ;

(iii) for the purpose of sub-paragraphs (i) and (ii) of this paragraph, the expression “date of commencement of this Act” means the date on which Finance (Amendment) Act, No. 13 of 2007 comes into force.” ; and

- (4) by the addition at the end of this section, of the following new subsection :—

“(3) Any year of assessment which has once been taken in to account in the calculation of the period of five years, shall not be taken into consideration in the calculation of a period of five years thereafter.”.

3. The amendment made to by this Act to paragraph (b) (i) of subsection (1) of section 2 of the principal enactment, shall for all purposes be deemed to have come into force on March 31, 2006.

Retrospective operation.

PART II

AMENDMENT OF PART III OF THE FINANCE ACT, NO. 5 OF 2005

4. Part III (Construction Industry Guarantee Fund Levy) of the Finance Act, No. 5 of 2005, is hereby amended as follows :—

Amendment of Part III of the Finance Act, No. 5 of 2005.

- (1) in section 14 of that Part, by the substitution for the words “to the Institute for Construction Training an Development (hereinafter referred to as “ICTAD”)” of the words “to the Commissioner-General of Inland Revenue”;
- (2) in section 15 of that Part—
- (a) by the substitution for the word “ICTAD” of the words “the Commissioner-General of Inland Revenue” ; and
- (b) in the marginal note to that section, by the substitution for the word “ICTAD”, of the words “Commissioner-General of Inland Revenue”;

- (3) in section 17 of that Part, by the substitution for the words “ICTAD shall maintain a record of all amounts collected by it in relation” of the words, “the Commissioner-General shall maintain a record of all amounts collected in relation”;
- (4) in section 18 of that Part, by the substitution for the words “ICTAD shall maintain a record of all amounts collected by it in relation” of the words, “the Commissioner-General shall maintain a record of all amounts collected in relation”;
- (5) in section 19 of that Part, by the substitution in subsections (2), (3), (4), (5) and (6) thereof, for the words “ICTAD” wherever such word appears in such subsections, of the words “the Commissioner-General of Inland Revenue”;
- (6) in section 20 thereof—
 - (a) by the insertion immediately before the definition of the expression “construction contractor” of the following definition :—

“Commissioner-General of Inland Revenue”
shall have the same meaning as in the
Inland Revenue Act, No. 10 of 2006 ;
and
 - (b) by the repeal of the definition of the expression “the Institution for Construction, Training and Development (ICTAD)”;
- (7) in section 22 thereof, by the addition at the end of that section of the following paragraph :—

“For the purposes of this section, “ICTAD” means the Institution for Construction, Training and Development, being an industrial undertaking which is constituted

and established by Order made under section 3 of the State Industrial Corporations Act, No. 49 of 1957 and published in Gazette Extraordinary No. 718/15 of June 10, 1992.”.

5. In case on an inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

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