

ACCOMMODATION TURNOVER TAX BILL, 2022

(Bill No. 39 of 2022)

OBJECTS AND REASONS

The object of this Bill is to provide for the imposition of an accommodation turnover tax on businesses whose annual turnover equals or exceeds the liability threshold of SCR25 million.

This threshold is defined as the annual turnover of the person or business for the tax year prior to the tax year in which the business is liable to pay the tax.

The Bill further clarifies that where two or more businesses are solely owned by one person, the businesses shall be deemed to constitute a single business in the sole ownership of that person.

The Bill provides for other incidental or connected matters.

Dated this 2nd day of December, 2022.

**NAADIR HASSAN
MINISTER OF FINANCE,
NATIONAL PLANNING AND TRADE**

ACCOMMODATION TURNOVER TAX BILL, 2022

(Bill No. 39 2022)

ARRANGEMENT OF SECTIONS

SECTIONS

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ACCOMMODATION TURNOVER TAX BILL, 2022

(Bill No. 39 of 2022)



A BILL

FOR

AN ACT TO PROVIDE FOR THE IMPOSITION OF AN ACCOMMODATION TURNOVER TAX AND FOR OTHER CONNECTED AND INCIDENTAL MATTERS.

ENACTED by the President and the National Assembly.

Short title and commencement

1. This Act may be cited as the Accommodation Turnover Tax Act, 2022 and shall come into operation on the 1st January, 2023.

Interpretation

2. In this Act, unless the context otherwise requires —

“Accommodation Turnover Tax” means the tax levied and payable under section 3;

“business” means a commercial or profit-making venture, a profession, trade, vocation or calling exercised by, or any leasing of property or premises of any venture in the nature of trade carried on by, a person but does not include an employee;

“Commissioner General” means the Commissioner General appointed under section 4 (1) of the Seychelles Revenue Commission Act, 2009;

“entity” means —

- (a) a body or association of persons corporate or unincorporate whether incorporated, created or formed under the law of Seychelles or elsewhere, including a limited partnership and unit trust; or
- (b) a foreign association of persons that the Commissioner General has declared to be an entity under the Business Tax Act;

“Minister” means the Minister responsible for finance;

“permanent establishment” has the same meaning provided under section 2A of the Business Tax Act (Cap 20);

“person” means an individual, partnership, entity, trust, government body or a permanent establishment carrying on a business in Seychelles;

“Revenue law” means —

- (a) this Act;

- (b) an Act Listed in the Schedule to the Seychelles Revenue Commission Act, 2009;
- (c) any other Act under which a tax, duty, fee, levy or charge is imposed if the responsibility for the general administration of the tax, duty, fee, levy or charge is on the Commissioner General; and
- (d) any regulation or subsidiary legislation made under an Act referred to in paragraph (a) to (c).

“tax year” means the period of twelve months beginning on the 1st day of January in any year and ending on the 31st December in that year or any substituted tax year as approved under section 26 of the Business Tax Act, 2009;

“turnover” means the gross receipts from the carrying on of business including the consideration received from the disposal of trading stock and the gross fees for the provisions of services derived by a person from sources in Seychelles.

Imposition and liability of Accommodation Turnover Tax

3.(1) An Accommodation Turnover Tax shall, subject to subsection (2), be imposed on a person, whose annual turnover equals or exceeds the liability threshold specified in column 2 of Schedule 1, at the rates specified in column 4 of Schedule 1.

(2) Subject to subsection (1), where two or more businesses are solely owned by one person, the businesses shall be deemed to constitute a single business in the sole ownership of that person.

(3) The liability threshold under subsection (1) is the annual turnover of the person for the tax year prior to the tax year in which the business is liable to pay the Accommodation Turnover Tax.

Manner of payment of Accommodation Turnover Tax

4.(1) The Accommodation Turnover Tax shall be payable on the monthly turnover of a person during the current year of payment on or

before the 21st day of the month following the month in which the liability falls due.

(2) A person liable to pay Accommodation Turnover Tax under this Act shall remit the Accommodation Turnover Tax to the Commissioner General and shall furnish to the Commissioner General a return as prescribed under Schedule 2.

(3) Where the Accommodation Turnover Tax is paid to the Commissioner General, the payment made shall not be an allowable expense for the business under any Revenue law.

Application of Act

5.(1) This Act binds the Republic of Seychelles.

(2) Notwithstanding, any tax exemption to any person under any law or agreement with made before or after the commencement of this Act, an exemption of tax on a statutory corporation or any other person shall not be construed as an exemption from the payment of tax under this Act.

Regulations

6. The Minister may make regulations —

- (a) prescribing all matters which are required by this Act to be prescribed, or which are necessary or expedient to be prescribed for giving effect to this Act; and
- (b) amending the Schedules.

SCHEDULE 1*Section 3(1)***ACCOMMODATION TURNOVER TAX- LIABILITY
THRESHOLD AND RATES OF TAX**

Nature of business of person	Liability threshold	Rate of Tax
(1)	(2)	(3)
All tourism accommodation operators, namely- (i) hotels, guesthouse, self-catering establishments, yachts, cruise ships;	SCR25,000,000.00	2 per cent.

SCHEDULE 2

ACCOMMODATION TURNOVER TAX- FORM



Accommodation Turnover Tax Returns
Accommodation Turnover Tax Act, 2022

Month:

Year:

Taxpayer's name:

Trading Name:

TIN:

Monthly Turnover (SCR):

Tax Rate:

Tax Payable:

BED OCCUPANCY DATA

Total number of beds available:

Number of beds occupied:

Bed occupancy rate:

DECLARATION

I (full name) declare that the particulars provided on this form are true and correct.

I also affirm that I am authorised to make this declaration.

Signature:

Date:

Accommodation Turnover Tax Payment Slip

Tax Payable (SCR)

Penalty Payable:

Late Lodgment Penalty

Late Payment Penalty

Interest

Total Tax, Penalty & Interest Payable

Insert Description (eg applicable month)