L.N. 281 of 2023

INCOME TAX MANAGEMENT ACT (CAP. 372)

Payment of Tax Refunds by means of Electronic Transfers Rules, 2023

IN EXERCISE of the powers conferred by articles 48(11) and 58 of the Income Tax Management Act, the Minister responsible for finance has made the following rules:-

1. The title of these rules is the Payment of Tax Refunds by means of Electronic Transfers Rules, 2023. Citation.

2. In these rules, unless the context otherwise requires: Interpretation.

"Act" means the Income Tax Management Act; Cap. 372.

"Commissioner" shall have the same meaning as assigned to it in the Income Tax Act; Cap. 123.

"Minister" means the Minister responsible for finance.

3. The Commissioner may effect a tax refund of tax due to any person in accordance with article 48 of the Act by means of an electronic transfer of funds. Tax refund by means of an electronic transfer.

4. For the purpose of determining if interest is payable by the Commissioner in accordance with sub-article (2D) of article 48 of the Act and, where applicable, in calculating the amount of any such interest: Calculation of interest.

(a) when the Commissioner gives banking instructions for the electronic transfer of funds to a person in order to effect a a tax refund, using the last known details about electronic transfers to the said person, it shall be deemed that the tax has been repaid on the day on which those instructions were given;

(b) no account shall be taken of any delay in the tax refund when such delay is due to the fact that the person entitled to the repayment has not furnished the Commission full and updated banking details which are necessary for the repayment to be made by means of an electronic transfer.

5. The provisions of rule 4 shall not apply to tax refunds to which sub-articles (4) or (4A) or the provisos to sub-article (7)(a) of Inapplicability of rule 4 to certain tax refunds.

article 48 of the Act refer.

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