

BASUTOLAND.

No. 60 of 1947.

(Promulgated 19th September, 1947.)

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER
Entitled the Basutoland Income Tax Proclamation,
1947.

Whereas it is expedient to fix the rates of income tax to be levied in Basutoland in respect of the year ending on the thirtieth day of June, 1947, to amend the law relating to income tax, and to repeal the laws relating to excess profits duty and trade profits special levy:

Now, therefore, under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. In terms of sub-section (2) of section *five* Rates of Income Tax for the year 1946-47. and sub-section (3) of section *sixteen* of the Basutoland Income Tax (Consolidation) Proclamation, 1939, hereinafter referred to as "the principal law", the rates of income tax to be levied in respect of the year ending on the thirtieth day of June, 1947, shall be as follows:—

NORMAL TAX.

(a) In the case of public companies as defined in sub-section (2) of section *seventeen* of the principal law, for each pound of the taxable income, five shillings;

(b) In the case of persons other than those referred to in paragraph (a) for each pound of the taxable income, eighteen pence increased by one one-thousandth of a penny for each pound of the taxable income in excess of one pound subject to a maximum rate of three shillings and three pence in every pound:

Provided that for a married person the rate for each pound of the taxable income shall be fifteen pence increased by one one-thousandth of a penny for each pound of such taxable income in excess of one pound subject to a maximum rate of three shillings in every pound:

Provided further that there shall be added to the amount of tax calculated in accordance with the preceding provisions of this para-

graph (including the first proviso thereto) a sum equal to forty-five per centum of the net amount arrived at after deducting the rebates provided for in section *seven* of the principal law (as amended) from the amount of tax so calculated in the case of married persons, and in the case of other persons except public companies, fifty per centum:

(c) In the case of any person (not being a married person or a company, or a person who is the sole supporter of any person incapacitated by old age, infirmity or any other reason satisfactory to the Collector from maintaining himself or a person who is the sole supporter of any child who is, on the last day of the year of assessment, under the age of eighteen years), in addition to any tax determined in accordance with sub-paragraph (b) three pounds if the taxable income exceeds two hundred and fifty pounds: Provided that the said amount of three pounds shall be reduced by one pound for each dependant of the taxpayer:

Provided further that this amount shall not be subject to any reduction referred to in sub-section 7 (4) of the principal law (as amended).

SUPER TAX.

(d) For each pound of the income subject to super tax, two shillings increased by one four-hundredth of a penny for each pound of such income in excess of one pound subject to a maximum rate of seven shillings and sixpence in every pound: Provided that there shall be added to the amount of tax calculated in accordance with the preceding provisions of this paragraph a sum equal to fifty per centum of the net amount arrived at after deducting the rebate provided for in section *twenty-two* of the principal law (as amended) from the amount of the tax so calculated in the case of married persons, and in the case of other persons, except public companies, a sum equal to fifty-five per centum.

Amendment of section 7 of Proclamation No. 56 of 1939, as substituted by section 3 of Proclamation No. 44 of 1942.

2. Section *seven* of the principle law, as substituted by section *three* of the Basutoland Income Tax Proclamation, 1942, is hereby amended:—

(a) By the substitution in paragraph (b) (ii) of sub-section (1) for the words "five pounds" of the words "seven pounds ten shillings"; and

(b) By the substitution in paragraph (b) (iv) of the said sub-section for the words "one pound ten shillings" of the words "two pounds".

3. (1) The laws specified in the schedule ^{Repeal of} to this Proclamation are hereby repealed to the ^{laws.} extent and with effect from the dates set out therein.

(2) Notwithstanding such repeal the provisions of the said laws shall, subject to the provisions of sub-sections (3) and (4) of this section continue to apply in relation to any tax, duty or amount leviable or due and any refund claimable thereunder which has not been collected or made at the time when the repeal takes effect.

(3) Nothing contained in paragraph (4) of sub-section (1) of section *nine* of the Basutoland Income Tax Proclamation, 1942, (Proclamation No. 34 of 1942), as substituted by section *thirteen* of Proclamation No. 46 of 1946, shall be construed as entitling any person to a refund of excess profits duty by reason of any profit or loss which would, but for the repeal of the provisions of the said Proclamation relating to such duty, have been assessed in respect of any period subsequent to the period of assessment ended on the thirtieth day of June, 1946.

(4) The last day of the final period of assessment referred to in sub-section (2) of section *nine* of Proclamation No. 34 of 1942 shall be the thirtieth day of June, 1946, or if a return up to another date has been accepted by the Collector in terms of the proviso to sub-section (10) of section *twenty-seven* of the principal law in respect of the period of assessment ended on the first-mentioned date, the date up to which the return has been so accepted.

4. This Proclamation may be cited as the ^{short title} Basutoland Income Tax Proclamation, 1947.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Sixteenth day of September, One thousand Nine hundred and Forty-seven.

E. BARING,
High Commissioner.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

SCHEDULE.

No. and Year of Law.	Short Title.	Extent and Date of Repeal.
Proclamation No. 34 of 1942	Basutoland Income Tax Proclamation, 1942	Sections <i>seven to sixteen</i> , both inclusive and section <i>eighteen</i> with effect from the first day of July, 1946, except in so far as they relate to excess profits duty for the period of assessment ended on the thirtieth day of June, 1946, or any prior period of assessment.
Proclamation No. 17 of 1943	Basutoland Income Tax Proclamation, 1943	Sections <i>three to seven bis</i> both inclusive with effect from the first day of July, 1946, except in so far as they relate to excess profits duty and trade profits special levy for the period of assessment ended on the thirtieth day of June, 1946, or any prior period of assessment.
Proclamation No. 46 of 1946	Basutoland Income Tax Proclamation, 1946	Sections <i>eleven to seventeen</i> both inclusive with effect from the first day of July, 1946, except in so far as they relate to excess profits duty and trade profits special levy for the period of assessment ended on the thirtieth day of June, 1946, or any prior period of assessment.