

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 47 OF 2009

The Income Tax Act
(Laws, Volume 19, Cap. 323)

The Income Tax (Turnover Tax) Regulations, 2009

IN EXERCISE of the powers contained in section *sixty-four A* of the Income Tax Act, the following Regulations are hereby made:

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| 1. These Regulations may be cited as the Income Tax (Turnover Tax) Regulations, 2009. | Title |
| 2. In these Regulations, unless the context otherwise requires—
“return” means a return under regulations 7; and
“turnover” includes gross earnings, income, revenue, takings, yield or proceeds. | Interpretation |
| 3. A person liable to pay turnover tax under subsection (2) of section <i>sixty-four A</i> of the Act shall, within thirty days of establishing a business, notify the business, notify the Commissioner-General of the establishment of the business. | Notification of establishment of business |
| 4. (1) Turnover tax shall be due and payable on the fourteenth day of the month following the end of the income tax month or within such other period as the Commissioner-General may, in a particular case, determine.

(2) Where the Commissioner-General determines that a person has paid an amount in excess of the turnover tax due, the Commissioner-General shall cause the excess to be refunded to the person. | Payment and refund of turnover tax |
| 5. (1) The Commissioner-General may make an assessment in respect of the a person liable to pay turnover tax at the end of the charge year.

(2) Notwithstanding sub-regulation (1), the Commissioner-General may make an assessment in respect of the person liable to pay turnover tax, before the end of the charge year if—

(a) the Commissioner-General has reasonable grounds to believe that the person is about to leave the Republic; and

(b) a return has not been submitted by the person. | Assessment of turnover tax |

- Change from income tax to turnover tax or *vice versa* 6 A change by any person from income tax to turnover tax, or *vice versa*, shall take effect at the beginning of the charge year or on such other date as the Commissioner-General, by notice, determine.
- Returns 7. (1) A person liable to pay turnover tax for any charge year shall furnish, to the Commissioner-General, a return of turnover and such particulars as may be required for the purposes of ascertaining the turnover chargeable, and the tax liable due, under the Act.
- (2) A return submitted to the Commissioner-General shall be in the Form set out in the Schedule.
- (3) A person shall lodge a return within fourteen days after the end of an income tax month to which it relates or within such other time as the Commissioner-General may determine, by notice.
- Retention of records 8. (1) A person shall retain, in the English language, records relating to the business carried on by the person, as may be required by the Commissioner-General to determine the person's turnover tax.
- liability (2) The records under sub-regulation (1) shall be retained for a period of six years from the date of issue of each particular record.
- Cessation of liability to pay turnover tax 9. A person shall cease to be liable to pay turnover tax under the following circumstances:
- (a) if the person is adjudged bankrupt;
- (b) in the case of a sole proprietor, upon the death of the person;
- (c) upon the winding up of the person's business; or
- (d) any other circumstances as may be determine by the Commissioner-General.
- Penalties 10. A person who contravenes these Regulations commits an offence and is liable to the penalties provided for under the Act.

SCHEDULE
(Regulation 7 (2))

Form
(To be completed in triplicate)

Zambia Revenue Authority

Domestic Taxes Division

Income Tax Act

(Laws, Volume 19, Cap. 323)

The Income Tax (Turnover Tax) Regulations, 2009

TURNOVER TAX RETURN

FULL NAMES OF TAXPAYER	PERIOD
POSTAL ADDRESS	T.P.I.N
PHYSICAL ADDRESS	ACCOUNT NO.

TURNOVER PERMITTANCE FOR MONTH(S)..

SOURCE OF INCOME

(e.g: farming, manufacturing, rental etc)

AMOUNT OF TURNOVER IN KWACHA

SOURCE 1	K
SOURCE 2	K
SOURCE 3	K
SOURCE 4	K
TOTAL GROSS TURNOVER	K
TURNOVER TAX PAYABLE AT 3%	K

WITHHOLDING TAX DEDUCTED (To be completed in month 12)

TOTAL WITHHOLDING TAX DEDUCTED	K
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DECLARATION

I declare that the information given is true and correct

Name:..... Capacity:.....

Signature:..... Date:.....

FOR OFFICIAL USE ONLY

DATE RECEIVED	CHEQUE NO.	AMOUNT K..
OFFICIAL NAME	OFFICER'S SIGNATURE	RECEIPT NO.

S. MUSOKOTWANE,
Minister of Finance and
National Planning

LUSAKA
22nd July, 2009
[MFB. 103/12/4]

