

No. S 14

**CONSTITUTION OF BRUNEI DARUSSALAM
(Order made under Article 83(3))**

INCOME TAX ACT (AMENDMENT) ORDER, 2013

ARRANGEMENT OF SECTIONS

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1. Citation and commencement.
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 3. Insertion of new sections 42AA and 42AB.
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CONSTITUTION OF BRUNEI DARUSSALAM
(Order made under Article 83(3))

INCOME TAX ACT (AMENDMENT) ORDER, 2013

In exercise of the power conferred by Article 83(3) of the Constitution of Brunei Darussalam, His Majesty the Sultan and Yang Di-Pertuan hereby makes the following Order —

Citation and commencement.

1. This Order may be cited as the Income Tax Act (Amendment) Order, 2013 and shall be deemed to have commenced on 1st January 2012.

Amendment of section 35 of Chapter 35.

2. Section 35 of the Income Tax Act, in this Order referred to as the Act, is amended in subsection (1) —

(a) by deleting paragraph (d) and by substituting the following new paragraph therefor —

“(d) the year of assessment 2011 upon the chargeable income of every company, tax at the rate of 22%”;

(b) by adding the following new paragraph immediately after paragraph (d) —

“(e) the year of assessment 2012 and the subsequent years of assessment upon the chargeable income of every company, tax at the rate of 20%”.

Insertion of new sections 42AA and 42AB.

3. The Act is amended by inserting the following two new sections immediately after section 42A —

“Tax credit on salaries paid to new employees.

42AA. (1) Subject to subsection (2), where an employer incurred expenditure on payment of salary to its new employees, tax credit at the rate of 50% of the expenditure on salaries so paid shall be allowed against the tax payable by it for the relevant year of assessment.

(2) The tax credit shall be —

(a) allowed in respect of new employees –

- (i) who are either citizens of Brunei Darussalam or permanent residents;
- (ii) whose gross salary, during the basis period, does not exceed \$3,000 per month; and
- (iii) whose corresponding amount of contribution has been paid to the Tabung Amanah Pekerja (Employees Trust Fund) established under the Tabung Amanah Pekerja Act (Chapter 167);

(b) available for the initial period of 36 months during which the new employee continues to remain under the employment of the employer.

(3) In this section, “new employee” means a person who has been unemployed for a period of at least one year immediately preceding the date of his employment with the employer claiming the tax credit.

Tax credit for training.

42AB. (1) Subject to subsection (2), where an employer incurred expenditure during the basis period, on the training of its employees, tax credit shall be allowed against the tax payable by it for the relevant year of assessment.

(2) The tax credit shall be equal to the amount of gross salary paid during the training period of employees –

(a) who are citizens of Brunei Darussalam or permanent residents;

(b) whose gross salary, during the basis period, does not exceed \$2,000 per month; and

(c) whose corresponding amount of contribution has been paid to the Tabung Amanah Pekerja (Employees Trust Fund) established under the Tabung Amanah Pekerja Act (Chapter 167).

(3) In this section, “training” means education or instruction provided by a university, college, polytechnic, technical school or institution, which is approved, recognised or registered by the relevant authority or body, but does not include in-house training.”.

BRUNEI DARUSSALAM GOVERNMENT GAZETTE

Made this 24th. day of Rabiulakhir, 1434 Hijriah corresponding to the 7th. day of March, 2013 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM

Dicetak oleh PENGIRAN HAJI ZAINAL ABIDIN BIN PENGIRAN SERI WIJAYA
PENGIRAN HAJI AHMAD, Pengarah Percetakan,
di Jabatan Percetakan Kerajaan, Bandar Seri Begawan BB3510, Negara Brunei Darussalam.

Harga B\$5.00