GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

No. 21 FRIDAY, 2nd AUGUST 2024

[LEGAL NOTICE NO. 55]

FIJI REVENUE AND CUSTOMS SERVICE ACT 1998

Fiji Revenue and Customs Service (Information Sharing) (Amendment) Regulations 2024

IN exercise of the powers conferred on me by section 52(4A) of the Fiji Revenue and Customs Service Act 1998, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Fiji Revenue and Customs Service (Information Sharing) (Amendment) Regulations 2024.

(2) These Regulations are deemed to have come into force on 1 August 2024.

Schedule amended

2. The Schedule to the Fiji Revenue and Customs Service (Information Sharing) Regulations 2019 is amended after item 10 by inserting the following new item—

"10A. Fiji BPO Council also known as Outsource Fiji".

Made this 2nd day of August 2024.

B. C. PRASAD
Deputy Prime Minister and
Minister for Finance

[LEGAL NOTICE NO. 56]

INCOME TAX ACT 2015

Income Tax (Hotel Investment Incentives) (Amendment) Regulations 2024

IN exercise of the powers conferred on me by section 25A of the Income Tax Act 2015, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Income Tax (Hotel Investment Incentives) (Amendment) Regulations 2024.

(2) These Regulations are deemed to have come into force on 1 August 2024.

(3) In these Regulations, the Income Tax (Hotel Investment Incentives) Regulations 2016 is referred to as the "Principal Regulations".

Regulation 2 amended

2. Regulation 2 is amended by deleting the definition of "short life investment" and substituting the following—

""short life investment" means—

(a) building of a new hotel or integrated tourism development with capital investment, (including the cost of support infrastructure and consultant fees but excluding the cost of land) over—

(i) $7,000,000, where the construction commences on or after 1 January 2009 and the construction is completed within 24 months from the date the provisional approval was granted; and

(ii) $250,000, where the construction commences on or after 1 April 2020 and the construction is completed within 24 months from the date the provisional approval was granted; or

(b) acquiring of existing hotels and additional investment in refurbishment and renovation of an existing hotel with capital investment (including the cost of support infrastructure and consultant fees but excluding the cost of land) over $50,000,000, where provisional approval is granted on or after 1 August 2024; and

(c) does not include the refurbishment and renovation of an existing hotel with capital investment (including the cost of support infrastructure and consultant fees but excluding the cost of land) over $2,000,000, where provisional approval is granted between 1 August 2021 and 31 December 2023; and".

Regulation 9 amended

3. Regulation 9(1)*(a)* of the Principal Regulations is amended by deleting "50%" and substituting "25%".

Regulation 13 amended

4. Regulation 13 of the Principal Regulations is amended by deleting subregulation (3) and substituting the following—

"(3) For the purposes of subregulation (2), a short life investment project—

(a) includes the acquiring of existing hotels and refurbishment and renovation of an existing hotel with capital investment (including the cost of support infrastructure and consultant fees but excluding the cost of land) over $50,000,000, where provisional approval is granted on or after 1 August 2024; or

(b) does not include the refurbishment and renovation of an existing hotel with capital investment (including the cost of support infrastructure and consultant fees but excluding the cost of land) over $2,000,000 where provisional approval is granted between 1 August 2021 and 31 December 2023.

(4) An applicant is not entitled to a short life investment package under subregulation *3(a)* if the applicant has been granted a short life investment package before 1 August 2024.

(5) For the avoidance of doubt, if the Minister or CEO has granted a short life investment package to a company which has completed a short life investment project under subregulation (3) and has complied with this Part, the applicant is only entitled to a short life investment package once.”.

Regulation 21 amended

5. Regulation 21(2) of the Principal Regulations is amended by—

(a) in paragraph *(d)* after “;”, deleting “and”;

(b) in paragraph *(e)*, deleting “.” and substituting “; and”; and

(c) after paragraph *(e)*, inserting the following new paragraph—

“*(f)* more than $50,000,000 in the case of a company that applies on or after 1 August 2024.”.

Made this 2nd day of August 2024.

B. C. PRASAD
Deputy Prime Minister and
Minister for Finance

[LEGAL NOTICE NO. 57]

INCOME TAX ACT 2015

Income Tax (ICT Infrastructure Investment Incentives) (Amendment) Regulations 2024

IN exercise of the powers conferred on me by section 25A of the Income Tax Act 2015, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Income Tax (ICT Infrastructure Investment Incentives) (Amendment) Regulations 2024.

(2) These Regulations are deemed to have come into force on 1 August 2024.

(3) In these Regulations, the Income Tax (ICT Infrastructure Investment Incentives) Regulations 2021 is referred to as the “Principal Regulations”.

Regulation 2 amended

2. Regulation 2 of the Principal Regulations is amended by deleting the definition of “provisional approval” and substituting the following—

““provisional approval” means the approval obtained before the commencement of a project as granted by the CEO under regulation 4; and”.

Regulation 2A inserted

3. The Principal Regulations are amended after regulation 2 by inserting the following new regulation—

"*Provisional approval*

2A.—(1) A company ("applicant") may apply in writing to the CEO for provisional approval of the proposed project.

(2) Provisional approval must be obtained before the commencement of the proposed project in order to be eligible for the ICT infrastructure investment incentive.".

Regulation 3 amended

4. Regulation 3 of the Principal Regulations is amended by—

(a) deleting subregulation (1); and

(b) in subregulation (2), deleting the chapeau and substituting the following—

"(2) An application for provisional approval must set out and be supported by the following—".

Made this 2nd day of August 2024.

B. C. PRASAD
Deputy Prime Minister and
Minister for Finance

[LEGAL NOTICE NO. 58]

FIJI NATIONAL PROVIDENT FUND ACT 2011

Fiji National Provident Fund (Amendment) Regulations 2024

IN exercise of the powers conferred on me by section 143 of the Fiji National Provident Fund Act 2011 and on the advice of the Fiji National Provident Fund Board, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Fiji National Provident Fund (Amendment) Regulations 2024.

(2) These Regulations come into force on 1 September 2024.

Regulation 11 amended

2. Regulation 11 of the Fiji National Provident Fund Regulations 2014 is amended by deleting paragraph *(a)*.

Made this 2nd day of August 2024.

B. C. PRASAD
Deputy Prime Minister and
Minister for Finance

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