FIJI REVENUE AND CUSTOMS SERVICE

STANDARD INTERPRETATION GUIDELINE 2026-08

TAX ADMINISTRATION ACT 2009
NATIONAL BUDGET AMENDMENTS 2025-2026

This Standard Interpretation Guideline (SIG) sets out the Fiji Revenue and Customs Service's (FRCS) policy and operational practice in relation to 2025-2026 National Budget amendments made to the Tax Administration Act 2009.

The SIG is issued with the authority of the Chief Executive Officer (CEO) of FRCS.

All legislative references in this SIG are to the Tax Administration Act 2009 (unless otherwise stated).

This SIG is in effect from 1 August 2025 and may need to be reviewed in the event of any relevant legislative amendments.

CONTENT

PURPOSE

1. This SIG provides practical guidance on the CEO's interpretation of the legislative amendments to tax provisions introduced in the 2025/2026 National Budget.

2. These amendments take effect from 1 August 2025 under the Tax Administration (Budget Amendment) Act 2025 (Act No. 8 of 2025).

INTRODUCTION

3. As part of the 2025–2026 National Budget, several amendments were made to strengthen tax administration, enhance compliance, and align provisions with modern payment and record-keeping systems. Key areas amended include:

    i. the introduction of new provisions relating to electronic money services and payment instruments (effective 1 January 2026);
    ii. new requirement for sole proprietors to submit an asset declaration with their annual personal income tax returns (PIT-B) (effective 1 January 2026);
    iii. a new provision enabling tax agents to apply for an extension of time to file returns on behalf of their clients;
    iv. the removal of the 3-year limitation on audit amendments for taxpayers with annual turnover of up to $1.25m;
    v. new record-keeping requirements for taxpayers utilizing payment services (effective 1 January 2026);
    vi. new provisions on search powers for information sharing purposes under international cooperation frameworks (DTA and MAAC);
    vii. taxpayer registration provisions expanded to include users of payment instruments and payment service providers (effective 1 January 2026);
    viii. removal of restrictions preventing penalty and prosecution actions for taxpayers with turnover below $1.5m (previously the threshold was $1.5m);
    ix. an amendment to the remuneration provisions for Tax Agent's Board members; and
    x. amendments to the registration rules for existing tax agents who are not chartered accountants (CA) or not members of the Fiji Institute of Chartered Accountants (FICA) (effective 1 January 2026).

4. Examples illustrated in this SIG demonstrate the CEO's interpretation and application of the legislative provisions. The examples do not cover the infinite number of factual scenarios that may arise. The relevant legislative provisions must be considered and applied to each case on its particular facts. That is, conclusions should not be drawn by determining whether the facts of a particulars case may be analogous with particular examples, but rather on the basis of applying the correct tests established by the law.

5. The full text of the legislative provisions is contained in Appendix 1.

LEGISLATIVE ANALYSIS

Definitions relating to electronic payments

6. Section 2 TAA provides definitions of commonly used terms in the TAA and cross-references to sections where substantive concepts are explained.

7. This Section now incorporates the following definitions which are aligned with the National Payment System Act 2021:

   "**payment instrument**" mean any instrument, whether tangible or intangible, that enables a person to obtain money, goods or services or to otherwise make payment or transfer money, including cheques, a payment terminal at the point of sale, the Internet, a telephone, a mobile or a payment card, including any instrument involving the storage of electronic money.;
   "**payment service**" means a service enabling cash deposits or withdrawals, the execution of payment transactions, the issuance or acquisition of payment instruments and any other service functional to the transfer of money, including the issuance of electronic money, electronic money instruments and electronic money services provided by a mobile network and other operators, but does not include the provision of solely online or telecommunication services or network access;[1].

   "**payment service provider**" means an entity providing a payment service.

8. These terms apply to newly introduced provisions including sections 34A and 38 TAA, which are covered in paragraphs 20 to 26 of this SIG.

Sole proprietors' asset declaration

9. Section 3 TAA provides general rules on the approved form and manner in which taxpayers are required to file tax returns.

10. Section 3(3) TAA now requires individuals operating as sole proprietors to submit an asset declaration together with their PIT-B return.

11. The asset declaration must include the following information:
    a. a description of all property that the sole proprietor owns or possesses;
    b. details of the sole proprietor's business debts;
    c. details of the sole proprietor's sources of income (business or personal).

12. Sole proprietors use the PIT-B return form to declare annual income and expenses and the asset declaration is one of the requirements from 1 January 2026.

13. The reporting format and record keeping requirements for the asset declaration will be explained in a separate SIG.

Extension of time to file a tax return

14. Subsection 5 (1) TAA allows a taxpayer to apply for extension of time to file a tax return. The application must be made before the due date for filing.

15. This subsection has been amended to enable ~~a~~ tax agent who prepares or assists in the preparation of a taxpayer's tax return, to apply for extension of time on behalf of the taxpayer.

16. The CEO may grant extension of time to file a return if satisfied that there is reasonable cause to do so, by serving notice of the decision on the applicant. (Section 5 (2)).

Example 1 – Tax agent applying for extension of time to file its clients' 2025 return

Y is a registered tax agent who files income tax returns on behalf of his 8 clients. Y wants to apply for extension of time to file the 2025 tax returns for 3 clients.

How will the new provision be applied?

CEO's position:

Taxpayer	***Tax Year End***	***Due Date to File Tax Return***	***Tax Agent's Proposed Extension Date***	***Date Application Made***	***Decision***
A	30/09/2025	31/12/2025	28/02/2026	15/01/2026	Not approved as request received after the due date for filing.
B	31/12/2025	31/03/2026	30/06/2026	15/01/2026	Extension granted.
C	31/10/2026	30/04/2026	31/08/2026	15/01/2026	Extension granted up to 31/07/2026

1. After the year end, 30 September 2025, the taxpayer has 3 months, till 31 December 2025, to file the return. This gives the taxpayer or its tax agent ample time to request for extension.

2. If a taxpayer or its tax agent has not filed a tax return by the due date for reasons beyond their control, they can make an application for remission of penalties.

Amendment of tax assessments

17. Section 11 TAA provides for the amendment of tax assessments within 6 years from the end of the relevant taxable period, provided there is no fraud, serious omission or willful neglect.

18. The 3-year limitation period previously applicable to the reopening of assessments for

companies with an annual turnover below $1.25 million (effective from 1 August 2021) has been repealed, with effect from 1 August 2025.

19. This means that all assessments are now subject to review as follows:

- within 6 years from the date the self-assessment return was filed; or
- within 6 years from the date the CEO served notice of assessment except in cases of fraud, wilful neglect or serious omission.

Example 2 - Review and audit of 2018 – 2022 assessments

XCo is a private company with financial year ending 31 December. XCo's gross income has been around $500,000 for the past 8 years. XCo was selected for tax audit in 2025, and it was completed in April 2026.

How will the change apply to assessments for the tax years 2018 – 2022?

CEO's position:

The self-assessment system for income tax was implemented from February 2022. Therefore, returns for past periods filed after this date are self-assessment returns.

Tax year	Date XCo filed return	Assessment details	Decision
2022	15/03/2023	Self-assessment	Assessment for the tax year 2022 can be amended in the period 01/08/2025 to 15/03/2029 (within 6 years from date XCo filed the return – 15/03/2023)
2021	15/03/2023	Self-assessment XCo had applied for amendment in April 2024 and an amended Notice of Assessment (NOA) was issued on 16 June 2024	Assessment for the tax year 2021 can be further amended in the period 01/08/2025 to 15/03/2029 (within 6 years from date XCo filed the return on 15/03/2023)
2020	31/03/2021	Official assessment and NOA issued 16 May 2021	Assessment for the tax year 2020 can be amended in the period 01/08/2025 to 16/05/2027 (within 6 years from date NOA issued – 16/05/2021)
2019	31/01/2020	Official assessment	Period allowed for further

		and NOA issued 15 March 2020. XCo requested for amendment and amended NOA was issued on 25 April 2020	amendment expired. Assessment for the tax year 2019 was available for further amendment in the period 01/08/2025 to 15/03/2026 (within 6 years from date original NOA issued – 15/03/2020)
2018	31/01/2020	Official assessment NOA issued 15 March 2020	Assessment for the tax year 2018 was open for amendment in the period 01/08/2025 to 15/03/2026, (within 6 years from date NOA issued – 15/03/2020)

Example 3 – Review of 2018 – 2022 assessments in cases of fraud etc.

Suppose that an audit conducted in 2026 revealed discrepancies in XCo's tax returns for the tax years 2018 and 2019 filed on 31/01/2020 and these were treated as serious omissions.

How will the change apply to assessments for the tax years 2018 and 2019?

CEO's decision – no change. No time limit applies to the reopening of assessments in cases of fraud, wilful neglect or serious omission by or on behalf of the taxpayer, therefore XCo's 2018 and 2019 assessments can be amended at any time.

Accounts and records for payment services

20. Section 34 TAA sets out the requirements for maintaining accounts, documents, and records that a taxpayer is obliged to keep under tax law.

21. Section 34A TAA introduces new requirements for taxpayers who use payment instruments:
    - a separate payment instrument must be maintained exclusively for business transactions, e.g. an individual can have multiple e-payment accounts on a single mobile phone; and
    - all related records must be kept for at least 7 years from the end of the relevant tax period.

22. Non-compliance with these requirements constitutes an offence and may result in a court-imposed fine of up to $25,000, imprisonment for a term not exceeding 10 years, or both (fine and imprisonment).

23. Additional guidance on the application of section 34A is provided in SIG 2026-01.

Mutual assistance in tax matters under international agreements

24. Sections 35, 36 and 36A of the TAA confer powers on the CEO or an authorized tax officer to enter any premises, conduct searches for information, seize documents and devices, and issue notices to taxpayers or third parties for the purposes of administering any tax law.

25. The new section 36B, empowers the CEO to use the existing powers of entry, search, entry and seizure when responding to requests from:
    - a jurisdiction with which Fiji has a Double Tax Agreement (DTA); or
    - a jurisdiction that is a party of the Convention on Mutual Administrative Assistance in Tax Matters (MAAC)

    for the purpose of mutual assistance such as exchange of information and tax recovery.

26. This applies even where Fiji has **no domestic tax interest** in the matter.

General penalty provisions

27. Section 48 TAA sets out the general framework for the imposition of penalties.

28. Section 48 has been amended to remove the turnover-based limitation that previously restricted the CEO from imposing penalties and instituting prosecution concurrently for taxpayers with gross turnover below $1.5 million.

29. Prior to this amendment, for the period 20 September 2017 to 31 July 2025, the CEO was permitted to impose a penalty and commence legal proceedings in respect of the same act or omission only where:
    - the taxpayer's gross turnover for the tax year was $1.5 million or more; and
    - the taxpayer was conducting a prescribed business

    in accordance with section 48(8).

30. With effect from 1 August 2025, the CEO is empowered to impose penalties and institute prosecution in respect of the same act or omission on all taxpayers, irrespective of turnover.

31. The amendment to subsection 48(8) does not alter the operational effect of the provision. That is, where a penalty has been paid and the CEO institutes a prosecution in respect of the same act or omission, the refund provisions in subsection 48(3) do not apply.

Tax Identification Number (TIN)

32. Section 38 (1) TAA provides that the CEO may require every person liable or not liable for tax to apply for a Taxpayer Identification Number (TIN).

33. A TIN is a unique identifier used for the purposes of administering tax laws under the responsibility of the CEO.

34. The CEO can require any person, whether they owe tax or not to obtain a TIN for identification and cross-checking purposes. This requirement applies to various groups, including:
    - customers of the Land Transport Authority (LTA) requiring a license, permit, or registration of a new or used vehicle;
    - businesses, companies, organisations and other bodies carrying on any business in Fiji;
    - new or existing employees;
    - bank account holders.

35. Section 38(1) has been amended to additionally include:
    - any person who uses a payment instrument for business transactions; and
    - a payment service provider.

36. Section 38(7) provides that customers/clients of the listed institutions (including statutory bodies, the Registrar of Companies, financial institutions, licensing agencies, professional bodies etc) must possess a TIN.

37. This subsection has been amended, effective 1 January 2026, to extend the requirement to include payment service providers.

Tax Agents' Board remuneration

38. Section 111 of TAA sets out provisions relating to the appointment of members of the Tax Agents' Board (the Board).

39. Section 111(6) has been amended to empower the Minister for Finance to determine the remuneration and other allowances payable to the Board members, with effect from 1 August 2025.

Renewal of Tax Agents' registration

40. Section 113 of TAA outlines the rules for Tax Agent registration. Registration is valid for one year and must be renewed annually by 31 December.

41. Subsection 113(8) has been amended to introduce an additional requirement for existing Tax Agents who are not Chartered Accountants (CA).

42. Effective 1 January 2026, Tax Agents who are not a CA must complete at least ten (10) hours of Continuing Professional Development (CPD). The CPD program is conducted by the FRCS Education Team.

43. Tax Agents must provide proof of participation when applying for renewal of registration for year 2027 onward. Further guidance is available in SIG 2026-03.

44. For further information or clarification regarding this SIG, please contact us at tipu@frcs.org.fj.

APPENDIX
Legislation

ACT NO. 8 OF 2025

I assent.

R. N. T. LALABALAVU
President

[21 July 2025]

AN ACT

TO AMEND THE TAX ADMINISTRATION ACT 2009

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Tax Administration (Budget Amendment) Act 2025.

(2) This Act comes into force on 1 August 2025, except sections 2, 6, 8 and 11 which come into force on 1 January 2026.

(3) In this Act, the Tax Administration Act 2009 is referred to as the "Principal Act".

Section 2 amended

2. Section 2 of the Principal Act is amended by inserting the following new definitions—

““payment instrument” has the meaning given under section 2 of the National Payment System Act 2021;”;

““payment service” has the meaning given under section 2 of the National Payment System Act 2021;”; and

““payment service provider” has the meaning given under section 2 of the National Payment System Act 2021;”.

Section 3 amended

3. Section 3(3) of the Principal Act is amended by—

(a) in paragraph *(a)*, after "return;" deleting "or";

(b) in paragraph *(b)*, deleting "." and substituting "; or"; and

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

"*(c)* in the case of a taxpayer operating a business as a sole proprietor, a declaration which must contain the following information—

(i) all property owned or possessed by the sole proprietor;

(ii) all debts of the sole proprietor; and

(iii) all sources of income of the sole proprietor, whether business related or otherwise.".

Section 5 amended

4. Section 5(1) of the Principal Act is amended after "law" by inserting "or a tax agent who prepares or assists in the preparation of the taxpayer's tax return".

Section 11 amended

5. Section 11 of the Principal Act is amended by—

(a) in subsection (2)—

(i) in paragraph *(a)*—

(A) deleting "paragraphs *(b)* and" and substituting "paragraph"; and

(B) after ";", inserting "or"; and

(ii) deleting paragraph *(b)*;

(b) in subsection (4)—

(i) in the chapeau, by deleting "*(b)* and";

(ii) in paragraph *(a)*, after ";" inserting "or"; and

(iii) deleting paragraph *(b)*.

Section 34A inserted

6. The Principal Act is amended after section 34 by inserting the following new section—

"*Accounts and records for payment service*

34A.—(1) A taxpayer carrying on a business that accepts or makes payment through a payment service provided by a payment service provider—

(a) must maintain a separate payment instrument which must only be used for business transactions with respect to the business that the taxpayer accepts or makes payments for; and

(b) must retain for a period of not less than 7 years after the end of the tax period to which they relate, such accounts, documents and records (including in electronic format) with respect to the payment service.

(2) A taxpayer who contravenes this section commits an offence and is liable to a fine not exceeding $25,000 or to imprisonment for a term not exceeding 10 years or both a fine and imprisonment.".

Section 36B inserted

7. The Principal Act is amended after section 36A by inserting the following new section—

"*Mutual assistance in tax matters*

36B. The Chief Executive Officer or an authorised tax officer may exercise the powers conferred under sections 35, 36 and 36A for the purpose of giving effect to an international agreement relating to mutual assistance in tax matters that is in force in Fiji, notwithstanding the absence of a domestic tax interest.".

Section 38 amended

8. Section 38 of the Principal Act is amended by—

(a) in subsection (1)—

(i) in paragraph *(h)*, deleting "and";

(ii) in paragraph *(i)*, deleting "." and substituting ";"; and

(iii) after paragraph *(i)*, inserting the following new paragraphs—

"*(j)* a person required to maintain a payment instrument for business transactions under section 34A; and

(k) a payment service provider."; and

(b) in subsection (7)—

(i) in paragraph *(h)*, deleting "and";

(ii) in paragraph *(i)*, deleting "." and substituting "; and"; and

(iii) after paragraph *(i)*, inserting the following new paragraph—

"*(j)* a payment service provider.".

Section 48 amended

9. Section 48 of the Principal Act is amended by—

(a) in subsection (3A), deleting "subsections (3B) and" and substituting "subsection";

(b) deleting subsection (3B);

(c) in subsection (3C), deleting paragraph *(a)*; and

(d) in subsection (8), deleting "subsections (3A) and (3B)" and substituting "subsection (3A)".

Section 111 amended

10. Section 111(6) of the Principal Act is amended by deleting "expenses" and substituting "remuneration and other allowances".

Section 113 amended

11. Section 113 of the Principal Act is amended by—

(a) deleting subsection (8) and substituting the following—

"(8) A registered tax agent who, upon expiry of the tax agent's registration, wishes to be registered for the following year, must within 21 consecutive days of the date of expiry of the tax agent's registration, submit the following to the Board—

(a) an application for registration in the approved form accompanied by the approved fee; and

(b) documentary evidence of having completed not less than 10 hours of continuing professional development."; and

(b) after subsection (8), inserting the following new subsection—

"(9) Subsection (8)*(b)* does not apply to a tax agent who at the time of making an application under subsection (8) is a member of the Fiji Institute of Chartered Accountants or has an equivalent level of membership of a recognised accounting body or association.".

Passed by the Parliament of the Republic of Fiji this 18th day of July 2025.

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National Payment System Act 2021

Section 2 [Interpretation]

payment instrument means any instrument, whether tangible or intangible, that enables a person to obtain money, goods or services or to otherwise make payment or transfer money, including cheques, a funds transfer initiated by any paper or paperless device such as an automated teller machine or a payment terminal at the point of sale, the Internet, a telephone, a mobile or a payment card, including any instrument involving the storage of electronic money;

payment service means a service enabling cash deposits or withdrawals, the execution of payment transactions, the issuance or acquisition of payment instruments and any other service functional to the transfer of money, including the issuance of electronic money, electronic money instruments and electronic money services provided by a mobile network and other operators, but does not include the provision of solely online or telecommunication services or network access;

payment service provider means an entity providing a payment service;