



Practice Statement No. 0

2nd Release – 1st August 2014

SUBJECT	FIJI REVENUE & CUSTOMS AUTHORITY: DEVELOPMENT OF PRACTICE STATEMENTS
DATE OF EFFECT	1 July 2002
CONFIDENTIALITY STATUS	May be released to the public
LEGISLATIVE REFERENCES	<i>Income Tax Act 1974 Value Added Tax Decree 1991 Land Sales Act (Cap 137) Gambling Turnover Tax Decree 1991 Hotel Turnover Tax Act 2006 Stamp Duties Act Cap 205 Tax Administration Decree 2009 Capital Gains Tax Decree 2011 Service Turnover Tax Decree 2012 Fringe Benefits Tax Decree 2012</i>
PRACTICE CO-ORDINATOR	National Manager Revenue Collection

1. This statement sets out the practice of the Fiji Revenue & Customs Authority in relation to the development of Practice Statements. Practice Statements provide the Taxation Division view on interpretation of specific provisions of the above laws, such as guidelines for the use of discretionary powers, and requirements for a deduction to be allowed. They are not intended to be private rulings for particular taxpayers, but apply to all taxpayers.
2. The introduction of Practice Statements in mid-2002 gives effect to the Budget

announcement in November 2001 that FRCA will:

“... introduce a new ruling system to be implemented next year to improve taxpayer service and provide more certainty with respect to the legislation.”

3. All Practice Statements are issued by the General Manager Taxation, following a consultative process involving FRCA staff and external stakeholders such as the Fiji Institute of Accountants. The procedure for development of Practice Statement follows.
4. All proposed Practice Statements are evaluated by the FRCA Practice Statement Committee, which comprise of the National Manager Revenue Collection, National Manager Audit and Compliance and National Manager Debt Management Services. Either National Managers may be appointed the practice co-ordinator for a particular statement, because it particularly affects the Revenue Collection, Audit & Compliance and Debt Management Services arms of FRCA.
5. Any FRCA officer or external stakeholder can refer an issue for consideration of the Practice Statement Committee.
6. If the Practice Statement Committee decides to take up the issue, the Practice Coordinator will issue a draft Practice Statement (un-numbered) or have a senior officer prepare it. The draft Practice Statement will go to external stakeholders with a covering letter under the National Manager's signature.
7. When the feedback from the external stakeholder is received, amendments will be made to the draft Practice Statement if appropriate. The draft Practice Statement will be assigned the next sequential number and issued as a final version to FRCA staff and the public.
8. Each Practice Statement should be reviewed annually or as appropriate, and may be kept as is, withdrawn or re-issued with updated contents.
9. All Practice Statements must be issued in the standard format. While they are in the draft stage, they must bear a header saying “Discussion draft as at”
10. It is compulsory for FRCA officers to follow Practice Statements. As they represent the views of FRCA they are not binding on the public, and their application may be challenged in court. They should therefore be drafted after full and proper consideration of any contrary viewpoint put forward by external stakeholders.