

THE FINANCE ACT, 1956.

[ACT No. XXII OF 1956.]

It is hereby enacted as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Finance Act, 1956.

(2) It shall come into force on the first day of October 1956.

2. *Rates at which Income-tax and Super-tax are to be levied.*—(1) Subject to the provisions of sub-sections (3) and (4), there shall be levied for the year beginning on the first day of October 1956—

(a) income-tax at the rates specified in Part I of Schedule I to this Act, and

(b) super-tax for the purposes of section 55 of the Burma Income-tax Act, at the rates specified in Part II of Schedule I to this Act.

(2) In making any assessment or refund of tax for the year ending on the thirtieth day of September 1957, there shall be deducted, from the total income of an assessee in accordance with the provisions of section 15A (1) of the Burma Income-tax Act, an amount equal to one-fifth of the earned income, if any, included in his total income, but not exceeding in any case four thousand kyats, reduced in the case of a partner in a firm by the amount of the allowance for earned income deducted in making an assessment on the firm which is applicable to his share in the firm's profits.

(3) For the purpose of making any deduction of income-tax in the year beginning on the first day of October 1956, under sub-section (2) of section 18 of the Burma Income-tax Act from any earned income chargeable under the head "Salaries", the estimated total income of the assessee under this head shall, in computing the income-tax to be deducted, be reduced by an amount equal to one-fifth of such earned income but not exceeding in any case four thousand kyats.

(4) For the purpose of making any deduction of income-tax in the year beginning on the first day of October 1956, under sub-section (2) of section 18 of the Burma Income-tax Act from any income chargeable under the head "Salaries", the estimated total income of the assessee under this head shall, in computing the income-tax but not super-tax to be deducted, be reduced by the amount of allowance for wife and children permissible under the provisions of section 15A (2) of the Burma Income-tax Act.

(5) For the purposes of this section and of the rates of tax imposed thereby, the expression "total income" means total income as determined for the purposes of income-tax or super-tax, as the case may be, in accordance with the provisions of the Burma Income-tax Act, and the expression "earned income" has the meaning assigned to it in clause (6A) of section 2 of that Act.

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3. *Business Profits Tax.*—The tax imposed by section 4 of the Business Profits Tax Act, 1948, shall, in respect of any previous-year relevant for the assessment under the Burma Income-tax Act for the year ending on the thirtieth day of September 1957, be an amount equal to 16 $\frac{2}{3}$ per cent of the taxable profits.

4. *Time within which proceedings for assessment of Business Profits Tax or rectification of mistakes may be taken.*—In respect of any assessment to the business profits tax for the year ending on the thirtieth day of September 1957, the Business Profits Tax Act, 1948, shall be construed as if in sections 11 and 15 of that Act for the words "two years" wherever they occur the words "four years" were substituted.

5. *Fixation of Postal Rates.*—For the year beginning on the first day of October 1956, the Schedule II to this Act shall be inserted in the Burma Post Office Act as the first Schedule to that Act.

6. *Betting Tax.*—Notwithstanding anything contained in sub-section (1) of section 4 of the Betting Tax Act or in any other law for the time being in force, the tax on all sums paid as bets into any totalizator at any race meeting shall be levied at the rate of twenty *per centum* of such sum.

7. *Duty on Cigarettes manufactured in the Union of Burma.*—Notwithstanding anything contained in sub-section (1) of section 3 of the Cigarettes Duty Act, the excise duty on cigarettes manufactured in the Union of Burma shall be levied at K 20 per thousand.

SCHEDULE I.

Schedule of Rates of Income-tax and Super-tax for the Financial year 1956-57.

[See section 2.]

PART I.

Rates of Income-tax.

A.—In the case of every individual, Hindu undivided family, unregistered firm and other association of persons not being a case to which paragraph B of this Part applies—

	<i>Rate.</i>
1. On the first K 1,500 of total income ...	<i>Nil</i>
2. On the next K 3,500 of total income ...	7 per cent.
3. On the next K 5,000 of total income ...	13 per cent.
4. On the next K 5,000 of total income ...	22 per cent.
5. On the balance of total income ...	32 per cent.

Provided that—

- (i) no income-tax shall be payable on a total income which before deduction of the allowance, if any, for earned income and for wife and children does not exceed K 4,200 ;

- (ii) the income-tax payable shall in no case exceed half the amount by which the total income (before deduction of the said allowance, if any, for earned income and for wife and children) exceeds K 4,200 ;
- (iii) the income-tax payable on the total income as reduced by the allowance, for earned income and for wife and children shall not exceed either—
- (a) a sum bearing to half the amount by which the total income (before deduction of the allowance for earned income and for wife and children) exceeds K 4,200 the same proportion as such reduced total income bears to the unreduced total income, or
- (b) the income-tax payable on the income so reduced at the rates specified in this Schedule whichever is less.

B.—In the case of every company and registered firm and in every case in which, under the provisions of the Burma Income-tax Act, income-tax is to be charged at the maximum rate—

	<i>Rate.</i>
On the whole total income	32 per cent.

PART II.

Rates of Super-tax.

A.—In the case of every individual, Hindu undivided family, unregistered firm and other association of persons not being a case to which paragraph B or C of this Part applies—

	<i>Rate.</i>
1. On the first K 25,000 of total income	<i>Nil.</i>
2. On the next K 20,000 of total income	18 per cent.
3. On the next K 25,000 of total income	31 per cent.
4. On the next K 25,000 of total income	38 per cent.
5. On the next K 30,000 of total income	41 per cent.
6. On the next K 75,000 of total income	50 per cent.
7. On the next K 1,00,000 of total income	56 per cent.
8. On the balance of total income	66 per cent.

B.—In the case of a co-operative society for the time being registered under the Co-operative Societies Act—

	<i>Rate.</i>
1. On the first K. 25,000 of total income	<i>Nil.</i>
2. On the balance of total income	13 per cent.

C.—In the case of every Company—

	<i>Rate.</i>
On the whole of total income	18 per cent.

SCHEDULE II.
Schedule to be inserted in the Burma Post Office Act.

[See section 5.]

Letters.

	<i>Pyas.</i>
For a weight not exceeding one tola	15
For every additional tola or fraction thereof	7

Postcards.

single	5
Reply	10

Books, Pattern and Sample Packets.

For the first five tolas or fraction thereof	5
For every additional two and a half tolas or fraction thereof, in excess of five tolas	3

Registered Newspapers.

For a weight not exceeding ten tolas	2
For a weight exceeding ten tolas and not exceeding twenty tolas	3
For every additional twenty tolas or fraction thereof, exceeding twenty tolas	3
In the case of more than one copy of the same issue of a registered newspaper being carried in the same packet—	
For a weight not exceeding ten tolas	3
For every additional five tolas or fraction thereof	1

Provided that such packets shall not be delivered at any addressee's residence but shall be given to a recognized agent at the delivery window of Post Office.

Parcels.

For a weight not exceeding forty tolas	50
For every additional forty tolas or fraction thereof up to eight hundred and eighty tolas	50

Additional Air Mail fees for Inland Postcards, Letters and Money Orders.

For a Postcard	5
For a letter not exceeding one tola	5
For every additional tola or fraction thereof	5
For each Money Order	5