



GOVERNMENT OF ANTIGUA AND BARBUDA
Inland Revenue Department

Interpretations, Rulings & Opinions Inland Revenue Department
1 of 2019
(Issued June 2019)

RE: INCOME TAX ACT CAP. 212, SECTION 32(4)

This public ruling is made under the authority of the Commissioner of Inland Revenue.

LEGISLATIVE REFERENCE

The Income Tax Act Cap. 212, Section 32(4).

ISSUE:

In accordance with Section 13 of the Tax Administration and Procedure Act No. 12 of 2018, this public ruling is hereby issued to achieve consistency in the administration of the Income Tax Act Cap 212, Section 32(4) and to provide guidance to the general public. The Commissioner hereby issues this public ruling setting out the Commissioner's interpretation for the application of the aforementioned section of the Income Tax Act Cap. 212.:

RULING:

For the purpose of Section 32(4) of the Income Tax Act Cap 212, the following applies:

1. "Net income" is to be calculated to include all "profits before tax", less the tax payable in accordance with Section 32(1) (2) and (3) of the Income Tax Cap. 212 for the assessment period, thereafter, the remaining income should then be measured as "net income"
2. In any financial statement, "profit before tax":- is interpreted as follows: the expression or the term in subsection (1.) which appears as a line item in any annual financial statement, is to be read as being synonymous with or one and the same as the appearance of the following words: "profit for the year before tax", "profit before taxation", "profit before tax" or any same or similar words;
3. After the application of (1.), the application of the tax payable in accordance with Section 32(4) of the Income Tax Cap. 212, is to then be calculated after conducting the calculations stated in (1.) where "net income" was measured;

By order:

Signature:

Date:

Ralph Upton

18/June 2019

Commissioner of Inland Revenue