

**ACCOMMODATION TURNOVER TAX ACT, 2022**

*(Act 34 of 2022)*

**ARRANGEMENT OF SECTIONS**

**SECTIONS**

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**SCHEDULE 1**

**SCHEDULE 2**



**ACCOMMODATION TURNOVER TAX ACT, 2022**

*(Act 34 of 2022)*



*I assent*

A handwritten signature in black ink, appearing to read "Wavel".

Wavel Ramkalawan  
President

*29<sup>th</sup> December, 2022*

**AN ACT TO PROVIDE FOR THE IMPOSITION OF AN ACCOMMODATION TURNOVER TAX AND FOR OTHER CONNECTED AND INCIDENTAL MATTERS.**

**ENACTED** by the President and the National Assembly.

**Short title and commencement**

**1.** This Act may be cited as the Accommodation Turnover Tax Act, 2022 and shall come into operation on the 1<sup>st</sup> January, 2023.

## **Application of Act**

2.(1) This Act binds the Republic of Seychelles.

(2) Notwithstanding, any tax exemption to any person under any law or agreement made before or after the commencement of this Act, an exemption of tax on a statutory corporation or any other person shall not be construed as an exemption from the payment of tax under this Act.

## **Interpretation**

3. In this Act, unless the context otherwise requires —

“Accommodation Turnover Tax” means the tax levied and payable under section 4;

“business” has the same meaning provided under the Business Tax Act (Cap 20);

“Commissioner General” means the Commissioner General appointed under section 4 (1) of the Seychelles Revenue Commission Act, 2009;

“entity” has the same meaning provided under the Business Tax Act (Cap 20);

“Minister” means the Minister responsible for finance;

“permanent establishment” has the same meaning provided under section 2A of the Business Tax Act (Cap 20);

“person” means an individual, partnership, entity, trust, government body or a permanent establishment carrying on a business in Seychelles;

“Revenue law” means —

(a) this Act;

- (b) an Act listed in the Schedule to the Seychelles Revenue Commission Act, 2009;
- (c) any other Act under which a tax, duty, fee, levy or charge is imposed, of which the responsibility for the general administration of the tax, duty, fee, levy or charge is on the Commissioner General; and
- (d) any regulation or subsidiary legislation made under an Act referred to in paragraph (a) to (c).

“tax year” means the period of twelve months beginning on the 1st day of January in any year and ending on the 31st December in that year or any substituted tax year as approved under section 26 of the Business Tax Act, 2009;

“turnover” means the gross receipts from the carrying on of business including the consideration received from the disposal of trading stock and the gross fees for the provision of services derived by a person from sources in Seychelles.

### **Imposition and liability of Accommodation Turnover Tax**

4.(1) An Accommodation Turnover Tax shall, subject to subsection (2), be imposed on a person whose annual turnover equals or exceeds the liability threshold specified in column 2 of Schedule 1, at the rates specified in column 3 of Schedule 1.

(2) Subject to subsection (1), where two or more businesses are solely owned by one person, the businesses shall be deemed to constitute a single business in the sole ownership of that person.

(3) The liability threshold under subsection (1) is the annual turnover of the person for the tax year prior to the tax year in which the business is liable to pay the Accommodation Turnover Tax.

### **Manner of payment of Accommodation Turnover Tax**

5.(1) The Accommodation Turnover Tax shall be payable on the monthly turnover of a person during the current year of payment on or before

the 21st day of the month following the month in which the liability falls due.

(2) A person liable to pay Accommodation Turnover Tax under this Act shall remit the Accommodation Turnover Tax to the Commissioner General and shall furnish to the Commissioner General a return as prescribed under Schedule 2.

(3) Where the Accommodation Turnover Tax is paid to the Commissioner General, the payment made shall not be an allowable expense for the business under any Revenue law.

### Regulations

6. The Minister may make regulations —
- (a) prescribing all matters which are required by this Act to be prescribed, or which are necessary or expedient to be prescribed for giving effect to this Act; and
  - (b) amending the Schedules.

## SCHEDULE 1

### Section 4(1)

#### ACCOMMODATION TURNOVER TAX- LIABILITY THRESHOLD AND RATES OF TAX

| Nature of business of person                                                 | Liability threshold | Rate of Tax |
|------------------------------------------------------------------------------|---------------------|-------------|
| (1)                                                                          | (2)                 | (3)         |
| All tourism accommodation operators, namely-                                 | SCR25,000,000.00    | 2 %         |
| (i) hotels, guesthouses, self-catering establishments, yachts, cruise ships; |                     |             |



**Accommodation Turnover Tax Returns**  
*Accommodation Turnover Tax Act, 2022*

|                         |  |                  |       |
|-------------------------|--|------------------|-------|
| Month:                  |  | Taxpayer's name: |       |
| Year:                   |  | Trading Name:    |       |
|                         |  | TIN:             |       |
| Monthly Turnover (SCR): |  |                  |       |
| Tax Rate:               |  |                  | 2.00% |
| Tax Payable:            |  |                  |       |

**BED OCCUPANCY DATA**

|                                 |  |
|---------------------------------|--|
| Total number of beds available: |  |
| Number of beds occupied:        |  |
| Bed occupancy rate:             |  |

**DECLARATION**

I \_\_\_\_\_ (fill name) declare that the particulars provided on this form are true and correct.

I also affirm that I am authorised to make this declaration.

|            |  |       |  |
|------------|--|-------|--|
| Signature: |  | Date: |  |
|------------|--|-------|--|

**Accommodation Turnover Tax Payment Slip**

|                                       |                                                 |  |
|---------------------------------------|-------------------------------------------------|--|
| Tax Payable (SCR)                     |                                                 |  |
| Penalty Payable:                      |                                                 |  |
|                                       | <b>Insert Description (eg applicable month)</b> |  |
| Late Lodgment Penalty                 |                                                 |  |
| Late Payment Penalty                  |                                                 |  |
| Interest                              |                                                 |  |
| Total Tax, Penalty & Interest Payable |                                                 |  |

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 12<sup>th</sup> December, 2022.



Mrs. Tania Isaac  
Clerk to the National Assembly