

# BILL NO. 13 OF 2024

## A BILL

### FOR AN ACT TO AMEND THE EXCISE ACT 1986

ENACTED by the Parliament of the Republic of Fiji—

*Short title and commencement*

1.—(1) This Act may be cited as the Excise (Budget Amendment) Act 2024.

(2) This Act comes into force on 28 June 2024, except sections 2, 3 and 4 which come into force on 1 August 2024.

(3) In this Act, the Excise Act 1986 is referred to as the “Principal Act”.

*Section 26 amended*

2. Section 26 of the Principal Act is amended after subsection (3) by inserting the following new subsections—

“(4) Notwithstanding subsection (3), the “duty accounting period” for a manufacturer that is issued with a licence on or after 1 January 2024 to manufacture any excisable goods specified in items 8 to 11 in Schedule 1, means a period of one month from the first day of the month to the last day of the same month in which goods may be manufactured, exported, transferred or entered into home consumption.

(5) For the purposes of subsection (4), any excise duty which would have become due within the duty accounting period must be paid to the Comptroller before or on the last day of the month.

(6) Where the excise duty remains unpaid by the due date, a manufacturer is liable to a fine of—

- (a) 5% of the amount of the excise duty unpaid; and
- (b) for each month that the excise duty remains unpaid, an additional 2% of the amount of the excise duty unpaid, compounded monthly.

(7) Where for any reason the amount of excise duty in respect of which a fine has been imposed under subsection (6) is amended, the fine must, where necessary, be adjusted accordingly.”.

*Section 28 amended*

**3.** Section 28 of the Principal Act is amended by—

(a) in subsection (1)—

- (i) deleting “deliver” and substituting “submit”; and
- (ii) deleting “a form” and substituting “an electronic form”; and

(b) after subsection (2), inserting the following new subsections—

“(3) A fee of \$15 is payable to the Comptroller for each submission by a manufacturer which is processed by the Service.

(4) A manufacturer must pay to the Comptroller a late penalty fee of \$115 for each submission, if the duty payable by the manufacturer is not paid within 3 working days or such longer period as the Comptroller may approve.”.

*Section 81 amended*

**4.** Section 81(1)(a) of the Principal Act is amended by deleting “in a form and manner” and substituting “the physical copies and in electronic form as”.

*Schedule 2 amended*

**5.** Schedule 2 to the Principal Act is amended in Part 1 by deleting the expressions specified in the second column and substituting the expressions specified in the third column, in relation to the items listed in the first column, as provided in the table below—

<i>Column 1 Item</i>	<i>Column 2 Delete</i>	<i>Column 3 Substitute</i>
1.01	“\$3.64”	“\$3.82”
1.02	“\$2.43”	“\$2.55”
1.03	“\$3.64”	“\$3.82”
1.03	“\$2.43”	“\$2.55”
2.01	“\$210.47”	“\$220.99”
2.02	“\$123.65”	“\$129.83”

<i>Column 1 Item</i>	<i>Column 2 Delete</i>	<i>Column 3 Substitute</i>
2.03	“\$210.47”	“\$220.99”
2.03	“\$123.65”	“\$129.83”
3.01	“\$1.81”	“\$1.90”
3.02	“\$2.10”	“\$2.21”
4.01	“\$138.78”	“\$145.72”
4.02	“\$0.21”	“\$0.22”
4.03	“\$39.63”	“\$41.61”
4.04	“\$69.39”	“\$72.86”
4.05	“\$1.29”	“\$1.35”
5.01	“\$3.19”	“\$3.35”
5.02	“\$2.79”	“\$2.93”
5.03	“\$3.19”	“\$3.35”
5.04	“\$2.79”	“\$2.93”

*June 2024*

## **EXCISE (BUDGET AMENDMENT) BILL 2024**

### **EXPLANATORY NOTE**

*(This note is not part of the Bill and is intended only to indicate its general effect)*

#### **1.0 BACKGROUND**

1.1 The Excise (Budget Amendment) Bill 2024 (**‘Bill’**) seeks to amend the Excise Act 1986 (**‘Act’**) to address budgetary policy changes in the 2024-2025 Budget.

#### **2.0 CLAUSES**

2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on 28 June 2024, except sections 2, 3 and 4 which will come into force on 1 August 2024.

2.2 Clause 2 of the Bill amends section 26 of the Act to impose a fine for the late payment of excise duty. It further clarifies that if the excise duty for which a fine is imposed is amended, then the fine must be adjusted accordingly. Clause 2 of the Bill also inserts the definition of “duty accounting period” for manufacturers of excisable goods specified in items 8 to 11 in Schedule 1 who were issued a licence to manufacture excisable goods on or after 1 January 2024.

2.3 Clause 3 of the Bill amends section 28 of the Act to impose a fee of \$15 for each submission that is processed by the Fiji Revenue and Customs Service and that a late penalty fee of \$115 will be applicable if the excise duty calculated from the submission is not paid by the due date.

2.4 Clause 4 of the Bill amends section 81 of the Act to mandate a manufacturer or warehouse keeper to keep books, documents and forms relating to the manufacture, storing and delivery of excisable goods in electronic form.

2.5 Clause 5 of the Bill amends Schedule 2 to the Act to reflect the increase in the rate of excise duty on alcohol and tobacco.

#### **3.0 MINISTERIAL RESPONSIBILITY**

3.1 The Act comes under the responsibility of the Minister responsible for finance.

**G. E. LEUNG**  
Attorney-General