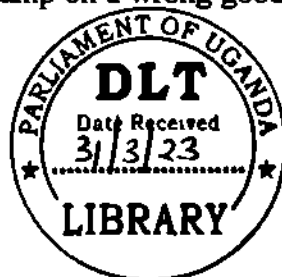

BILLS**SUPPLEMENT No. 5****30th March, 2023****BILLS SUPPLEMENT***to The Uganda Gazette No. 22, Volume CXVI, dated 30th March 2023**Printed by UPPC, Entebbe, by Order of the Government*

Bill No. 8*Tax Procedures Code (Amendment) Bill***2023****THE TAX PROCEDURES CODE (AMENDMENT) BILL, 2023****MEMORANDUM**

The object of this Bill is to amend the Tax Procedures Code Act, 2014 to provide for a penalty for the unauthorised interference or tampering with a digital tax stamps machine, to cap the recovery of interest on unpaid tax; to provide for the repeal of section 40A, to provide for a penalty for fixing and activating a tax stamp on a wrong good, brand or volume, and for related matters

**MATIA KASAJJA, (MP)***Minister of Finance, Planning and Economic Development*

THE TAX PROCEDURES CODE (AMENDMENT) BILL, 2023

ARRANGEMENT OF CLAUSES

Clause

- 1 Commencement
- 2 Amendment of Tax Procedures Code Act, 2014
- 3 Amendment of section 19B of principal Act
- 4 Amendment of section 39 of principal Act
- 5 Insertion of section 40D in principal Act
- 6 Amendment of section 42 of principal Act
- 7 Insertion of section 62H of principal Act

A Bill for an Act

ENTITLED

THE TAX PROCEDURES CODE (AMENDMENT) ACT, 2023

An Act to amend the Tax Procedures Code Act, 2014 to provide for a penalty for the unauthorised interference or tampering with a digital tax stamps machine; to cap the recovery of interest on unpaid tax; to provide for the repeal of section 40A; to provide for a penalty for fixing and activating a tax stamp on a wrong product, brand or volume; and for related matters.

BE IT ENACTED by Parliament as follows

1. Commencement

This Act shall come into force on 1st July, 2023

2. Amendment of Tax Procedures Code Act, 2014

The Tax Procedures Code Act, 2014 in this Act referred to as the principal Act is amended in section 5 by inserting immediately after subsection (9) the following—

“(10) A local authority, Government institution or regulatory body shall not register an instrument that is required to pay stamp duty under the Stamps Duty Act, 2014 unless the person lodging the instrument for registration has a tax identification number ”

3. Amendment of section 19B of principal Act

Section 19B of principal Act is amended by inserting immediately after subsection (6) the following—

“(6a) A person who makes an unauthorised interference to, or tampers with, a digital tax stamps machine commits an offence and is liable, on conviction, to a fine not exceeding one thousand five hundred currency points or imprisonment not exceeding ten years ”

4. Amendment of section 39 of principal Act

Section of 39 of the principal Act is amended by inserting immediately after subsection (3) the following—

“(4) For the avoidance of doubt, where interest due and payable under a tax law as at 1st July, 2017 exceeds the aggregate of the principal tax and the penal tax, the interest in excess of the aggregate is waived.”

5. Insertion of section 40D to principal Act

The principal Act is amended by inserting immediately after section 40C the following—

“40D Waiver of interest on payment of principal tax

(1) The Commissioner shall waive the payment of interest and the penalty by a taxpayer, where the taxpayer voluntarily pays the principal tax outstanding at 30th June, 2023, by 31st December, 2023

(2) The Commissioner shall waive the payment of interest and the penalty by a taxpayer on a pro-rata basis, where the taxpayer voluntarily pays part of the principal tax outstanding at 30th June, 2023, by 31st December, 2023 ”

6. Amendment of section 42 of principal Act

Section 42 of the principal Act is amended by inserting immediately after subsection (3) the following—

“(4) Where a taxpayer fails to provide the information requested under this section, the taxpayer shall not be allowed to provide that information at objection to a tax decision or during alternative dispute resolution procedure proceedings ”

7. Insertion of section 62H of principal Act

The principal Act is amended by inserting immediately after section 62G the following—

“62H. Fixing tax stamp on wrong goods, brand or volume

A taxpayer who fixes and activates a tax stamp on a wrong good, brand or volume other than a good, brand or volume for that tax stamp commits an offence and is liable, on conviction, to a fine not exceeding five hundred currency points or imprisonment not exceeding three years or both ”