

TAX APPEAL COMMISSION (AMENDMENT) BILL, 2024

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TAX APPEAL COMMISSION (AMENDMENT) BILL, 2024

A BILL FOR AN ACT TO AMEND THE TAX APPEAL COMMISSION ACT, 2020

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act shall be cited as the Tax Appeal Commission (Amendment) Act, 2024.
- (2) This Act shall come into force on the 1st day of July, 2024.

2. Amendment of section 5 of the principal Act.

The principal Act is amended by the deletion of section 5 and the substitution of the following—

“5. Appealable decisions.

A person aggrieved by any of the following decision of a decision-maker may appeal to the Commission against such decision —

- (a) in relation to the Value Added Tax Act (*No.32 of 2014*) —
 - (i) a decision by the Comptroller of VAT on an objection under section 81; or
 - (ii) an advance ruling under section 18;
- (b) in relation to the Business Licence Act, 2023 (*No.13 of 2023*), a decision by the Secretary —
 - (i) in relation to an application under sections 13, 18 and 21;
 - (ii) regarding approval of a trade name under section 20;

- (iii) regarding resolution of a trading name complaint under section 20A;
 - (iv) in relation to an objection under section 41;
 - (v) to suspend, revoke, amend, cancel a licence issued under section 25;
 - (vi) on an application for an advance tax ruling under section 37;
 - (vii) to declare a person as a representative of a taxable person under section 45.
- (c) in relation to the Stamp Act, 2024, a decision of the Comptroller —
- (i) in relation to an an assessment under section 28 or 48;
 - (ii) an advance ruling under section 17;
 - (iii) to impose a penalty under section 14;
 - (iv) to require a person to give security under section 38;
 - (v) to declare a person to be the representative of a taxable person under section 46;
 - (vi) on a claim for a refund under section 60;
- (d) a decision by the Chief Valuation Officer on an objection under section 12 of the Real Property Tax Act (*Ch.375*);
- (e) a decision by the Comptroller of Customs under sections 228, 231 or 319 of the Customs Management Act (*Ch. 293*);

OBJECTS AND REASONS

Clause 1 of the Bill sets out the short title and commencement.

Clause 2 of the Bill sets out the decisions which may be appealed to the Tax Appeal Commission which now includes: (i) decisions of the Financial Secretary regarding approval of a trade name or resolution of a trade name complaint and (ii) decisions of the Comptroller under the Stamp Act.