

L.N. 153 of 1961

PERSONAL INCOME TAX (LAGOS) ACT, 1961
(1961, No. 23)

Personal Income Tax (Lagos) (Income Rate) Regulations, 1961

In exercise of the powers conferred upon the Federal Minister of Finance under subsection (5) of section 12 of the Personal Income Tax (Lagos) Act, 1961, the Minister with the approval of the Council of Ministers has made the following regulations—

1. These Regulations may be cited as the Personal Income Tax (Lagos) (Income Rate) Regulations, 1961, and shall be deemed to have come into effect from the 1st day of April, 1961.

Citation and
commence-
ment.

2. In these Regulations, unless the context otherwise requires :—

Interpre-
tation.

“the Board” means the Federal Board of Inland Revenue established under section 3 of the Companies Income Tax Act, 1961 ;

“the Act” means the Personal Income Tax (Lagos) Act, 1961 ;

“employee” means any person in receipt of wages, salary or other emoluments ;

“employer” means any person paying wages, salary or other emoluments to an employee and shall include whenever necessary a principal agent, manager or other representative in Lagos of any employer who is outside Lagos or Nigeria ;

“year of assessment” means the period of twelve months commencing on the first day of April, 1961, and each subsequent period of twelve months.

3. Every individual charged and assessed with income rate under the Act, but which rate is not deductible under the provisions of Regulations 4 and 5 hereof, shall pay the same direct to the Board or to any person duly authorised by the Board to receive the said income rate.

Direct
payment of
income
rate to
the Board.

4. Every employer shall deduct the income rate from the wages, salary or other emoluments of such of his employees as are, for any year of assessment, charged and assessed therewith, and liable therefor, under the Act. The said deduction shall be made from such wages, salary or other emoluments of each such employee as shall become due and payable to the said employee in respect of the month specified by the Notice of Assessment made under section 29 of the Act ; and if no such wages, salary or other emoluments shall be payable to the said employee in respect of the said month, then the deduction shall be made from such wages, salary or other emoluments as shall become due and payable to the said employee immediately subsequent to the said month specified.

Employers
to make
income rate
deductions.

5. Where, in the case of any individual employee, a deduction cannot be made under Regulation 4 hereof by reason of the said employee not being liable to pay the income rate at the time specified by the Notice of Assessment made under section 29 of the Act, but later, during the year of Assessment, the said employee becomes so liable the employer shall deduct the said rate from such wages, salary or other emoluments as become due to the said employee immediately subsequent to the date upon which the said employee became liable to pay the income rate.

Income rate
deductions
in cases of
late liability.

Employers
to purchase
receipts.

Employers
to issue
receipts.

Return of
duplicates
of receipts
to Board.

Penalty.

6. Every employer who under these Regulations is required to make income rate deductions shall purchase income rate receipts from the Board in anticipation of recovery of the cost thereof by such deductions.

7. Every employer upon deducting the income rate under these Regulations shall issue to each employee an original receipt in the amount of the income rate so deducted.

8. The duplicates of such receipts shall be returned by the employers to the Board within one month from the date on which the said deductions are made.

9. Any employer or any other person who fails to comply with any of the requirements of these Regulations shall be guilty of an offence against the Act and shall be liable to a penalty under subsection 1 of section 54 of the Act.

MADE at Lagos, the 17th day of November, 1961.

F. S. OKOTIE-BOH,
Minister of Finance,
Federation of Nigeria