



(The Income Tax Act)

Year of assessment 2012

(Income for the period 1 January 2011 to 31 December 2011)

ANNUAL INCOME TAX RETURN

RESIDENT SOCIÉTÉ

This return duly filled in should be submitted by every resident société, so as to reach the office of the Director-General, Mauritius Revenue Authority, not later than 2 April 2012.

A non-resident société is liable to tax as a company and should file an I.T. Form 3 whereas a société holding a Category I Global Business Licence that opts to be liable to tax should fill in an I.T. Form 3F.

Please read the notes before filling in this return.

Section 1		SOCIÉTÉ IDENTIFICATION											
1.1	Full name of société												
1.2	Address of registered office												
1.3	Address of principal place of business												
1.4	Address for correspondence												
1.5	Email address												
1.6	Main business activity												
1.7	Was société in operation?	Please tick (✓) appropriate box. Yes <input type="checkbox"/> No <input type="checkbox"/>											
1.8	PAYE Employer Registration Number	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>											
1.9	Daytime phone number	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>											
1.10	Number of employees including exempt employees as at 31 December 2011	Male <input type="text"/>	Female <input type="text"/>										

2 DECLARATION

I do hereby
(full name of signatory in BLOCK LETTERS)
declare that the income, deductions and other particulars in this return and in the annexes are true, complete and correct.

Signature
Capacity in which acting
Date

PAYMENT OF TAX

I hereby tender the sum of Rs..... being the tax payable in accordance with section 7 of this return.

Cheque should be crossed and made payable to the Director-General, Mauritius Revenue Authority. Write full name and Tax Account Number on verso of cheque.

3	3.1	Trade, manufacture, profession etc. (Specify nature)	Rs	Rs	Rupees only				
	3.1.1	Turnover/Sales/Fees						
	3.1.2	Less Cost of sales						
	3.1.3	Gross profit						
	3.1.4	Add: Other income						
	3.1.5	Less Business expenses						
	3.1.6	Net profit per accounts						
	3.1.7	Add: Non-allowable expenses						
	3.1.8	Income not included in profit & loss account						
	3.1.9	Less Allowable items						
	3.1.10	Net income from trade, manufacture, profession etc.		➤					
	3.2	Sugar Cane cultivation Attach certificates showing gross receipts.							
	3.2.1	Situation of lands							
	3.2.2	Acreage under cultivation acres							
	3.2.3	Weight of sugarcane produced tons							
	3.2.4	Gross receipts Rs							
	3.2.5	Net income from sugar cane cultivation		➤					
	3.3	Other agricultural activities (Specify nature)							
	3.3.1	Gross receipts from other agricultural activities		Rs					
	3.3.2	Net income from other agricultural activities		➤					
	3.4	Rent							
	3.4.1	Gross rent		Rs					
	3.4.2	Total net rent		➤					
	3.5	Interest (See note 4)							
	3.5.1	Total interest		➤					
	3.6	Income from other sources (Specify nature)							
	3.6.1	Net income from other sources		➤					
	3.7	Net income/loss of société		➤					
4	TAX DEDUCTION AT SOURCE (TDS) (See note 5) (Attach additional sheet(s) if necessary)								
	4.1	TDS on income received in year 2011							
		TAN of payer	TAN of payee	Amount of tax deducted from					
				Rent	Royalties	Contract	Services	Interest received in 2011	
	4.1.1								
	4.1.2								
	4.1.3								
	4.1.4								
	4.1.5								
	4.1.6	Total							
	4.1.7	Enter total TDS on income received in year 2011							➤

Year of Assessment 2012 (Income for the period 1 January 2011 to 31 December 2011)

NOTES - How to fill in your return (I.T. Form 6)

Note 1

GENERAL INFORMATION ON SOCIÉTÉ

"Société" means a société formed under any enactment in Mauritius and includes -

- (a) a société de fait or a société en participation;
- (b) a joint venture; or
- (c) a société or partnership formed under the law of a foreign country.

A resident société is not liable to tax on its income. Its associates are, however, liable to tax in respect of their share of income from the société, whether or not the income of the société has been distributed among the associates.

"Resident" when applied to a société means a société which has its seat or siège in Mauritius and includes a société which has at least one associate or associé or gérant resident in Mauritius.

Note 2

INCOME PERIOD

All sociétés are required to file tax returns in respect of income derived on a calendar year basis, i.e for the period 1 January to 31 December. As a result, all sociétés should close their accounts on 31 December each year. The return for the year of assessment 2012, based on income derived for the period 1 January 2011 to 31 December 2011, should be submitted to MRA not later than 2 April 2012.

Note 3

COMPUTATION OF NET INCOME

The profit as per the profit & loss a/c is not the taxable profit as not all items of income are taxable nor are all items of expenses deductible for tax purposes. The net profit/loss as per profit and loss a/c needs to be adjusted to arrive at the net income for tax purposes.

General Rule for deduction of expenses

Any expenditure or loss to the extent to which it is exclusively incurred in the production of the gross income of the business is deductible from the gross income.

Unauthorised deductions

The following items of expenditure are specifically prohibited by Section 26 of the Income Tax Act -

- (a) any investment, expenditure or loss to the extent to which it is capital or of a capital nature;
- (b) any expenditure or loss to the extent to which it is incurred in the production of income which is exempt income;
- (c) any reserve or provision of any kind;
- (d) any expenditure or loss recoverable under a contract of insurance or of indemnity;
- (e) any expenditure incurred in providing business entertainment or any gift;
- (f) income tax or foreign tax;
- (g) any expenditure or loss to the extent to which it is of a private or domestic nature.

Expenditure incurred in the production of exempt income

- (a) Expenditure or loss exclusively incurred in the production of exempt income is not allowable.
- (b) Where expenditure or loss is incurred in the production of both gross income and exempt income, that part of the expenditure or loss attributable to the production of exempt income shall be calculated using the following formula:

$$\frac{\text{exempt income} \times \text{expenditure or loss}}{\text{total gross income (including exempt income)}}$$

- (c) Where the proportion of exempt income to total gross income in the above formula is 10 per cent or less, no part of the expenditure or loss as determined above shall be disallowed.

Annual Allowance

Capital expenditure is not an allowable deduction. However, you may claim annual allowance in respect of capital expenditure as specified hereunder:

Capital Expenditure incurred on —

	Rate of Annual Allowance	
	Percentage of	
	Base Value	Cost
Industrial premises	-	5
Commercial premises	-	5
Hotels	30	-
Plant or Machinery-		
(a) costing or having a base value of 30,000 rupees or less	100	or 100
(b) costing more than 30,000 rupees-		
(i) ships or aircrafts	20	-
(ii) aircrafts and aircraft simulators leased by a company engaged in aircraft leasing	-	100
(iii) motor vehicles	25	-
(iv) Electronic and high precision machinery or equipment, computer hardware and peripherals and computer software	50	-
(v) furniture and fittings	20	-
(vi) other	35	-
Improvement on agricultural land for agricultural purposes	25	-
Scientific research	25	-
Golf courses	15	-
Acquisition or improvement of any other item of a capital nature which is subject to depreciation under the normal accounting principles	-	5

No other deduction is however allowable in respect of the same expenditure.

No annual allowance is allowable unless proper books of accounts and records are kept.

Note 4 - Section 3.5**INTEREST INCOME**

Interest earned by a société as from 1 January 2010 on savings and fixed deposit accounts maintained with a bank or non-bank deposit taking institution, Government securities and Bank of Mauritius Bills are exempt.

However, all interests earned during period 1 July 2006 to 31 December 2009, which were paid to the société in year 2011 are taxable.

Enter at section 3.5.1 any interest income, other than the above mentioned exempt interest, received by the société during the income year ended 31 December 2011, including interest relating to period 1 July 2006 to 31 December 2009 which were paid to the société in that income year.

Note 5 - Section 4**TAX DEDUCTION OF AT SOURCE (TDS)**

Enter at section 4.1 the amount deducted at source as TDS on the société's income from interest received in year 2011, royalties, rent, contracting/sub contracting and other services (architect, engineer, land surveyor, project manager in the construction industry, property valuer and quantity surveyor) as per Statement of Income Received.

Where tax has been deducted at source in respect of exempt interest earned during year 2010, the société should include the tax so deducted at section 4.2 of the return.

Note 6 - Section 5**GAINS FROM SALE/TRANSFER OF IMMOVABLE PROPERTY**

A société which is engaged in property business is liable to a tax at the rate of 15% on gains derived from immovable property sold or transferred during the period 1 January 2011 to 4 November 2011. The tax on gains should be declared at line 5.12 of the return and is payable on or before 2 April 2012.

However, where the société is **not** engaged in property business, the société itself is not liable to tax on gains but each associate is subject to tax on his share of gains from the société. In such case the share of each associate should be declared at section 8 of the return for inclusion in the associate's annual return of income.

Loss incurred on sale /transfer of immovable property in an income year, otherwise than during the course of a business, cannot be set off against any other income derived in that income year. Furthermore, the loss cannot be carried forward and set off against future gains or profits.

For additional information on the tax on gains, please refer to the "Guide on the taxation of Gains" available on MRA website.

Note 7 - Section 6**PENALTY****Penalty for late submission of return**

In case of late submission of return a penalty of Rs 2,000 per month or part of the month is payable until the time the return is submitted. The total penalty is restricted to Rs 20,000.

Penalty for late payment of tax

Late payment of tax carries a penalty of 5% of the balance of tax at section 5 remaining unpaid after the due date.

Note 8 - Section 8**SHARE OF ASSOCIATES**

- (a) The income of an associate from a resident société is deemed to be the share to which he would have been entitled in the income of the société if the income had been wholly distributed among the associates.
- (b) For the purposes of calculating the net income/loss of an associate from a société, the associate is deemed -
 - (i) to have derived that part of the gross income of the société; and
 - (ii) to have incurred that part of the allowable deductions of the société
 which bears the same proportion to the gross income or allowable deductions of the société as his share in the income/loss of the société bears to the income/loss of the société.
- (c) Where tax has been deducted at source from any income derived by a société, each of its associates is entitled to claim a credit in respect of his share of the amount of the tax deducted at source.

A statement in the same format as at section 8 of the return should be given to each associate.