

- (i) in the case of shipping and air transport income, the tax has been paid in accordance with section 87 or 88, or
- (ii) in any other case, the tax payable has been with held from the payment of the income under section 92.

## PART II - CHARGEABLE INCOME

### 14. Chargeable income

The chargeable income of a person for a tax year is the gross income of the person for the year reduced by the total amount of deductions allowed to the person for the year under this Act.

## PART III - COMPUTATION OF CHARGEABLE INCOME

### Sub-Part I - Gross Income

### 15. Gross income

(1) Subject to this Act, the gross income of a person for a tax year is the total amount of -

- (a) business income;
- (b) employment income;
- (c) property income; and
- (d) any other income not mentioned in paragraphs (a), (b) and (c),

derived by the person during the year, other than income exempt from income tax.

(2) Any capital gain liable for tax under Chapter III, rent from lease of residential property liable for tax under Chapter IV, or fringe benefit liable for tax under Chapter V, is not included in gross income.

(3) For the purposes of subsection (1) -

- (a) the gross income of a resident person includes income derived from all geographical sources; and
- (b) the gross income of a non-resident person includes only Gambian-source income.

(4) Unless this Act provides otherwise, the rules in Sub-Part IV of this Part apply in determining when an amount is derived for the purposes of this Act.

### 16. Business income

Business income is any profit or gain arising from business.

### 17. Employment income

(1) Employment income is any profit or gain, whether of a revenue or capital nature, arising from employment, including -

- (a) any salary, wage, or other remuneration provided to an employee, including leave pay, payment in lieu of leave, overtime payment, bonus, commission, fee, gratuity, or work condition supplement paid for unpleasant or dangerous working condition or any other similar condition;
- (b) the amount of any allowance provided by an employer to an employee, including a cost of living, subsistence, rent, utilities, education, entertainment, or travel allowance, but does not include any allowance solely expended in the performance of the employee's duties of employment;
- (c) the amount of any expenditure incurred by an employee that is paid or reimbursed by the employer, other than expenditure incurred on behalf of the employer in the performance of the employee's duties of employment;
- (d) any amount paid as consideration for a person's agreement to -
  - (i) enter into employment;
  - (ii) any condition of employment or any change to the employee's conditions of employment; or
  - (iii) a restrictive covenant in respect of any past, present, or prospective employment;
- (e) any amount received on termination of employment, whether paid voluntarily or under an agreement, including any compensation for redundancy or loss of employment and golden handshake payment;