

PART VIII - MINIMUM INCOME TAX**79. Minimum income tax**

(1) In addition to the income tax imposed under section 10 (referred to as the "normal income tax"), a person carrying on business is liable for minimum income tax for each tax year.

(2) The amount of minimum income tax payable by a person for a tax year is computed by applying the rate specified in subsection (3) to the person's total turnover for the year.

(3) The rate of minimum income tax is –

(a) in the case of a person with audited accounts, two per cent; or

(b) in any other case, three per cent.

(4) The normal income tax payable by a person for a tax year, determined without taking into account any tax credits allowed under section 101 or 103, shall be credited against the minimum income tax payable by the person for that year.

(5) If the normal income tax paid by a person for a tax year exceeds the minimum income tax payable for that year, no minimum income tax is payable for that year.

(6) Minimum income tax payable under this section shall be treated for all purposes of this Act (other than this section and paragraph (b) of subsection (5) of section 103) as income tax.

PART IX - INCOME TAX PROCEDURE**Sub-Part I - Income Tax Returns****80. Furnishing of income tax returns**

(1) Subject to section 81, an income taxpayer shall furnish an income tax return for each tax year not later than –

(a) in the case of a company permitted to use a special tax year as the company's tax year, within three months after the end of the special tax year; or

(b) in any other case, by 31st March after the end of the tax year.

(2) An income tax return shall –

(a) be in the prescribed form;

(b) state the information required by the form;

(c) be signed by the income taxpayer or the taxpayer's representative; and

(d) be furnished in the prescribed manner.

(3) The Commissioner-General may, by notice in writing, require an income taxpayer or the taxpayer's representative, as the case may be, to furnish an income tax return by the date specified in the notice for a period of less than twelve months, if –

(a) the taxpayer has died;

(b) the taxpayer has become bankrupt or gone into liquidation;

(c) the taxpayer is about to leave The Gambia permanently;

(d) the taxpayer is otherwise about to cease carrying on business in The Gambia; or

(e) the Commissioner-General otherwise considers it appropriate to require the return to be furnished.

81. Income tax return not required

An income taxpayer is not required to furnish an income tax return if the only income derived by the taxpayer is –

(a) employment income from which tax has been withheld under section 89; or

(b) income from which tax has been withheld as a final tax under section 102.

Sub-Part II - Income Tax Assessments**82. Income tax assessment**

If an income taxpayer furnishes an income tax return, other than a revised return under subsection (2) of section 196, for a tax year –

(a) the Commissioner-General is treated as having determined the chargeable income of the taxpayer for the year