



**ESTATE DUTY (AMENDMENT) LAW,
No. 29 OF 1978**

OF

THE NATIONAL STATE ASSEMBLY

[Certified on 14th July, 1978]

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L. D.—O. 18/78

A LAW TO AMEND THE ESTATE DUTY ORDINANCE

BE it enacted by the National State Assembly of the Republic of Sri Lanka as follows:—

1. This Law may be cited as the Estate Duty (Amendment) Law, No. 29 of 1978. Short title.

2. Section 5 of the Estate Duty Ordinance (hereinafter referred to as the “principal enactment”), as amended by Act No. 11 of 1963, is hereby further amended as follows:— Amendment of section 5 of Chapter 241.

(1) in paragraph (vi) of subsection (1) of that section, by the substitution, for the words and figures “is the first day of August, 1963, or any subsequent date”, of the following:—

“is on or after the first day of August, 1963, and not later than the fifteenth day of November, 1977,”; and

(2) by the addition, immediately after paragraph (vi) of subsection (1) of that section, of the following new paragraph:—

“(vii) where the date of his death is the sixteenth day of November, 1977, or any subsequent date, be computed in accordance with the provisions of this Ordinance—

(a) if the value of his total estate does not exceed the value of his Sri Lanka estate, at the rates shown in column II of Part VII of the Schedule, each such rate being applicable to such portion of the value of the estate as is shown in the corresponding entry in column I of that Part, and

(b) if the value of his total estate exceeds the value of his Sri Lanka estate, at a rate equal to the percentage which the amount that would be estate duty on his total estate, if his

2 *Estate Duty (Amendment) Law, No. 29 of 1978*

total estate were entirely his Sri Lanka estate, bears to the value of his total estate.”.

Amendment of section 17A of the principal enactment.

3. Section 17A of the principal enactment (inserted therein by Act No. 15 of 1959) as amended by Law No. 32 of 1974, is hereby further amended as follows :—

(1) by the substitution, in subsection (2) of that section, for the words and figures “ whose death occurs on or after the first day of November, 1973, ”, of the following :—

“ whose death occurs on or after the first day of November, 1973, and not later than the fifteenth day of November, 1977, ”; and

(2) by the addition, at the end of that section, of the following new subsection :—

“ (3) Where any person whose death occurs on or after the sixteenth day of November, 1977, has gifted any property taxable as a gift under the Personal Tax Act, No. 14 of 1959, or under the Inland Revenue Act, No. 4 of 1963, there shall be set off against the amount of the estate duty payable on his Sri Lanka estate upon his death the amount computed at such rates specified in Part VII of the Schedule to this Ordinance in respect of that part of his estate as is equivalent to the aggregate value of such gifted property as though such aggregate value were the value of his Sri Lanka estate. ”.

Amendment of section 21 of the principal enactment.

4. Section 21 of the principal enactment, as amended by Law No. 32 of 1974, is hereby amended as follows :—

(1) by the substitution, in subsection (9) of that section, for the words and figures “ whose death occurs on or after the first day of November, 1973, ”, of the following :—

“ whose death occurs on or after the first day of November, 1973, and not later than the fifteenth day of November, 1977,”; and

(2) by the addition, at the end of that section, of the following new subsection:—

“(10) Where any person whose death occurs on or after the sixteenth day of November, 1977, has gifted any property taxable as a gift under the Personal Tax Act, No. 14 of 1959, or under the Inland Revenue Act, No. 4 of 1963, the value of such property for the purposes of this Ordinance shall be the value of such property for the purpose of the determination of the contribution under the aforesaid Personal Tax Act or for the purpose of the determination of the tax under the aforesaid Inland Revenue Act, as the case may be.”.

5. Section 80 of the principal enactment is hereby amended by the insertion, immediately after the definition of “ executor ”, of the following new definition:—

Amendment of section 80 of the principal enactment.

“ “ gift ” means any gift taxable as such under the Personal Tax Act, No. 14 of 1959, or under the Inland Revenue Act, No. 4 of 1963, but shall not include a gift deemed to arise under the provisions of section 40 (g) of the Inland Revenue Act, No. 4 of 1963;”.

6. The Schedule to the principal enactment is hereby amended by the addition, at the end of that Schedule, of the following new Part:---

Amendment of the Schedule to the principal enactment.

“ PART VII

I

II

Rate per cent

On the first	Rs. 50,000 of the value of the estate	Nil
On the next	Rs. 30,000 of the value of the estate	5
On the next	Rs. 30,000 of the value of the estate	7½
On the next	Rs. 30,000 of the value of the estate	10
On the next	Rs. 40,000 of the value of the estate	13
On the next	Rs. 50,000 of the value of the estate	14
On the next	Rs. 100,000 of the value of the estate	18

4 *Estate Duty (Amendment) Law, No. 29 of 1978*

I	II <i>Rate per cent</i>
On the next Rs. 100,000 of the value of the estate	18
On the next Rs. 100,000 of the value of the estate	24
On the next Rs. 100,000 of the value of the estate	30
On the next Rs. 125,000 of the value of the estate	32
On the next Rs. 125,000 of the value of the estate	36
On the next Rs. 200,000 of the value of the estate	42
On the next Rs. 350,000 of the value of the estate	48
On the next Rs. 500,000 of the value of the estate	55
On the next Rs. 600,000 of the value of the estate	60
On the balance	70 "