

No. 36 of 1964

PROFITS TAX (SPECIAL PROVISIONS)

AN ACT TO VALIDATE CERTAIN ASSESSMENTS OF PROFITS TAX MADE UPON EXECUTORS IN RESPECT OF PROFITS TAX PAYABLE BY DECEASED PERSONS PRIOR TO THE DATE OF THEIR DEATH AND TO VALIDATE PAYMENTS AND RECOVERIES OF SUCH TAX BY OR FROM SUCH EXECUTORS.

[12th November, 1964.]

Short title.           1. This Act may be cited as the Profits Tax (Special Provisions) Act, No. 36 of 1964.

Validation of certain assessments of profits tax made upon executors of deceased persons and of the payments and recoveries of such tax.

2. Where any profits tax under the Profits Tax Act with which a deceased person, if he were alive, would have been chargeable at any time after the date of commencement of that Act and before the twentieth day of December, 1957, had been assessed upon, paid by or recovered from, the executor of such deceased person, such assessment, payment or recovery shall be deemed to have been, and to be, valid as it would have been if the provisions of section 28 of the Income Tax Ordinance had *mutatis mutandis* applied in relation to such assessment, payment or recovery; and accordingly such executor or any heir of the deceased person shall not be entitled to the refund of any sum so paid by, or recovered from, such executor as profits tax or to institute any action in any court of law for the recovery of any sum so paid.

Cap. 245.

Cap. 242.