

DOING BUSINESS IN

# FIJI



**HLB MANN JUDD**  
ADVISORY AND ACCOUNTING

## FOREWORD

This guide has been prepared for the use of clients, partners and staff of HLB member firms. It is designed to give some general information to those contemplating doing business in Fiji and is not intended to be a comprehensive document. You should therefore consult us before taking further action. HLB and member firms cannot be held liable for any action or business decision taken on the basis of information in this guide.

Laws in Fiji that regulate businesses and taxes can be complex. Therefore, we would advise you to consult an HLB member firm in Fiji before taking any specific action.

**Issue date: September 2023**

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## ABOUT HLB

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Up-to-date information and general assistance on matters can be obtained from any of the member firm partners listed in this guide or from the Global office in London.

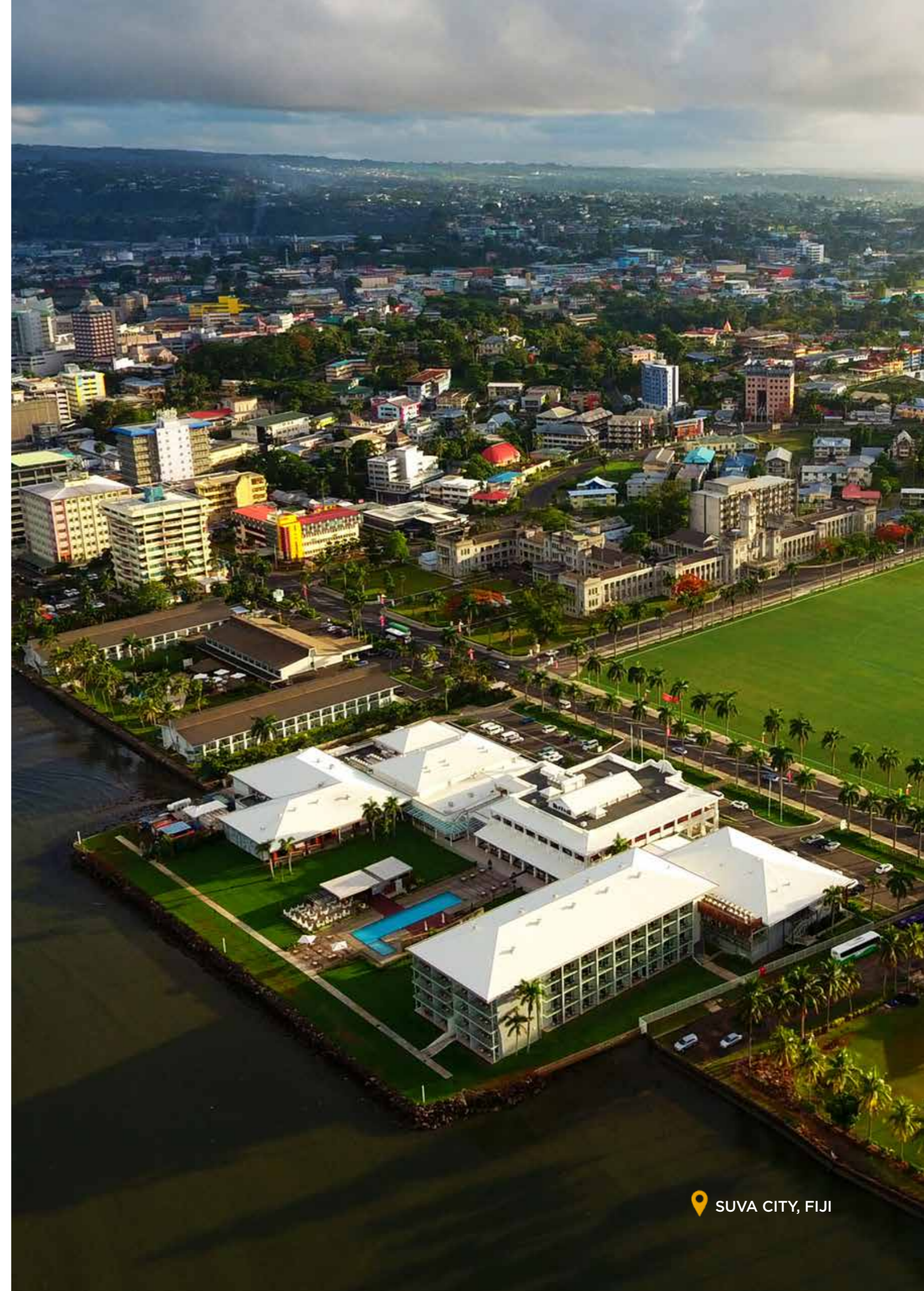
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## GENERAL INFORMATION



### LOCATION & CLIMATE

Fiji is an independent republic situated in the South Pacific approximately 3,100km NE. of Sydney, Australia and 2,100km N. of Auckland, New Zealand.

Fiji consists of 332 islands. The two main islands are Viti Levu and Vanua Levu and these two islands comprise more than 85% of the total land area. The capital of the country is Suva, situated on the South Eastern coast of Viti Levu. The main international airport is at Nadi in the west.

Fiji has a tropical maritime climate. Temperatures average 22 degrees Celsius (72F) the cooler months (May to October). Summer (November to April) temperatures are higher around 30 degrees Celsius. The wet season occurs during summer.



### POPULATION

The current population of Fiji is estimated to be 930,000. The population primarily comprises 57% indigenous Fijians and 37% Indo Fijians. More than 60 percent of the population lives in rural areas.



### LANGUAGE

The official language in Fiji is English. Two other languages; Fijian and Hindustani (Hindi) are also widely spoken within the community.



### BUSINESS, LIVING ENVIRONMENT

The business climate in Fiji is a pleasant mix of tropical island flavour and serious business intent. Fiji offers a lot of opportunity to investors who wish to take advantage of the availability of an educated labour force, well developed infrastructure with modern communications, good international transportation, a wide range of tax concessions, preferential access to overseas markets, a developed banking service and, when you are not working, a very pleasant climate, beautiful beaches and scenic location. Good quality housing, schools and facilities are available and are on a par with most countries.



### ECONOMY

Fiji is one of the most developed economies in the Pacific. Its economy is heavily reliant on tourism with other major industries namely: sugar, bottled water, garment manufacturing and gold mining.

The economy is primarily based on private enterprise, with government ownership of service utilities, the national airline Fiji Airways, Amalgamated Telecom Holdings, Fiji Pine Ltd, Energy Fiji Ltd, Fiji Broadcasting Corporation Ltd and Fiji Sugar Corporation Limited. However, the Government is moving towards deregulation and many Public Enterprises have been targeted for privatization. Fiji's main trading links are with Australia, New Zealand, USA, Asia, Great Britain, Europe, Canada and the regional island nations.



### CURRENCY

Exchange control is regulated by the Reserve Bank of Fiji. The Fijian Dollar (FJD) is fixed to a basket of currencies. The FJD buys 0.47 USD, 0.62 AUD, 0.68NZD, 0.36GBP and 51.76 Yen.

There are a number of Commercial banks in Fiji including Westpac, ANZ, Bred Bank, Bank of South Pacific, HFC Bank and Bank of Baroda. There are other financial institutions offering a range of facilities including; housing loans, personal banking, asset loans and other products.



## GOVERNMENT & CONSTITUTION

Currently, the country is governed by The Parliament of the Republic of Fiji comprising 51 (plus one speaker) elected members. The next general election to be no later than 2026. The Fiji constitution follows, in the main, a democratic system not too dissimilar to Australia and New Zealand.

Fiji has a President who is chosen by the Government with no fixed term. Although not entirely a figurehead, the president's role in government is mostly ceremonial but there are important reserve powers that may be exercised in the event of a crisis. In addition, the president is commander-in-chief of the military forces.



## LEGAL SYSTEM

The court system is based upon the English common law system and is adversarial.

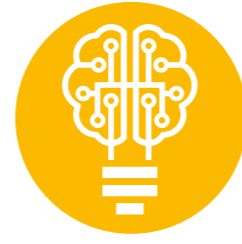
The Judicial Department is made up of the Judiciary, the Magistracy, various Tribunals including the Small Claims Tribunal and Court Support Staff. The Head of the Judiciary is the Honourable Chief Justice.

The Chief Magistrate heads the Magistracy and the Small Claims Tribunal while the Chief Registrar is the Chief Accounting Officer of the Department and heads the Court Support Staff.

The Judicial Department is situated in all major centres throughout Fiji. The Head Office is located in Suva.

Lautoka and Labasa are the two other main High Court Centres.

The Supreme Court and the Court of Appeal are located in Suva. High Courts are located at Suva, Labasa and Lautoka. There are 36 established Magistrates' Courts. The Small Claims Tribunal has been established in the three major centres, Suva, Lautoka and Labasa.



## EDUCATION

Primary and secondary education is provided by both private and government educational establishments which administer the Fiji school certificate system. Fiji provides a relatively high standard of education.

Tertiary education is provided at the regional University of the South Pacific, Fiji National University and the University of Fiji. There are agriculture, medicine, teaching as well as technical institutions, which provide specialised education.



## TRANSPORT & COMMUNICATION

The main commercial areas of Fiji are linked by road, air and sea. The Nadi International Airport is used by most international airlines operating on trans pacific air routes. Fiji is serviced regularly by airlines from Australia, New Zealand, Korea and Canada. The national airline, Fiji Airways, operates scheduled flights between Fiji, New Zealand, Australia, Hong Kong, Canada and West Coast USA, as well as other South Pacific countries.

Fiji has international shipping facilities with companies such as Nedlloyd, Barbican, Kyowa, Blue Star providing shipping services to the country as well as Fiji's own Pacific Forum Line. Suva and Lautoka are the main ports.



## EMPLOYMENT & TRAINING

Fiji has a labour force estimated at 370,000 which is reasonably well educated and skilled.

The average working weekly hours are 45. Both Sick leave and Annual leave is a minimum of 10 days each per annum. There are provisions for maternity leave, which principally allows 49 consecutive days before and 49 days consecutive after birth for the first three births. For 4th and subsequent births, 50% of the normal wages to be given to the worker on the 98 consecutive days of leave.

There are various Acts which cover labour regulations including; the Factory Act, the Employment Act, the Workmen's Compensation Act, the Fiji National Provident Fund Act and others.

Wage rates vary from industry-to-industry. As a guideline the minimum wage rate in Fiji is \$4 per hour.



## SUPERANNUATION & TRAINING LEVY


The Government has set up the Fiji National Provident Fund as a Statutory Authority to provide a compulsory savings scheme for all employees. The current rate of contribution is 14c per dollar. Employees have a maximum of 7% deducted from their remuneration and employers have to contribute at least 7%.

In addition, employers are required to pay a levy of 1% of an employee's gross wage to the Fiji National University, which is calculated and paid bi-annually.



## LAND TENURE

In Fiji approximately 10% of the land is freehold. 84% is Native Lease and held by the Indigenous Fijians with the remaining 6% held by the Government. Leases are for a period up to 99 years. All dealings in Native Leases require the approval of the Native Land Trust Board which administers all matters relative to native leases.

 SRI SIVA SUBRAMANIYA SWAMI HINDU TEMPLE IN NADI, FIJI



## INVESTMENT FACTORS

Investment Fiji (I.F) is Fiji's Investment and Trade Promotion Agency, regulated under the Investment Act 2021 and Investment Fiji Act 2022. They provide policy advocacy and aftercare services to foreign investors enabling them to adjust to the investment environment.

Our firm acts as a mediator between our foreign investors & Investment Fiji to assist in adapting to the business environment in Fiji and obtain necessary approvals, waivers, concessions & permits from relevant Government Departments in Fiji.

Foreign investors can venture into a wide range of business activities in Fiji to suit their business style. Most of the activities in Fiji are classified under open category and can be undertaken by any individual irrespective of their country of citizenship. It is also known as unspecified restricted activity for which there is a minimum investment requirement of FJ\$300,000 in place with the exception of NINE restricted activities. Under the restricted category the investor has to meet certain conditions and depending on type of activity invest between FJ\$500,000 to FJ\$2 million with conditions within the provided timeframe.

Our firm represents clients in choosing the best suitable activity, providing professional guidance on investment level and how to comply with investment requirements.

Subject to client needs, we act on behalf of clients in liaising with relevant Ministries to obtain waiver on minimum investment levels, applying to extension of time to meet conditions and as a result provide foreign investors ease of doing business in Fiji.

Once business has been successfully incorporated in Fiji, it is important to liaise with appropriate Government departments principally Immigration Department for Permits, Reserve Bank for issue of shares & formalisation of funds, Fiji Revenue & Customs Service for tax concessions and Customs for duty concessions.

### WORK PERMITS

All investors and expatriate employees require Work Permits to live and work in Fiji. There are three types of Work Permit;

The **Key Post** Work Permit is principally issued to an investor who will actively operate his project in Fiji. The permit is generally issued for three years and is renewable on application.

The **Time Post** Work Permit is issued to an expatriate who is on a contract for a set period, up to three years. During that time the expatriate must train a local person to take over this position. It is possible to extend a Time Post permit if the position cannot be localised within the initial period.

The **Short Term** Work Permit is granted to a person whose expertise is urgently needed in the country to work in Fiji for a period of upto one year or less.

Work Permit lodgment and issue fees apply and a refundable bond is payable on approval.

### INVESTMENT INCENTIVES

The Government offers taxation and other concessions to investors in certain areas of business. Most incentives are of a tax nature and contained in the 2015 Income Tax Act. The following specific incentives outlined below are additional to the general concessions available to all businesses. Because taxation incentives and concessions vary from project to project the following is a general guide only.

## TOURISM INCENTIVES

**Short Life Investment Package (SLIP)** is designed to assist:

- The construction of new hotels and integrated tourism development
- The company applying for SLIP is carrying out the short life investment project as its first business
- The 'refurbishment and renovation' of existing hotels with capital investment more than FJ\$2 million and where provisional approval is granted on or after 1st August, 2021 and before 31st December, 2023.

Tax Benefits granted for any new hotels (first project) are:

- Exempt from tax for a period of 5 consecutive years with a capital investment up to \$1 million
- Exempt from tax for a period of 7 consecutive years with a capital investment up to \$2 million
- Exempt from tax for a period of 13 consecutive years with a capital investment up to \$40 million
- Exempt from tax for a period of 20 consecutive years with a capital investment over \$40 million

### OTHER HOTEL PROJECTS

Hotel projects under \$250,000 may have reduced concessions available depending on the nature of the project.

### MARITIME VESSELS INVESTMENT ALLOWANCE

A sea vessel constructed, renovated or refurbished in Fiji may apply foreign investment allowance of 55% of the cost of construction, which may be offset against taxable income.

### MEDICAL INVESTMENT INCENTIVES

#### i. Private Hospital

A private hospital means a building or premises where persons suffering from any sickness, injury or infirmity are given medical or surgical treatment, but does not include a hospital or other establishment or institution operated or maintained by the Government or a sick bay or first aid post maintained by a commercial or industrial undertaking for the benefit of its employees and their families.

Changes in the August 2020 budget provides:

- Exempt from tax for a period of 7 years with a capital investment up to \$5 million
- Exempt from tax for a period of 13 years with a capital investment up to \$10 million
- Exempt from tax for a period of 20 years with a capital investment over \$10 million

- 30% Investment Allowance will apply for refurbishments, renovations and extensions with a minimum capital investment of \$500k
- 60% Investment Allowance will apply for refurbishments, renovations and extensions with a minimum capital investment of \$1 million
- Duty Concession on medical, hospital, surgical, dental goods that are used and imported by the business
- Loss carried forward of eight years.
- Projects to be completed within two years of approval.

#### ii. Ancillary Medical Service

The income of any business setting up Ancillary Medical Services such as Pathology Lab, Magnetic Resonance Imaging services (MRI), other diagnostics;

Changes in the August 2020 budget provides:

- Exempt from tax for a period of 7 years with a capital investment up to \$3 million
- Exempt from tax for a period of 13 years with a capital investment up to \$10 million
- Exempt from tax for a period of 20 years with a capital investment over \$10 million
- 30% Investment Allowance will apply for refurbishments, renovations and extensions with a minimum capital investment of \$500,000
- 60% Investment Allowance will apply for refurbishments, renovations and extensions with a minimum capital investment of \$1 million
- Duty Concession on medical, hospital, surgical, dental goods that are used and imported by the business
- Loss carried forward of eight years
- Project to be complete within two years of approval.

### OTHER INCENTIVES AND TAX MEASURES

From 1st August 2023 a number of tax measures were enhanced.

Full details can be provided by our Tax Team.

## TAX FREE REGION INCENTIVES

This incentive is available to a newly incorporated entity engaged in a new business established in the following areas;

- Vanua Levu – included Taveuni, Rabi, Kioa and other islands generally included for governments administrative purpose as being in the Northern Division, Rotuma,, Kadavu, Levuka, Lomaiviti, Lau and Nausori-Lautoka Region (from Nausori Airport side of the Rewa River (excluding township boundary) to the Ba side of the Matawalu River), Naboro (for companies that are engaged in waste management business only) and Tamavua ICT Park (for companies that are engaged in ICT business as defined in the Income Tax (Tax Free Region Incentives) Regulations 2016).

The minimum initial level of investment should be FJD\$250,000.

## INDUSTRIES WITH TAX AND DUTY INCENTIVES

The following are the main industries which are eligible for special concessions.

- Commercial Agriculture Farming & Agro-Processing Business Investment
- Submarine Network Cable Investment
- Residential Housing Development Package
- Re-cycling Business Investment Package
- Government Building Investment Incentive
- Subdivision of Land Investment Package
- Electric Vehicle Charging Station Development Package
- Manufacture of Pharmaceutical Products Incentives
- Retirement Village Incentives.

## INVESTMENT AND DOUBLE TAXATION AGREEMENTS

Double taxation of residents is avoided by allowing credits for foreign tax paid on income derived from countries with which Fiji has tax treaties. Fiji allows unilateral relief from double tax on income from non-treaty countries, provided the income has been subject to tax in that other country. Fiji has entered into various agreements for the avoidance of double tax with the following countries: Japan, Australia, Korea, Malaysia, New Zealand, PNG, UK, UAE, Qatar, India and Singapore.



## EXCHANGE CONTROL

Fiji's banking system is controlled by the Reserve Bank. It regulates the Fijian monetary and banking system, the issue of notes, administers exchange control as well as other services. It also regulates the liquidity of the trading banks.

### EXCHANGE CONTROL

The Reserve Bank controls the receipt and payment of foreign transactions in order to maintain control over the country's liquidity.

The Reserve Bank controls areas such as; transactions in foreign currency, export and import transactions, currency exchange and transfers of property and securities in and out of Fiji.

### FOREIGN INVESTMENT AND RESERVE BANK

The Reserve Bank's role in foreign investment is to ensure that the proposed foreign investment is adequate for the project, the funds are brought into Fiji and that the equity: borrowing ratios are adequate.

### COMMERCIAL BANKS IN FIJI

Commercial banks have certain delegated authority to make overseas payments without recourse to the Reserve Bank. Any payment over the set limits requires Reserve Bank approval.

### RESIDENCY

The Reserve banks rules on residency are:

- **Individuals** are considered residents if they have resided in Fiji for more than 3 years and non residents if they have resided in Fiji less than 3 years.
- **Corporations** are considered resident companies if there is 51% or more resident shareholding. In the case of 50% / 50% the Reserve Bank looks at the effective control of the company.

### DUAL CITIZENSHIP

The Government permits citizens, who migrated and subsequently renounced Fiji citizenship, and foreigners, who meet certain criteria, to take up Fiji citizenship.

### INVESTORS SHAREHOLDINGS

All foreign investors must obtain approval from Investment Fiji prior to commencing business in Fiji. Approval must also be obtained from the Reserve Bank to issue shares to non residents. Approval will be given on certified evidence of capital brought into Fiji by the investor.

## REPATRIATION OF CAPITAL AND PROFITS

Each year companies and branch operations registered in Fiji are allowed to remit overseas to non resident shareholders their share of operating and capital profits within the following limits:

- **Operating profits;** current year plus 4 years retained earnings not previously remitted;
- **Capital profits;** \$15 million per annum.

There are certain requirements to be met including; a tax clearance certificate, audited financial statements, directors' resolution approving payment and proof that the payment is from surplus funds and not from any local borrowing.

## PREFERENTIAL TRADE AGREEMENTS

Investors and businesses in Fiji enjoy access to a number of beneficial trade agreements and arrangements which provide preferential access to many markets around the world which are not generally available.

These trade agreements are regularly under review. Fiji has been an active member of the **World Trade Organisation** since 1996.



## BUSINESS ORGANISATIONS

### FORMS OF BUSINESS ENTERPRISES

In Fiji business is generally conducted through the following types of commercial entities:

- Incorporated companies
- Branches of foreign corporations
- Partnership, joint ventures
- Sole traders
- Trusts

### COMPANY LEGISLATIONS AND ADMINISTRATION

The laws relating to companies in Fiji are prescribed by the *Companies Act 2015* (the Act). The Registrar of Companies administers the requirements of the Act.

Companies may be set up as:

- Private companies
- Public companies which include:
  - Companies Limited by Shares that do not meet the requirement for registration as a Private Company;
  - Companies Limited by Shares that are included in the official list of a Securities Exchange;
  - Companies Limited by Shares and Guarantee;
  - Companies Limited by Guarantee here members agree to meet a nominated liability in the event of the companies being wound up; or
  - Unlimited Liability Companies where the members liability is unlimited.

### COMPANIES CONTROLLED BY NON RESIDENTS

A company controlled by non residents may carry on business in Fiji by either:

- Holding over 50% of the shares in a Fiji registered company, or
- Operating a Fiji branch of a foreign company, or
- Operating a subsidiary of a foreign company, or
- Having an appointed agent in Fiji for the foreign company.
- Company Incorporation

To incorporate a company, you need to obtain a name approval and on approval lodge sets of the company's incorporation with the Registrar of Companies.

#### Company Administration

A Company which has only one member is not required to hold an AGM. Other Companies must hold an AGM.

All companies incorporated in Fiji (whether locally incorporated or branch of a foreign company) must file an R1 form annually plus government filing fee.

Annual report in line with the Act, a company or managed Investment Scheme that has to prepare an annual report or proforma financial statements for a financial year must lodge the annual report with the Registrar of Companies within four months after the end of the financial year.

Lodgment of annual report does not apply to a Small Private company whose consolidated revenue for the financial year of the company and the entities it controls, if any, is less than or equal to \$5 million.

### DIRECTORS AND COMPANY SECRETARY

Every public company in Fiji must have a minimum of three directors, not counting alternate directors, and at least two directors must ordinarily reside in Fiji.

Every private company must have at least one director, and at least one director must ordinarily reside in Fiji.

Every company other than a private company must have at least one company secretary, and at least one of them must ordinarily reside in Fiji.

### SHARE CAPITAL

Shares of a company have no Par Value. Also, a company is not required to specify an Authorised Share Capital in its Articles of Association.

### REGISTERED OFFICE

A company must maintain a Register of Shareholders, Register of Directors and Secretary, a Register of Charges, Register of Debenture holders, Minute books and other statutory records at the company's Registered Office.

### ACCOUNTING RECORDS

The Act requires the company to keep proper books of account for a period of seven years.

### AUDIT REQUIREMENTS

Public companies are required to have an audit each year. Private companies are not required to have an audit but may be required to do so by the Reserve Bank or Investment Fiji.

### LIQUIDATION

A company may be wound up as follows:

- Voluntarily by its members and creditors
- Court order
- Voluntarily under court supervision

When the winding up has been completed a court order dissolving the company is made.

### BRANCHES OF FOREIGN COMPANIES

All foreign companies must obtain Investment Fiji approval prior to carrying on business in Fiji.

A foreign company must within 28 days of establishing a place of business in Fiji, apply to the Registrar of Companies for registration using the prescribed form accompanied with required documents as required by the Registrar.

Each year the foreign company is required to file a copy of the company's balance sheet and accounts in the prescribed form and pay an annual registration fee.

### SOUTH PACIFIC STOCK EXCHANGE (SPSE)

The South Pacific Stock Exchange is an official stock exchange and it lists a handful of Fiji public companies.

The 15% reduced rate of corporate tax available to companies listed on the SPSE will only be available for 7 years.

However, companies that have enjoyed for 7 years or more will now pay the corporate tax at the rate of 20%.

This policy will be effective from tax year 2023.

### PARTNERSHIP, PROPRIETORSHIPS, JOINT VENTURES

Under the Act, firms and persons to be registered:

- Every firm having a place of business in Fiji and carrying on business in Fiji.
- Every individual having a place of business in Fiji and carrying on business in Fiji.
- Every company and foreign company carrying on business in Fiji under a business name which does not consist of its full company name as registered under the Act.

### TRUSTS

A trust may be established by Deed of Settlement or by Will. A trustee's powers may be wide ranging. A trust may be a trading trust. A trust is generally used to ensure that assets are safeguarded to protect the interests of the beneficiaries.

# TAXATION IN FIJI

## GENERAL

Taxation is administered by the Commissioner of Inland Revenue. The fiscal year end for all taxpayers is 31st December. However alternative tax year ends can be applied for under certain circumstances.

Apart from the specific tax concessions the main taxation areas are as follows.

## TAX RATES – INDIVIDUALS

Individuals are liable to personal income tax.

- FRCS determines an individual to be a **resident** if an individual resides in Fiji, is domiciled in Fiji unless the individual has a permanent place of abode outside Fiji or is present in Fiji for a period of over 183 days in any twelve-month period; or is an employee of the government posted abroad.

## PERSONAL INCOME OF RESIDENTS

Annual income earned below \$30,000 will no longer incur income tax. However nonresidents do not receive any tax exemptions.

## SOCIAL RESPONSIBILITY TAX (SRT) AND ENVIRONMENTAL LEVY (ECAL)

As per the 2023-2024 National Budget, Social Responsibility Tax (SRT) structure will be simplified by merging with the PAYE structure, along with a 5% reduction on each band, for those earning above \$270,000, effective from 1st January, 2024.

## SCHEDULE OF PRESENT TAX RATES

A full schedule of individual tax rates for residents and non-residents can be provided on request.

## TAX RATES – COMPANIES

The rate of income tax on the assessable income of a resident company and a branch of a non – resident company carrying on business in Fiji is 25%.

The corporate tax rates for those companies listed in the South Pacific Stock Exchange (SPSE) is 15%.

The above rates will be effective from tax year 2023.

A foreign company that establishes/ relocates its headquarters to Fiji will be subject to a low corporate tax rate of 20%. This will be effective from tax year 2023.

## DIVIDEND WITHHOLDING TAX

All dividend income is currently exempt from taxation. Any scheming around payment or crediting of dividends to avoid or evade taxation will create a taxation offence and punishable by a severe fine or prosecution.

## INTEREST WITHHOLDING TAX

Interest payable to a non – resident is subject to a 10% interest withholding tax. However, there are certain exemptions from this tax, including interest on any promissory note payable to the supplier of goods in respect of goods imported into Fiji.

## RESIDENT INTEREST WITHHOLDING FINAL TAX

A withholding tax of 10% known as resident interest withholding tax shall be paid in respect of any interest which accrues to or in favour of a resident if the debtor of any such interest is a financial institution.

## NON-RESIDENT INTEREST WITHHOLDING TAX

A withholding tax of 10% known as Non- Resident Interest Withholding Tax will apply on any interest accrued in favour of:

- Any non-resident, other than company; or
- The estate of a deceased person who was, at the date of his death, a non-resident; or
- A company not resident in Fiji.

## ROYALTY WITHHOLDING TAX

A withholding tax of 15% known as royalty withholding tax shall be paid in respect of any royalty paid as defined in the Income Tax Act.

## VALUE ADDED TAX (VAT)

All businesses with a turnover of \$100,000 or more are required to register for VAT and lodge return on a yearly basis provided the gross turnover does not exceed \$300,000. However, should gross turnover exceed \$300,000 then VAT is to be accounted for on a monthly basis.

Any person whose annual gross turnover is less than \$100,000 can still apply to register for VAT voluntarily.

VAT is levied on all goods and services at the rate of 15% and is effectively borne by the consumer.

VAT is zero rated for certain items including exports and sale of a business as a going concern.

Certain items are exempt from VAT including financial services.

## SERVICE TURNOVER TAX (STT)

As from 1st August 2020 STT on all prescribed services, previously 6% is now removed.

## ENVIRONMENT AND CLIMATE ADAPTATION LEVY (ECAL)

As per Revised 2021-2022 National Budget, ECAL on prescribed services, personal income, white goods, motor vehicles, superyacht charter and plastics has been removed.

## CAPITAL GAINS TAX (CGT)

Capital Gains Tax was introduced in 2011 and the current tax rate is 10%. CGT covers sale of such assets as but not limited to; land, property (excluding personal home), shares and other assets listed in the legislation.

People who are deemed to be in the suggest to use either trade or business of buying and selling of such properties are charged Income Tax at prescribed tax rates and does not attract CGT.

The CGT exemption on gains made on the disposal of shares if the shares were held by the person before 1 May 2011 will be repealed.

As per 2023-2024 National Budget, the CGT exemption on a gain made on the disposal of the first residential property which is limited to sole ownership or co-ownership with his or her spouse including a spouse living in a de-facto relationship, will be extended to include ownership with siblings, parents, children, grandchildren, and grandparents.

## FRINGE BENEFIT TAX (FBT)

As from 2012 employers are responsible for declaring and paying FBT on a quarterly basis at the rate of 20% on the following employee benefits; housing, motor vehicle, subsidised loans, travel and other personal benefits.

Health Insurance benefits provided to local employees (Fiji Citizens) are exempt from Fringe Benefit Tax.

## PROVISIONAL TAXES (PT)

Contractors Provisional Tax is deducted at a rate 5% and applies on certain professional services, know how payments, payment for the management, supervision or supply of similar services.

Provisional Tax will not be deducted by the payer if the Certificate Of Exemption (COE) is presented. The COE provision is particularly available to taxpayers who are engaged in contracts for service.

## ESTATE AND GIFT DUTIES

There are no estate taxes or gift duty in Fiji.

## OTHER INDIRECT TAXES

Apart from VAT, the other significant indirect taxes are Customs and Excise duties. Customs duties are levied on goods entering Fiji. The rates vary depending on the nature of goods.

## STAMP DUTY

As from 1st August 2020 the Stamp Duty Act is repealed. Stamp duties are now waived.

## HLB IN FIJI HOW TO CONTACT US

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