

Circular to Clients**Social Security Contribution Levy ACT, No.25 of 2022**

The ACT governing the imposition, collection and administration of the Social Security Contribution Levy (SSCL) on the liable turnover to every person to whom this ACT applies.

Effective Date – From 01st October 2022

Rate of SSCL - Rate of 2.5%

Applicable Taxable Persons

- **Imports any article** - Value of that article ascertained for the purpose of VAT. This Levy will be collected by customs at the time of import
- **Carries on the business of manufacture of any article** - Sum receivable whether received or not, in that quarter any article manufactured and sold in Sri Lanka.
- **Carries on the business of providing any service** - Sum receivable whether received or not, value from the supply in Sri Lanka of any financial Services, the value of any service arising from the business of real estate and improvement (on value addition as taken for VAT) and provision of any service other than above.
- **Carries on the business of wholesale or retail sale of any article Including import and sale** - Sum receivable, whether received or not, from the wholesale or retail sale.

Liable Turnover (As a % of the Liable Turnover)

	Description	Liable Turnover
i	Import of any article	100% of the import value
ii	Manufacturer of any article	85% of the turnover
iii	Registered Distributor	(Locally manufactured goods) 25% of the turnover
iv	Wholesale/ Retail sale (Buy and sale/ Import and sale/ Produce and sale)	(Imported/Local) 50% of the Turnover
v	Service provider	a). Supply of Financial Service -100% of the Value Addition attributable to financial service. (Including Islamic Financial Transaction) * b). Real Estate Improvements -100% of Turnover** c). Other Services 100% of Turnover

* Value Addition attributable to financial services, calculated by applying the attributable method specified in the Gazette Notification issued under section 25C of the Value Added Tax Act, No 14 of 2002.

** Turnover= Sale value- Market Value of the Bear Land to date of sale

Exclusions from Relevant Turnover

- Any bad debt incurred (Recovery should be included)
- VAT paid
- Any rebate received under the Export Development Rebate in relation to any international event as approved by the Minister

Registration Threshold

Every Taxable person other than a taxable person who, import article shall be required to be registered.

(i) Persons whose turnover exceeded Rs.120Mn per annum If the aggregated turnover exceeded 120Mn within the 12 months immediately prior to the date of of operation of the SSCL exluding the Turnover from exempted article or services.	Not later than the 15 days of date of operation of the Act. (on or before 15 th October 2022)
(ii) Any other Person Rs. 30Mn for a quarter for any other person	Not later than the 15 days from the date on which Turnover exceeds Rs. 30 Mn per quarter, if the person did not fall under above item (i)

Note: Persons who have Tax payer Identification number (**TIN**), can obtained registraion by furnishing the dully filled Tax type registraion form [(**TPR_005(SSCL)**)] available in the IRD web.

Other Persons (who have no TIN) should first obtain TIN and furnish TPR_005 fir registraion of SSCL.

Penalty

Failiure to apply registraion within the due period – Penalty of sum not exceeding Rs. 25,000/-.

Cancellation of the Registration

For the following reasons, a person can apply for a cancellation of a registration only after completion of 12 months of registration.

- Cessation of the taxable activity.
- Aggregate Turnover of the immediately preceding four quarters does not exceed Rs 120 Mn.

SSCL Return Filling

Every registered person shall furnish Quarterly Returns either in writing or by electronic means for every quarter on or before the 20th day of the month after the end of each relevant quarter.

Period	Return Filling Date
January- March	20 th April
April-June	20 th July
July- September	20 th October
October- December	20 th January

Payment of SSCL

Importer - The Director General of Customs shall collect the levy at the time of importation.

Other registered persons – Shall be paid monthly, on or before the 20th day of the immediately succeeding month.

*Levy paid in excess to be treated as advanced payment made for any quarter succeeding the relevant quarter.

Default of SSCL Payment

Every person who fails to pay the levy is identified as a defaulter.

- **Penalty for Default Payment**

Penalty of 10% and an additional 2% for each additional month of default will be charged as default payments. However such penalty will be capped at 100% of the levy in default.

- **Penalty for the Non Compliance with the Return**

Penalty of a sum not exceeding Rs. 50,000/-

Assessments, Additional Assessments and Appeals

Under following circumstances, the AC may assess the levy.

- Fails to furnish a return for the relevant quarter
- Fails to pay the levy fully or partly for that relevant quarter
- Requests to make any alteration/addition to any return furnished

If you require any further clarifications on the matters discussed therein and how they may affect your business please do not hesitate to Contact us,

Mr. Devinda Mendis (Senior Partner) : +9411 2512514 / +94776108307

Ms. Iroma Rajika (Partner – Tax) : +9411 2512514 / +94713435276

Ms. Tharushi Salgado (Director - Tax) : +9411 2512514 / +94718730600

Ms. Nirmala Deegalla (Director – Tax) : +9411 2512514 / +94711027636

Ms. Pubuduni Shamalka (Manager – Tax) : +9411 2512514 / +94719855752

Ms. Piumi Shashikala (Manager – Tax) : +9411 2512514 / +94779035459

Sgd.

Jayasinghe & Co.

Chartered Accountants

Colombo

30th September 2022

Annexure

Exempt Articles and Services

Part I A-

First Schedule – Articles which will be exempted from this levy at the point of import.

- Any article exported by the manufacturer
- Any article not being a plant, machinery or fixture imported by any person exclusively for the use in, or for, the manufacture of any article for export.
- Any article sold by a taxable person to any exporter (Indirect Exports)
- Any article which is imported,
 - For the display at an exhibition
 - For or the temporary use in SL in any project approved by the Minister
 - For the purposes of repairs to that article to be carried out in Sri Lanka
 - Any other similar purpose, and is to be re-shipped, within a period of one year from the date of importation of such article to Sri Lanka or within a period of ninety days after the completion of such project.
 - producing any cinematographic film or teledrama in Sri Lanka and taking out of Sri Lanka for further processing or printing with the approval of the National Film Corporation.
- Any article imported of such article was prior to its importation taken out of Sri Lanka for repairs
- Any spare part imported by any airline or shipping that such spare part is to be used for the maintenance of any aircraft or ship used in international traffic and owned or chartered by such airline or shipping company.
- Any article sold, to the United Nations Organization or to any specialized agency of such organization or to the diplomatic mission of any foreign Government or to any member of the diplomatic staff of such mission or to any other person approved by the Minister on the recommendation of the Minister of Foreign Affairs as being of the status of a diplomatic mission.
- Any article imported if such article is subject to the Special Commodity Levy charged under the Special Commodity Levy Act, No. 48 of 2007.
- Fertilizer

- Petroleum and petroleum products
- L.P. Gas
- Pharmaceuticals identified under the Harmonized of Commodity Coding System.
- Tea supplied by the Manufacturer being a manufacturer registered with the Sri Lanka Tea Board established by the Sri Lanka Tea Board Law, No. 14 of 1975, to any registered broker for sale at the Colombo Tea Auctions.
- Any article for the use in any project approved by the relevant Minister and by the Minister in charge of the subject of Finance taking into consideration the economic benefit to the country.
- Bitumen classified under HS code No. 2714.
- Raw materials or packing materials imported for the manufacture of pharmaceuticals.
- Plant, machinery or equipment imported on temporary basis for the use of large-scale infrastructure development projects approved by the Minister as being of beneficial for the economic development of Sri Lanka.
- Foreign currency notes imported, being notes classified under HS Codes 4907.00.90.
- Raw materials or packing materials imported for the manufacture of ayurvedic preparations which belong to approval of the relevant authority.
- Pure-bred breeding animals under HS 0102.10 or HS 0104.20.10, milking machines under HS 8434.10, dairy machinery under HS 8434. 20 and spare parts under HS 8434.90, at the point of importation.
- Solar panel modules, accessories or solar home systems for the generation of solar power energy classified under Harmonized Commodity Description and Coding Numbers for custom purposes at the point of importation.
- Coal.
- Any article manufactured by a company identified as a Strategic Development Project (SDP) under the SDP Act No. 14 of 2008 sold to another SDP or to a specialized project approved by the Minister of Finance.
- Any machinery or equipment imported or purchased locally for the purpose of generating electricity by the Ceylon Electricity Board established under the Ceylon Electricity Board Act, No. 17 of 1969 or any institution which has entered into an agreement with the Ceylon Electricity Board to supply electricity.

Part I B

Exempted Articles- Sale of following article by whole sellers and retailers would not attracted by SSCL.

- Pharmaceuticals.
- Any article which is subject to the Special Commodity Levy under the provisions of the Special Commodity Levy Act, No. 48 of 2007, where such article is sold by the importer of such article without any processing except for adaption for sale.
- Any article exported.
- Petrol, diesel or kerosene sold in a filling station.
- L.P. Gas
- fresh milk, green leaf, cinnamon or rubber (latex, crepe or sheet rubber) purchased from any local manufacturer or local producer.

Part II

Exempted Services

- Generation and supply of electricity other than the supply of electricity by Ceylon Electricity Board under the Ceylon Electricity Board Act, No. 17 of 1969.
- Medical services
- Supply of water
- Transportation of goods and passengers
- Services provided to any exporter of any article being services directly related to improving the quality and character of such article.
- Services of sewing garments provided to any exporter of such Garments.
- Services of a freight forwarder and a shipping agent or courier services in so far as such services are in respect of export of any article from Sri Lanka.
- Services provided by a public corporation, in so far as such services are in respect of the exportation of any article from Sri Lanka.
- Services of an auctioneer, broker, insurance agent or commission agent of any local product to the extent of the brokerage receivable by such auctioneer or broker, or commission receivable by such insurance agent or commission agent, as the case may be.

- Services of a travel agent in respect of inbound tours operated or a hotel guest house, restaurant or other similar businesses where the payment for such services is received in foreign currency through a bank and such agent is registered with the Ceylon Tourist Board.
- Client support services provided over the internet, telephone or by an enterprise, exclusively for the provision of such services, to one or more identified clients outside Sri Lanka for payment in foreign currency.
- The business of life insurance
- Distribution, production and supply of any cinematographic films primarily for exhibition in cinemas.
- Exhibiting films in a cinema.
- Any service provided to the United Nations Organization.
- Any service rendered in or outside Sri Lanka to any person or partnership outside Sri Lanka for the utilization out of Sri Lanka for payment in foreign currency, if such foreign currency is remitted to Sri Lanka through a bank.
- Services provided to any specific project carried on, out of foreign funds or donations received by the Government.
- Any service provided by the Central Bank of Sri Lanka established under the Monetary Law Act.
- Any service provided free of charge by any public corporation out of the funds voted by Parliament from the Consolidated Fund or out of any loan arranged through the Government.
- Services provided by any Government Department Ministry or any Local Authority.
- Services provided by foreign consultancies for the large-scale infrastructure development projects being projects which have been approved by the Minister of Finance as beneficial for the economic development of Sri Lanka.
- Services provided in relation to ship building for the international market for payments made in foreign currency.
- Any services provided by the Employee's Trust Fund, Provident Fund, Pension Fund, PensionTrust Fund and Gratuity Fund