



Unofficial translation of the

FIRST AMENDMENT TO THE ENFORCEMENT POLICY

The Enforcement Policy, which was published in the Government Gazette on Thursday the 19th of February 2015 (29 Rabi'al-Akhir 1436), is amended pursuant to the First Amendment to the Enforcement Policy, published in the Government Gazette on Monday the 30th of May 2016 (23 Sha'ban 1437).

DISCLAIMER OF LIABILITY

This is the unofficial translation of the original document in Dhivehi. In the event of conflict between this translation and the Dhivehi version of this document, the latter shall prevail. Therefore, it is advised that both the Dhivehi version of this document and this translation be read concurrently.

FIRST AMENDMENT TO THE ENFORCEMENT POLICY

The “Enforcement Policy”, which was published in the Government Gazette by the Maldives Inland Revenue Authority on 19 February 2015, shall be amended as follows.

1. Amend section 3(a) and 3(b) of the aforementioned Policy as follows:

3. (a) Where a person fails to make payment by a given deadline, a notice (“First Notice”) shall be issued to such person, requiring the payment to be made within 15 (fifteen) days.
- (b) Where payment is not made within the 15 (fifteen) day period stipulated in the First Notice, a notice (“Final Notice”) shall be issued to such person, requiring the payment to be made within 15 (fifteen) days, and that failure to do so shall result in legal action being taken against such persons.

2. Insert the following subsection after section 3(d) of the aforementioned Policy:

3. (e) Notwithstanding subsections (a) and (b), where the person being issued a Notice pursuant to subsection (a) has already been issued a First Notice pertaining to that revenue type within the past 1 (one) year, the person shall be issued a Final Notice instead of the First Notice.

3. Amend section 5 of the aforementioned Policy as follows:

5. (a) The “Notice of Tax Assessment” sent to the taxpayer pursuant to any Tax Law shall be considered as the First Notice referred to in Section 3(a) of this Policy, but the taxpayer shall be granted a period of 30 (thirty) days to pay his outstanding dues in this circumstance.
- (b) Where payment is not made within the period stipulated in the Notice sent pursuant to subsection (a), the Final Notice specified in section 3(b) of this Policy shall be issued to the taxpayer.

4. Amend section 26 of the aforementioned Policy as follows:
 26. Where outstanding dues are recovered by freezing bank accounts, for the purpose of calculating fines or for any other purpose, the date of receipt of payment to MIRA shall be deemed to be the date on the notification issued to the MMA pursuant to section 17(a) of this Policy.

5. Amend section 35 of the aforementioned Policy as follows:
 35. MIRA shall share the information of taxpayers who have not paid the outstanding dues within the time period stipulated in the notice sent pursuant to Section (3)(b) of this Policy and of persons who have been blacklisted in accordance with Chapter Eight of this Policy, in real time, with the enforcing agencies specified in Section 34 of this Policy, through the designated software.

6. Amend section 44(b)(2) of the aforementioned Policy as follows:
 44. (b) (2) That the outstanding amount shall be settled either by cash or a bank guaranteed cheque within 3 (three) working days of the person being notified of the dishonoured cheque, and that where the person does not comply, the person shall be blacklisted in accordance with Section 47 of this Policy and his information shall be shared with enforcing agencies in accordance with Section 35 of this Policy.

7. Insert the following subsection after section 47(b) of the aforementioned Policy, and renumber the subsequent subsections:
 47. (c) Action taken in accordance with Chapter Five of this Policy against a blacklisted person shall cease upon settlement of his outstanding dues.

8. Repeal section 48(d) of the aforementioned Policy.

9. Amend section 65(a) of the aforementioned Policy as follows:
 65. (a) A list containing the names, photos, addresses and TINs of the persons that cannot be traced shall be compiled and maintained in accordance with Section 63 and 64 of this Policy. Where the person who cannot be traced is a company, the list shall include the information of the most recent managing director of the company that was provided by the person to MIRA or Ministry of Economic Development.
10. Change all references to the "Second Notice" in the aforementioned Policy to the "Final Notice".
11. This amendment shall commence upon being published in the Gazette of the Government of Maldives.