

立法會
Legislative Council

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Tel : 3919 3307

Date : 6 June 2016

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 8 June 2016

Inland Revenue (Amendment) Bill 2016

Committee stage amendments

The Secretary for Financial Services and the Treasury has given notice to resume the Second Reading debate on the above Bill at the Council meeting of 8 June 2016. Hon James TO has also given notice to move amendments to the Bill at its Committee stage. Subject to the Bill receiving Second Reading, the President has given permission for Hon James TO to move his amendments.

2. As directed by the President, the proposed amendments are attached for Members' consideration.

(Angel WONG)
for Clerk to the Legislative Council

Encl.

Inland Revenue (Amendment) Bill 2016

Committee Stage

Amendments to be moved by the Honourable James TO Kun-sun

<u>Clause</u>	<u>Amendment Proposed</u>
9	<p>By deleting the clause and substituting—</p> <p>“9. Section 80 amended (penalties for failure to make returns, making incorrect returns, etc.)</p> <p>After section 80(2D)—</p> <p>Add</p> <p>“(2E) A person commits an offence if the person, in making a self-certification that is required to be collected under Schedule 17D by a reporting financial institution—</p> <p>(a) makes a statement that is false in a material particular; and</p> <p>(b) knows, or is reckless as to whether, the statement is false in a material particular.</p> <p>(2F) A person who commits an offence under subsection (2E) is liable on conviction to a fine at level 3.</p> <p>(2G) No prosecution for an offence under subsection (2E) shall be instituted unless an assessor or an inspector has verified the statement in the self-certification referred to in subsection (2E) by obtaining a further statement from the person who makes the statement in the self-certification.</p> <p>(2H) The self-certification that is required to be collected under Schedule 17D by a reporting financial institution is inadmissible as evidence in any proceedings for an offence under subsection (2E) unless the statement referred to in subsection (2E) is the same as the statement made to an assessor or an inspector upon verification under subsection (2G).”.</p>
11	<p>In the proposed Schedule 17D, by deleting “80(2E) &” and substituting “80(2E) & (2H) &”.</p>