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The COVID-19 (Miscellaneous Provisions) Act 2020

18 May 2020

After three days of parliamentary debates the COVID-19 (Miscellaneous Provisions) Bill 2020 (“**COVID-19 Bill**”) was finally voted in the Parliament with amendments on 15 May 2020. After receiving presidential assent the COVID-19 (Miscellaneous Provisions) Act 2020 (“**COVID-19 Act**”) was published in the Government Gazette on 16 May 2020.

Below is a summary of the main changes to the proposed amendments contained in the COVID-19 Bill. For ease of reference, please refer to our [previous alert](#) on COVID-19 Bill.

Income Tax Act

COVID-19 Levy

Timelines for application and payment as enacted in COVID-19 Act

Category of employer	Income year end	Payment to be made in return for YOA	Liability to be lower of
Individuals, resident sociétés	30 June 2020	YOA 2020/2021	<ul style="list-style-type: none">Total amount paid to them under WAS; or15 percent of their chargeable income as prescribed
	30 June 2021	YOA 2021/2022	<ul style="list-style-type: none">Total amount paid them under WAS as reduced by the amount of levy payable in YOA 2020/2021; or15 percent of their chargeable income as prescribed
Companies	During period starting on 1 May and ending 31 December	YOA 2020/2021	<ul style="list-style-type: none">Total amount paid to them under WAS; or15 percent of their chargeable income for levy
		YOA 2021/2022	<ul style="list-style-type: none">Total amount paid to them under WAS as reduced by the amount of levy payable in YOA 2020/2021; or15 percent of their chargeable income for levy
	During period starting on 1 January and ending 30 April	YOA 2021/2022	<ul style="list-style-type: none">Total amount paid to them under WAS; or15 percent of their chargeable income for levy
		YOA 2022/2023	<ul style="list-style-type: none">Total amount paid to them under WAS as reduced by the amount of levy payable in YOA 2021/2022; or15 percent of their chargeable income for levy

Exemption from COVID-19 Levy

The proposed amendment in the COVID-19 Bill to exempt employers not liable to income tax has not been maintained in the COVID-19 Act.

Other amendments

Amendments proposed in COVID-19 Bill

Final amendments as per COVID-19 Act

Worker's Rights Act

Annual Leave entitlement

- Deduction not to exceed 50 percent of the 15 days (or such other number as may be prescribed) for workers performing work during COVID-19 period (excluding 15 May 2020 to 1 June 2020)
 - Deduction of annual leave provision will not be applicable for workers who have performed work as required by employer during COVID-19 period
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Portable Retirement Gratuity Fund ("PRGF")

- No initial amendment with regards to the transitional provision in the COVID-19 Bill
- Transitional provision amended to include the below:
- Where a worker retires or dies on or after 1 January 2020 for whom no contribution under PRGF is made by his employer, any gratuity to the worker or to his legal heirs shall be paid by his employer and the amount of such gratuity shall be calculated in such manner as may be prescribed
 - Where a worker resigns, or the employment of a worker is terminated, on or after 1 January 2020, for whom no contribution under PRGF is made by his employer, any contribution to be made by his employer to the Portable Retirement Gratuity Fund shall be calculated at such rate as may be prescribed
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The above amendments shall be deemed to have come into operation on 1 January 2020

Landlord and Tenant Act

- Initial provision of the COVID-19 Bill covered only premises defined under the Landlord and Tenant Act ("LTA")
 - The final amendments are broader and apply to any agreement or any other enactment
 - New sub-paragraph added to clarify that the amendments to the LTA shall apply to all premises, whether business or residential premises, let under the LTA or under any other enactment
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Contacts

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