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No. 8 of 2016

First Session Eleventh Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to provide for the variation of certain duties and
taxes and to introduce provisions of a fiscal nature
and for related matters

THE FINANCE (No. 2) BILL, 2016

Explanatory Notes

(These notes form no part of the Bill but are intended only to indicate its general purport)

This Bill seeks to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters.

PART I

PRELIMINARY

Clause 1 would provide for the short title.

Clause 2 would provide for the commencement of clause 4 on 5th September, 2016 instead of the otherwise applicable commencement date (date of assent).

PART II

VISITING FORCES

Clause 3 would amend the Visiting Forces Act, Chap. 14:04 in order to give effect to the terms of the Status of Forces Agreement between the Government of Trinidad and Tobago and the Government of the United States of America with respect to visiting forces contractors.

PART III

NATIONAL INSURANCE

Clause 4 would amend the National Insurance Act, Chap. 32:01 and the National Insurance (Contribution) Regulations in order to amend various rates of benefits (employment injury/death benefit, survivor's pension, retirement and invalidity pension, sickness and maternity benefit) and contributions (voluntary contributions) payable to, or by an eligible person from 5th September, 2016.

PART IV

MOTOR VEHICLES AND ROAD TRAFFIC

Clause 5 would amend the Motor Vehicles and Road Traffic Act, Chap. 48:50 to remove the obligation to pay motor vehicles tax

on the importation of vehicle for private and commercial use that are (1) manufactured to use compressed natural gas; (2) new and used electric vehicles (as defined); and (3) new and used hybrid vehicles (as defined).

The effective period for the non-application of motor vehicles tax in respect of these vehicles would be 1st January, 2016 to 31st December, 2020.

This clause would also amend section 14 of the Act to modify and clarify the procedure for amending the Fourth Schedule to the Act, by Order.

PART V INCOME TAX

Clause 6 would provide for the amendment of the Income Tax Act, Chap. 75:01 to waive interest, penalties and other liabilities on taxes and other liabilities that were due and payable up to December, 2015. The clause provided for the amnesty in respect of income tax, withholding tax and business levy during the period 1st July, 2016 to 31st August, 2016.

This clause would also provide for exemptions from tax in relation to income derived from the letting or sale of a multi-family dwelling. These exemptions will apply until December, 2025.

This clause would also amend the Income Tax Act to extend the application of a twenty-five per cent tax credit to both the cost of acquiring and installing a compressed natural gas kit and cylinder in a vehicle.

The amendment in this clause to the Seventh Schedule of the Act would facilitate the implementation of the 130% wear and tear allowance on CNG plant, machinery as provided for in section 11(1)(bc) of the Act.

PART VI CORPORATION TAX

Clause 7 would amend section 3A of the Corporation Tax Act, Chap. 75:02 to apply section 103A of the Income Tax Act with respect to the waiver of interest, penalties and other liabilities (amnesty provision) to business levy, with the necessary modifications.

PART VII

PETROLEUM TAXES

Clause 8 would amend section 16 of the Petroleum Taxes Act, Chap. 75:04 to apply section 103A of the Income Tax Act with respect to the waiver of interest, penalties and other liabilities (amnesty provision) to petroleum tax, with the necessary modifications.

PART VIII

VALUE ADDED TAX

Clause 9 would amend the Value Added Tax Act, Chap.75:06 to include in the list of zero-rated items in Schedule 2 to the Act, new and used (1) electric vehicles, and (2) hybrid vehicles imported for private or commercial use as well as (3) vehicles manufactured to use compressed natural gas (CNG). Electric and hybrid vehicles are defined.

This clause would also repeal and substitute section 54A of the Act to waive interest and penalties that are outstanding and similar liabilities payable in respect of value added tax as at 31st December, 2015. The waiver of liabilities (amnesty) would be provided for the period 1st July, 2016 to 31st August, 2016.

PART IX

CUSTOMS

Clause 10 would insert a new section 45B in the Customs Act, Chap.78:01 to exempt from customs duty new and used (1) electric vehicles, (2) hybrid vehicles and (3) vehicles manufactured to use compressed natural gas.

PART X

COMPANIES

Clause 11 would amend the Companies Act, Chap. 81:01 to waive for the period 1st July, 2016 to 31st August, 2016, (period of the tax amnesty) the penalty provided for in section 516 of the Act for failure to deliver or file documents.

THE FINANCE (No. 2) BILL, 2016

Arrangement of Clauses

Clause

1. Short title
2. Commencement
3. Chap. 14:04 amended
4. Chap. 32:01 amended
5. Chap. 48:50 amended
6. Chap. 75:01 amended
7. Chap. 75:02 amended
8. Chap. 75:04 amended
9. Chap. 75:06 amended
10. Chap. 78:01 amended
11. Chap. 81:01 amended

BILL

AN ACT to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters

ENACTED by the Parliament of Trinidad and Tobago as Enactment follows:

PART I PRELIMINARY

1. This Act may be cited as the Finance (No. 2) Act, Short title 2016.

Commencement

2. Section 4 of this Act comes into force on 5th September, 2016.

PART II

VISITING FORCES

Chap. 14:04
amended

3. The Visiting Forces Act is amended—

(a) in section 2—

(i) by inserting after the definition of “Minister”, the following definition:

“resident of Trinidad and Tobago” means—

(a) a “citizen of Trinidad and Tobago” or a “resident” as defined in section 2 of the Immigration Act; or

Chap. 18:01

(b) a “company” as defined in section 4 of the Companies Act;”;

Chap. 81:01

- (ii) in the definition of “Trinidad and Tobago forces”, by deleting the word “and”;
- (iii) in the definition of “visiting forces”, by deleting the word “;” and substituting the words “; and”;
- (iv) by inserting after the definition of “visiting forces”, the following definition:

“visiting forces contractor” means a person, other than a resident of Trinidad and Tobago, who is contracted by a visiting force and approved by the Minister for the purpose of providing a contracted service to the visiting force.”;

(b) in section 4—

- (i) in the chapeau, by deleting the word “The” and substituting the words “Notwithstanding section 3, the President”;
- (ii) in paragraph (b), by deleting the word “and”;
- (iii) in paragraph (c), by deleting the word “.” and substituting the words “; and”; and
- (iv) by inserting, after paragraph (c), the following paragraph:

“(d) declare that section 24A applies in respect of a visiting forces contractor or an employee of a visiting forces contractor of a designated State.”;

(c) in section 7(3), by inserting before the words “visiting force”, wherever they occur, the words “member of a”;

(d) in section 24(1), by deleting the word “police”; and

(e) by inserting after section 24, the following section:

“Exemptions for
visiting forces
contractors

24A. (1) Subject to subsection (2), and for the purpose of providing a contracted service to a visiting force, a visiting forces contractor—

- (a) may import into Trinidad and Tobago, free of Customs duty and any tax, equipment and such quantities of provisions, supplies and other goods;

(b) is exempt from paying any tax or fee in respect of—

(i) the licensing or registration of a service vehicle of the visiting forces contractor; or

(ii) the use of that service vehicle on any road in Trinidad and Tobago; and

(c) is exempt from paying customs duty or tax on any fuel, oil or lubricants intended for use exclusively in a service vehicle, aircraft or vessel of a visiting force or visiting forces contractor.

(2) Subsection (1) applies in respect of a visiting forces contractor if the President so declares by Order, under section 4(d).”.

PART III

NATIONAL INSURANCE

4. (1) The National Insurance Act is amended—

Chap. 32:01
amended*(a)* in section 2—

(i) in the definition of the term “paid apprentice”, by deleting the words “one hundred and fifty dollars or more per week from 4th March, 2013 to 2nd March, 2014 and one hundred and eighty dollars or more per week from 3rd March, 2014” and substituting the words “one hundred and eighty dollars or more per week from 3rd March, 2014 to 4th September, 2016 and two hundred dollars or more per week from 5th September, 2016”; and

(ii) in the definition of the term “unpaid apprentice”—

(A) in paragraph *(b)*, by deleting the word “or”;

(B) in paragraph *(c)*, by deleting the word “,” and inserting the words “to 4th September, 2016; or”; and

(C) by inserting the following paragraph:

“*(d)* two hundred dollars
per week from
5th September,
2016.”;

(b) in section 29—

(i) in subsection (2)*(a)*—

(A) in subparagraph (ii), by deleting the word “or”;

(B) in subparagraph (iii), by inserting the word “or” after the words “3rd March, 2014”; and

(C) by inserting the following subparagraph:

“(iv) two hundred dollars per week from 5th September 2016;” and

(ii) in subsection (3)—

(A) in paragraph (b), by deleting the word “or”;

(B) in paragraph (c), by deleting the word “,” and substituting the words “; or”; and

(C) by inserting the following paragraph:

“(d) 4th September, 2016 and continues in such employment on and after 5th September, 2016 and earns less than two hundred dollars per week,”;

(c) in section 38(1), by deleting the words “A7 and A8” and substituting the words “A7, A8 and A9”;

(d) in section 41—

(i) in subsection (1), by deleting the words “A7 and A8” and substituting the words “A7, A8 and A9”;

(ii) in subsection (2)—

(A) in paragraph (g), by deleting the word “and”;

(B) in paragraph (*h*), by deleting the word “.” and substituting the words “to 4th September, 2016; and”; and

(C) by inserting the following paragraph:

“(i) in Table A9 are effective from 5th September, 2016.”;

(*e*) in section 54(1)

(i) in paragraph (*c*), by deleting the word “and”;

(ii) in paragraph (*d*), by deleting the word “,” and substituting the words “up to 4th September, 2016; and”; and

(iii) by inserting after paragraph (*d*), the following paragraph:

“(e) Tables A7, B7, C7 and D7 from 5th September, 2016.”;

(*f*) in section 54D—

(i) by deleting subsection (1) and substituting the following subsection:

“(1) An insured person who is eligible to receive or is in receipt of sickness or maternity benefit during the period—

(*a*) 4th March, 2013 to 2nd March, 2014 and continues to receive the

benefit on or after 3rd March, 2014, shall be paid at the rate of benefit in accordance with Table A5 in the Third Schedule; and

(b) 3rd March, 2014 to 4th September, 2016, shall be paid at the rate of benefit in accordance with Table A6 in the Third Schedule.”;

- (ii) in subsection (2), by deleting the words “on or after 3rd March, 2014 and payment is to commence on or after that day” and substituting the words “during the 3rd March, 2014 to 4th September, 2016 and payment is to commence during that period”;
- (iii) in subsection (3), by deleting the words “on or after 3rd March, 2014 and payment is to commence on or after that day” and substituting the words “during the 3rd March, 2014 to 4th September, 2016 and payment is to commence during that period”;
- and
- (iv) in subsection (4), by deleting the words “on or after 3rd March, 2014” and substituting the words “, during the period 3rd March, 2014 to 4th September, 2016 and payment is to commence during that period,”;

(g) by inserting after section 54D, the following section:

“Benefits in accordance with earnings class from 4th July, 2016”

54E. (1) An insured person who is eligible to receive or is in receipt of sickness or maternity benefit during the period 3rd March, 2014 to 4th September, 2016 and continues to receive the benefit on or after 5th September, 2016, shall be paid at the rate of benefit in accordance with Table A6 in the Third schedule.

Table A6
Third
Schedule

(2) An insured person who is eligible to receive a sickness or maternity benefit on or after 5th September, 2016, shall be paid at the rate of benefit in accordance with Table A7 in the Third Schedule.

Table A7
Third
Schedule

(3) Where an insured person qualifies for retirement pension, invalidity pension or survivor’s benefit on or after 5th September, 2016 and payment is to commence on or after that day, the rate of contribution which is to be used to determine the average rate in accordance with section 54(2) of the Act shall, where contributions—

(a) were paid prior to 11th August, 1980, be converted to rates in effect on 5th September, 2016 in accordance with Table C1(D) of the Second Schedule;

Table
C1(D)
Second
Schedule

Table C2(D)
Second
Schedule

(b) were paid on or after 11th August, 1980 to 2nd May, 1999, be converted to rates in effect on 5th September, 2016, in accordance with Table C2(D) of the Second Schedule;

Table C3(D)
Second
Schedule

(c) were paid on or after 3rd May, 1999 to 6th January, 2008, be converted to rates in effect on 5th September, 2016 in accordance with Table C3(D) of the Second Schedule; and

Table C5(D)
Second
Schedule

(d) were paid on or after 7th January, 2008 to 4th September, 2016, be converted to rates in effect on 5th September, 2016 in accordance with Table C5(D) of the Second Schedule.

(4) Where an insured person qualifies for sickness benefit or maternity benefit on or after 5th September, 2016 and payment is to commence on or after that day, the rate of contribution which is to be used to determine the average rate in

accordance with section 54(2) of the Act shall, where contributions were paid prior to 5th September, 2016 be converted in accordance with the rates shown in Table C4(D) of the Second Schedule.

Table C4(D)
Second
Schedule

(5) Persons who qualify for the receipt of retirement pension, invalidity pension or survivor's benefit on or after 5th September, 2016 shall be paid—

(a) such benefit in accordance with Part I of Tables B7 and C7 of the Third Schedule, effective from 5th September, 2016; and

Part I and
II of Tables
B7 and C7
Third
Schedule

(b) the increments to those benefits and the increments shall be calculated at the increased rates in accordance with Part II of the Tables listed in paragraph (a).

(6) Persons who qualify for the receipt of retirement pension, invalidity pension or survivor's benefit prior to 5th September, 2016 and continue to be eligible to receive the benefit on or after 5th September, 2016 shall be paid benefits in accordance with Tables B6 and C6 of the Third Schedule.

Tables B6
and C6
Third
Schedule

(7) Persons who qualify for the receipt of disablement pension or death benefit prior to 5th September, 2016 and continue to be eligible to receive the benefit on or after 5th September, 2016 shall be paid benefits in accordance with Table D6 of the Third Schedule.

Table D6
Third
Schedule

(8) Persons who qualify for injury benefit, disablement grant, medical expenses and constant care and attendance allowance prior to 5th September, 2016 and continue to be eligible to receive such benefits on or after 5th September, 2016 shall be paid benefits in accordance with Table D6 of the Third Schedule and the National Insurance (Employment Injury) Payment of Medical Expenses (Amendment) Order.

Table D6
Third
Schedule

(9) Persons who qualify for the receipt of injury benefit, death benefit or disablement pension on or after 5th September, 2016 shall be paid increased benefits in accordance with Table D7 of the Third Schedule.”;

Table D7
Third
Schedule

(h) in the Second Schedule by inserting the following Tables in the appropriate alphabetical sequence:

“Table A9

Earnings Class and Contributions from 5th September, 2016

(Based on a contribution rated of 13.2%)

Earnings Class	Weekly Earnings	Monthly Earnings	Assumed Average Weekly Earnings	Employee's Weekly Contribution	Employer's Weekly Contribution	Total Weekly Contribution	Class Z Weekly
I	200.00–339.99	867.00–1,472.99	270.00	11.90	23.80	35.70	1.79
II	340.00–449.99	1473.00–1949.99	395.00	17.40	34.80	52.20	2.61
III	450.00–609.99	1950.00–2642.99	530.00	23.30	46.60	69.90	3.50
IV	610.00–759.99	2643.00–3292.99	685.00	30.10	60.20	90.30	4.52
V	760.00–929.99	3293.00–4029.99	845.00	37.20	74.40	111.60	5.58
VI	930.00–1119.99	4030.00–4852.99	1025.00	45.10	90.20	135.30	6.77
VII	1120.00–1299.99	4853.00–5632.99	1,210.00	53.20	106.40	159.60	7.98
VIII	1300.00–1489.99	5633.00–6456.99	1,395.00	61.40	122.80	184.20	9.21
IX	1490.00–1709.99	6457.00–7409.99	1,600.00	70.40	140.80	211.20	10.56
X	1710.00–1909.99	7410.00–8276.99	1,810.00	79.60	159.20	238.80	11.94
XI	1910.00–2139.99	8277.00–9272.99	2,025.00	89.10	178.20	267.30	13.37
XII	2140.00–2379.99	9273.00–10312.99	2,260.00	99.40	198.80	298.20	14.91
XIII	2380.00–2629.99	10313.00–11366.99	2,505.00	110.20	220.40	330.60	16.53
XIV	2630.00–2919.99	11367.00–12552.99	2,775.00	122.10	244.20	366.30	18.32
XV	2920.00–3137.99	12553.00–13699.99	3,029.00	133.30	266.60	399.90	20.00
XVI	3138.00 and over	13,600 and over	3,138.00	138.10	276.20	414.30	20.72

Table C1 (D)

Conversion Rates: Earnings prior to 11th August, 1980

Earnings Class prior to 11th August, 1980	Earnings Class after 5th September, 2016
I	I
II	I
III	I
IV	I
V	I
VI	I
VII	II
VIII	III

Table C2 (D)

Conversion Rates: Earnings from 11th August, 1980 to 2nd May, 1999

Earnings Class from 11th August, 1980 to 2nd May, 1999	Earnings Class after 5th September, 2016
I	I
II	I
III	I
IV	I
V	II
VI	III
VII	IV
VIII	V

Table C3 (D)
Conversion Rates: Earnings from 3rd May, 1999 to
6th January, 2008

Earnings Class from 3rd May, 1999 to 6th January, 2008	Earnings Class on or after 5th September, 2016
I	I
II	II
III	III
IV	IV
V	V
VI	VI
VII	VII
VIII	VIII
IX	IX
X	X
XI	XI
XII	XII

Table C4 (D)
Conversion Rates: Earnings Prior to 5th September, 2016

Earnings Class before 5th September, 2016	(Joint Weekly) Contribution Value on or after 5th September, 2016
I	31.68
II	46.20
III	62.04
IV	79.86
V	98.34
VI	119.46
VII	141.24
VIII	163.02
IX	186.78
X	211.20
XI	236.28

Table C4 (D)—*Continued*

Conversion Rates: Earnings Prior to 5th September, 2016

Earnings Class before 5th September, 2016	(Joint Weekly) Contribution Value on or after 5th September, 2016
XII	263.34
XIII	291.72
XIV	323.40
XV	353.10
XVI	365.64

Table C5 (D)

Conversion Rates: Earnings Prior to 5th September, 2016

Earnings Class from 7th January, 2008 to 4th September, 2016	Earnings class after 5th September, 2016
I	I
II	II
III	III
IV	IV
V	V
VI	VI
VII	VII
VIII	VIII
IX	IX
X	X
XI	XI
XII	XII
XIII	XIII
XIV	XIV
XV	XV
XVI	XVI

”; and

(i) in the Third Schedule by inserting the following Tables in the appropriate alphabetical sequence:

Table A7

Sickness and Maternity Benefit Rates 2016

Earnings Class	Daily Benefit \$	Weekly Benefit \$
I	23.14	162.00
II	33.86	237.00
III	45.43	318.00
IV	58.71	411.00
V	72.43	507.00
VI	87.86	615.00
VII	103.71	726.00
VIII	119.57	837.00
IX	137.14	960.00
X	155.14	1,086.00
XI	173.57	1,215.00
XII	193.71	1,356.00
XIII	214.71	1,503.00
XIV	237.86	1,665.00
XV	259.65	1,817.54
XVI	268.97	1,882.80

Table B7

Part I

Basic Retirement and Invalidation Pension Rates 2016

Earnings Class	New Basic Pension (Weekly) \$	New Basic Pension (Monthly) \$
I	130.78	566.72
II	169.35	733.83
III	200.81	870.18
IV	233.32	1,011.07
V	261.95	1,135.12
VI	307.50	1,332.50
VII	363.00	1,573.00
VIII	418.50	1,813.50
IX	480.00	2,080.00
X	543.00	2,353.00
XI	607.50	2,632.50
XII	678.00	2,938.00

Table B7—*Continued*

Part I

Basic Retirement and Invalidation Pension Rates 2016

Earnings Class	New Basic Pension (Weekly) \$	New Basic Pension (Monthly) \$
XIII	751.50	3,256.50
XIV	832.50	3,607.50
XV	908.77	3,938.00
XVI	941.40	4,079.40

Table B7

Part II

Rates of Increments: Retirement and Invalidation Pensions 2016

Earnings Class	New Increments (Weekly) \$	New Increments (Monthly) \$
I	1.91	8.28
II	2.65	11.48
III	3.36	14.56
IV	4.10	17.77
V	4.82	20.89
VI	5.74	24.87
VII	6.78	29.38
VIII	7.81	33.84
IX	8.96	38.83
X	10.14	43.94
XI	11.34	49.14
XII	12.66	54.86
XIII	14.03	60.80
XIV	15.54	67.34
XV	16.96	73.49
XVI	17.57	76.14

Table C7
Part I
Basic Survivor's Pension Rates 2016

Earnings Class	Weekly Benefit				Monthly Benefit			
	Widow / Widower \$	Child \$	Dependant Parents \$	Dependant Orphan \$	Widow/ Widower \$	Child \$	Dependant Parents \$	Dependant Orphan \$
I	78.47	39.23	39.23	78.47	340.04	170.00	170.00	340.04
II	101.61	50.80	50.80	101.61	440.31	220.13	220.13	440.31
III	120.49	60.24	60.24	120.49	522.12	261.04	261.04	522.12
IV	139.99	70.00	70.00	139.99	606.62	303.33	303.33	606.62
V	157.17	78.59	78.59	157.17	681.07	340.56	340.56	681.07
VI	184.50	92.25	92.25	184.50	799.50	399.75	399.75	799.50
VII	217.80	108.90	108.90	217.80	943.80	471.90	471.90	943.80
VIII	251.10	125.55	125.55	251.10	1,088.10	544.05	544.05	1,088.10
IX	288.00	144.00	144.00	288.00	1,248.00	624.00	624.00	1,248.00
X	325.80	162.90	162.90	325.80	1,411.80	705.90	705.90	1,411.80
XI	364.50	182.25	182.25	364.50	1,579.50	789.75	789.75	1,579.50
XII	406.80	203.40	203.40	406.80	1,762.80	881.40	881.40	1,762.80
XIII	450.90	225.45	225.45	450.90	1,953.90	976.95	976.95	1,953.90
XIV	499.50	249.75	249.75	499.50	2,164.50	1,082.25	1,082.25	2,164.50
XV	545.26	272.63	272.63	545.26	2,362.79	1,181.40	1,181.40	2,362.79
XVI	564.84	282.42	282.42	564.84	2,447.64	1,223.82	1,223.82	2,447.64

Table C7
Part II
Rates of Increment: Basic Survivor's Pension Rates 2016

Earnings Class	Weekly Benefit				Monthly Benefit			
	Widow/ Widower \$	Child \$	Dependant Parents \$	Dependant Orphan \$	Widow/ Widower \$	Child \$	Dependant Parents \$	Dependant Orphan \$
I	1.15	0.57	0.57	1.15	4.98	2.47	2.47	4.98
II	1.59	0.80	0.80	1.59	6.89	3.47	3.47	6.89
III	2.02	1.01	1.01	2.02	8.75	4.38	4.38	8.75
IV	2.46	1.23	1.23	2.46	10.66	5.33	5.33	10.66
V	2.89	1.45	1.45	2.89	12.52	6.28	6.28	12.52
VI	3.44	1.72	1.72	3.44	14.91	7.45	7.45	14.91
VII	4.07	2.03	2.03	4.07	17.64	8.80	8.80	17.64
VIII	4.69	2.34	2.34	4.69	20.32	10.14	10.14	20.32
IX	5.38	2.69	2.69	5.38	23.31	11.66	11.66	23.31
X	6.08	3.04	3.04	6.08	26.35	13.17	13.17	26.35
XI	6.80	3.40	3.40	6.80	29.47	14.73	14.73	29.47
XII	7.59	3.80	3.80	7.59	32.89	16.47	16.47	32.89
XIII	8.42	4.21	4.21	8.42	36.49	18.24	18.24	36.49
XIV	9.32	4.66	4.66	9.32	40.39	20.19	20.19	40.39
XV	10.18	5.09	5.09	10.18	44.11	22.06	22.06	44.11
XVI	10.54	5.27	5.27	10.54	45.67	22.84	22.84	45.67

Table D7
Employment Injury/Death Benefit

Earnings Class	Injury Pension Weekly Payments	Injury Pension Monthly Payments	Death Benefit Weekly and Monthly Benefit					
			Weekly Widow/ Widower	Monthly Widow/ Widower	Weekly Dependent Child	Monthly Dependent Child	Weekly Dependent Parent	Monthly Dependent Parent
I	180.00	780.00	108.00	468.00	54.00	234.00	54.00	234.00
II	263.33	1,141.10	158.00	685.00	79.00	342.00	79.00	342.00
III	353.33	1,531.10	212.00	919.00	106.00	459.00	106.00	459.00
IV	456.67	1,978.90	274.00	1,187.00	137.00	594.00	137.00	594.00
V	563.33	2,441.10	338.00	1,465.00	169.00	732.00	169.00	732.00
VI	683.33	2,961.10	410.00	1,777.00	205.00	888.00	205.00	888.00
VII	806.67	3,495.57	484.00	2,097.00	242.00	1,049.00	242.00	1,049.00
VIII	930.00	4,030.00	558.00	2,418.00	279.00	1,209.00	279.00	1,209.00
IX	1,066.67	4,622.24	640.00	2,773.00	320.00	1,387.00	320.00	1,387.00
X	1,206.67	5,228.90	724.00	3,137.00	362.00	1,569.00	362.00	1,569.00
XI	1,350.00	5,850.00	810.00	3,510.00	405.00	1,755.00	405.00	1,755.00
XII	1,506.67	6,528.90	904.00	3,917.00	452.00	1,959.00	452.00	1,959.00
XIII	1,670.00	7,236.67	1,002.00	4,342.00	501.00	2,171.00	501.00	2,171.00
XIV	1,850.00	8,016.67	1,110.00	4,810.00	555.00	2,405.00	555.00	2,405.00
XV	2,019.49	8,751.12	1,212.00	5,251.00	606.00	2,625.00	606.00	2,625.00
XVI	2,092.00	9,065.33	1,255.00	5,439.00	628.00	2,720.00	628.00	2,720.00

(2) The National Insurance (Contribution) Regulations are amended in regulation 10—

(a) in subregulation (10), by inserting after the words “pay contributions” the words “for the period 3rd March, 2014 to 4th September, 2016,”; and

(b) by inserting the following subregulation:

“ (11) With effect from 5th September, 2016, a person who began paying voluntary contributions prior to 5th September, 2016, or on or after

5th September, 2016 shall pay contributions at the rate for the earnings class into which he falls, in accordance with the Table shown hereunder as follows:

“Table D7
Earning Classes and Contributions for Voluntary Contributions—2016
(Based on 13.2% Contribution Rate)

Earnings Class	Weekly Earnings \$	Monthly Earnings \$	Assumed Average Weekly Earnings \$	Weekly Contribution \$	Monthly Contribution \$	Quarterly Contribution \$
I	200.00 – 339.99	867.00 – 1,472.99	270.00	35.70	154.70	464.10
II	340.00 – 449.99	1,473.00 – 1,949.99	395.00	52.20	226.20	678.60
III	450.00 – 609.99	1,950.00 – 2,642.99	530.00	69.90	302.90	908.70
IV	610.00 – 759.99	2,643.00 – 3,292.99	685.00	90.30	391.30	1,173.90
V	760.00 – 929.99	3,293.00 – 4,029.99	845.00	111.60	483.60	1,450.80
VI	930.00 – 1,119.99	4,030.00 – 4,852.99	1,025.00	135.30	586.30	1,758.90
VII	1,120.00 – 1,299.99	4,853.00 – 5,632.99	1,210.00	159.60	691.60	2,074.80
VIII	1,300.00 – 1,489.99	5,633.00 – 6,456.99	1,395.00	184.20	798.20	2,394.60
IX	1,490.00 – 1,709.99	6,457.00 – 7,409.99	1,600.00	211.20	915.20	2,745.60
X	1,710.00 – 1,909.99	7,410.00 – 8,276.99	1,810.00	238.80	1,034.80	3,104.40
XI	1,910.00 – 2,139.99	8,277.00 – 9,272.99	2,025.00	267.30	1,158.30	3,474.90
XII	2,140.00 – 2,379.99	9,273.00 – 10,312.99	2,260.00	298.20	1,292.20	3,876.60
XIII	2,380.00 – 2,629.99	10,313.00 – 11,396.99	2,505.00	330.60	1,432.60	4,297.80
XIV	2,630.00 – 2,919.99	11,397.00 – 12,652.99	2,775.00	366.30	1,587.30	4,761.90
XV	2,920.00 – 3,137.99	12,653.00 – 13,599.99	3,029.00	399.90	1,732.90	5,198.70
XVI	3,138.00 and over	13,600.00 and over	3,138.00	414.30	1,795.30	5,385.90

PART IV

MOTOR VEHICLES AND ROAD TRAFFIC

5. The Motor Vehicles and Road Traffic Act is Chap. 48:50
amended
amended—

(a) in section 14, by deleting subsections (6) and (7) and substituting the following subsections:

“ (6) An Order made by the President under subsection (5) shall have effect from the date of publication, but—

(a) shall, as soon as may be, but within sixty-one days, from the date of such publication, be laid in each House of Parliament; or

(b) if either House of Parliament, within forty days from the date the Order is laid under paragraph (a), resolves that the Order be annulled, the Order is void as from the date of the resolution, but without prejudice to the validity of anything done under the Order or to the making of the Order.

(7) If an Order is not laid in Parliament within the period of sixty-one days referred to in subsection (6)(a), the Order shall, on the termination of that period, expire and be of no further effect.”

(b) in the Fourth Schedule, by deleting paragraphs 8, 8A and 8B and substituting the following paragraphs:

“No motor vehicles tax on vehicles manufactured to use compressed natural gas 8. (1) Notwithstanding paragraph (1), motor vehicles tax shall not be charged, levied and collected in respect of a—

(a) new motor vehicle, imported for private or commercial use, which is manufactured to use compressed natural gas; or

(b) used motor vehicle, imported for private or commercial use, which is—

(i) manufactured to use compressed natural gas; and

(ii) not older than four years from the year of manufacture.

(2) This paragraph comes into force on 1st January, 2016 and expires on 31st December, 2020.

No motor vehicles tax on electric vehicles 9. (1) Notwithstanding paragraph (1), motor vehicles tax shall not be charged, levied and collected in respect of a—

(a) new electric vehicle which is imported for private or commercial use; or

- (b) used electric vehicle, imported for private or commercial use, which is not older than four years from the year of manufacture.

(2) In this paragraph, an “electric vehicle” means a vehicle, with an engine size not exceeding 179 kilowatts, which is propelled by an electric motor powered by a rechargeable battery pack or other energy storage device.

(3) This paragraph expires on 31st December, 2020.

No motor
vehicles tax on
hybrid vehicles

10. (1) Notwithstanding paragraph (1), motor vehicles tax shall not be charged, levied and collected in respect of a—

- (a) new hybrid vehicle which is imported for private or commercial use; or
- (b) used hybrid vehicle, imported for private or commercial use, which is not older than four years from the year of manufacture.

(2) In this paragraph, a “hybrid vehicle” means a vehicle, with an engine size not exceeding 1999cc, which is capable of being propelled by a combination of an internal combustion engine and an on-board rechargeable energy system or other energy storage device.

(3) This paragraph expires on 31st December, 2020.”.

PART V
INCOME TAX

Chap. 75:01
amended

6. The Income Tax Act is amended—

- (a) in the Table to section 5A, by inserting the item “section 103A (Waiver of Liabilities)” in the appropriate sequential order;
- (b) in section 45C, by deleting the word “2018”, wherever it occurs, and substituting the word “2025”;
- (c) in section 45D(1), by deleting the word “2017” and substituting the word “2025”;
- (d) by inserting after section 45D, the following section:

“Exemptions in relation to multi-family dwellings 45E. (1) Notwithstanding any of the provisions of this Act, there shall be exempt from income tax until the year ending 31st December, 2025—

- (a) subject to subsection (2), premiums and rents derived from the letting of a newly-constructed multi-family dwelling; and
- (b) gains or profits from the initial sale of such newly-constructed multi-family dwelling,

provided the owner of the multi-family dwelling produces a certificate from the Minister with responsibility for housing in support of the claim for exemption.

(2) The certificate referred to in subsection (1) shall certify—

(a) in the case of the sale of the completed multi-family dwelling—

(i) the date of commencement of the construction of the multi-family dwelling;

(ii) the date of the initial sale of the completed multi-family dwelling; and

(iii) that the multi-family dwelling has satisfied the requirements for development planning standards; or

(b) in the case of the letting of the completed multi-family dwelling—

- (i) the date of commencement of the construction of the multi-family dwelling;
- (ii) the date of the letting of the completed multi-family dwelling; and
- (iii) that the multi-family dwelling has satisfied the requirements for development planning standards.

(3) Sections 10, 11 and 12 have effect in relation to the gains or profits referred to in this section as if section 45E had not been enacted.”.

(e) in section 48L by—

- (i) inserting after the words “the cost of”, the words “acquiring and installing”; and
- (ii) inserting after the word “maximum”, the words “tax credit”; and

(f) by repealing section 103A and substituting the following section:

“Waiver of liabilities

103A. (1) Notwithstanding any written law to the contrary, there shall be a waiver of the following liabilities:

- (a) interest on outstanding income tax, further tax, additional tax, withholding tax and business levy due and payable for the years of income up to and including the year 2015, where such taxes or levy are paid during the period 1st July, 2016 to 31st August, 2016;
- (b) outstanding interest charged on any income tax, further tax, additional tax, withholding tax and business levy due and payable for the years of income up to and including the year 2015, where such taxes and levy have been paid prior to 1st July, 2016;

- (c) all penalties due and payable on the outstanding income tax and withholding tax for the years of income up to and including the year ending 31st December, 2015, where such taxes are paid during the period 1st July, 2016 to 31st August, 2016;
- (d) all penalties in respect of income tax and withholding tax due and payable for the years of income up to and including the year ending 31st December, 2015, where such taxes are paid prior to 1st July, 2016, where such penalties have not been paid;
- (e) penalties on outstanding income tax returns for the years of income up to and including the year 2015, where such returns are filed during the period 1st July, 2016 to 31st August, 2016; and

(f) penalties with respect to income tax returns for the years of income up to and including the year 2015 and filed prior to 1st July, 2016, where such penalties have not been paid.

(2) For the avoidance of doubt, the waiver granted in this section shall not—

(a) affect any liability to income tax, further tax, additional tax, withholding tax or business levy due and payable by a person under this Act; or

(b) apply to any interest and penalties paid prior to 1st July, 2016.

(3) Where any income tax returns, income tax, withholding tax or business levy remains outstanding after 31st August, 2016, the interest and penalties, which would have been payable on such returns, taxes and levies shall be revived and become payable as if the waiver in subsection (1) had not been granted.”;

(g) in the Seventh Schedule, under the heading “CLASS B (WEAR AND TEAR RATE) 25%”, by inserting the following items:

“Sensor and Measurement Equipment	25
Diagnostics Equipment	25
Venting Equipment	25
Gas Detector	25
Handheld Gas Detector: Sniffer	25
Machine Shop Equipment:	25
Drill Press, Milling Machine, Lathes, Grinder, Dies (cutting dies used on lathes and milling machines as well as manual dies and taps for thread cutting on smaller diameter pipework for compressed natural gas systems).”.	

PART VI

CORPORATION TAX

Chap. 75.02
amended

7. The Corporation Tax Act is amended in the Table to section 3A, by inserting the item “section 103A (Waiver of Liabilities)” in the appropriate sequential order.

PART VII

PETROLEUM TAXES

Chap. 75.04
amended

8. The Petroleum Taxes Act, Chap. 75:04 is amended in the Table to section 16, by inserting the item “section 103A (Waiver of Liabilities)” in the appropriate sequential order.

PART VIII
VALUE ADDED TAX

9. The Value Added Tax Act is amended in Schedule 2— Chap. 75.06
amended

(a) by repealing section 54A and substituting the following section:

“Waiver of liabilities

54A. (1) Notwithstanding any written law to the contrary, there shall be a waiver of the following liabilities:

- (a) interest and penalties on outstanding taxes due and payable as at 31st December, 2015, where such taxes are paid during the period 1st July, 2016 to 31st August, 2016;
- (b) outstanding interest charged on any taxes due and payable as at 31st December, 2015, where such taxes have been paid prior to 1st July, 2016;
- (c) penalties in respect of taxes due and payable as 31st December, 2015 and paid prior to 1st July, 2016, where such penalties have not been paid;

(d) penalties on outstanding returns for periods up to 31st December, 2015, where such returns are filed during the period 1st July, 2015 and 31st August, 2016; and

(e) penalties with respect to returns for periods up to 31st December, 2015 and filed prior to 1st July, 2016 where such penalties have not been paid.

(2) For the avoidance of doubt, the waiver granted under subsection (1) shall not—

(a) affect any liability to the taxes which are due and payable under this Act; or

(b) apply to any interest and penalties paid prior to 1st July, 2016.

(3) Where any taxes remain outstanding after 31st August, 2016, the interest and penalties which

would have been payable on such outstanding taxes shall be revived and become payable as if the waiver in subsection (1) had not been granted.”;

(b) in item 8, by deleting subitems (2), (3), (4) and (5) and substituting the following subitems:

“ (2) A—

(a) new electric vehicle which is imported for private or commercial use; or

(b) used electric vehicle, imported for private or commercial use, which is not older than four years from the year of manufacture.

(3) In subitem (2), “electric vehicle” means a vehicle, with an engine size not exceeding 179 kilowatts, which is propelled by an electric motor powered by a rechargeable battery pack or other energy storage device.

(4) A—

(a) new hybrid vehicle which is imported for private or commercial use; or

(b) used hybrid vehicle, imported for private or commercial use, which is not older than four years from the year of manufacture.

(5) In subitem (4), a “hybrid vehicle” means a vehicle, with an engine size not exceeding 1999cc, which is capable of being propelled by a combination of an internal combustion engine and an on-board rechargeable energy system or other energy storage device.

(6) Subitems (2), (3), (4) and (5) expire on 31st December, 2020.”; and

(b) by deleting item 43 and substituting the following item:

43. (1) New motor vehicles, imported for private or commercial use, which are manufactured to use Compressed Natural Gas (CNG).

(2) Used motor vehicles, imported for private or commercial use, which are—

(a) manufactured to use Compressed Natural Gas (CNG); and

(b) not older than four years from the year of manufacture.

(3) This item expires on 31st December, 2020.”.

PART IX CUSTOMS

10. The Customs Act is amended—

(a) by inserting after section 45A, the following sections:

“Exemption *re*
electric vehicles 45B. (1) Notwithstanding section 6 and the First Schedule, import duty shall not be imposed in respect of a—

(a) new electric vehicle which is imported for private or commercial use; or

(b) used electric vehicle, imported for private or commercial use, which is not older than four years from the year of manufacture.

(2) In this section, an “electric vehicle” means a vehicle, with an engine size not exceeding 179 kilowatts, which is propelled by an electric motor powered by a rechargeable battery pack or other energy storage device.

(3) This section expires on 31st December, 2020.

Exemption re
hybrid vehicles

45C. (1) Notwithstanding section 6 and the First Schedule, import duty shall not be imposed in respect of a—

(a) new hybrid vehicle which is imported for private or commercial use; or

(b) used hybrid vehicle, imported for private or commercial use, which is not older than four years from the year of manufacture.

(2) In this section, a “hybrid vehicle” means a vehicle, with an engine size not exceeding 1999cc, which is capable of being propelled by

a combination of an internal combustion engine and an on-board rechargeable energy system or other energy storage device.

(3) This section expires on 31st December, 2020.”; and

(b) in the First Schedule, in respect of heading “8708.99.30”—

(i) in the second column, by inserting after the words “Compressed Natural Gas (CNG) Systems”, the words “and component parts, namely, CNG Injector, Air/Fuel Mixer, ECU of CNG Kit, Coalescing Filter, CNG Refuelling Receptacle, High Pressure Piping (Stainless Steel) and CNG Cylinder (Type 4); and

(ii) in the third column, by deleting the words “25%” and substituting the word “Free”.

PART X

COMPANIES

11. The Companies Act is amended in section 516A—

(a) in subsection (1), by deleting the words “1st October, 2014 to 31st March, 2015” and substituting the words “1st July, 2016 to 31st August, 2016”; and

(b) in subsection (3), by deleting the words “31st March, 2015” and substituting the words “31st August, 2016”.

Passed in the House of Representatives this
day of 2016.

Clerk of the House

I confirm the above and certify that this is a
Money Bill.

Speaker

Passed in the Senate this day of ,
2016.

Clerk of the Senate (Ag.)

I confirm the above.

President of the Senate

No. 8 of 2016

FIRST SESSION
ELEVENTH PARLIAMENT

REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters

Received and read the

First time

Second time

Third time
