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THE FINANCE ACT, 2009

Arrangement of Sections

Section

1. Short title
2. Chapter 6:02 amended
3. Chapter 13:02 amended
4. Chapter 17:04 amended
5. Chapter 23:52 amended
6. Chapter 23:54 amended
7. Chapter 25:05 amended
8. Chapter 32:02 amended
9. Chapter 32:03 amended
10. Chapter 35:50 amended
11. Chapter 39:02 amended
12. Chapter 39:03 amended
13. Chapter 48:50 amended
14. Chapter 75:01 amended
15. Chapter 76:01 amended
16. Commencement and validation

Second Session Ninth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 1 of 2009

[L.S.]

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

[Assented to 22nd January, 2009]

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

1. This Act may be cited as the Finance Act, 2009. Short title

Chap. 6:02
amended

2. The Judges Salaries and Pensions Act is amended—

- (a) in section 12, in subsections (1) and (2)(b), by deleting the words “one thousand, six hundred and fifty dollars” wherever they occur and substituting the words “one thousand, nine hundred and fifty dollars”; and
- (b) in section 13 in subsections (1) and (2)(b), by deleting the words “one thousand, six hundred and fifty dollars” wherever they occur and substituting the words “one thousand, nine hundred and fifty dollars”;

Chap. 13:02
amended

3. The Prison Service Act is amended in the Fifth Schedule—

- (a) in rule 5(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”; and
- (b) in rule 6, by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”.

Chap. 17:04
amended

4. The Retiring Allowances (Diplomatic Service) Act is amended—

- (a) in section 8(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”;
- (b) in section 10(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”;

(c) in section 11—

(i) in subsection (3)(a) and (b), by deleting the words “one thousand, six hundred and fifty dollars” wherever they occur and substituting the words “one thousand, nine hundred and fifty dollars”; and

(ii) in subsection (4)(a) and (b), by deleting the words “one thousand, six hundred and fifty dollars” wherever they occur and substituting the words “one thousand, nine hundred and fifty dollars”; and

(d) in section 16(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”.

5. The Pensions Act is amended—

Chap. 23:52
amended

(a) in section 18(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”; and

(b) in section 19(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”.

6. The Widows’ and Orphans’ Pensions Act is amended in section 5, by deleting the words “one thousand, six hundred and fifty dollars” wherever they occur and substituting the words “one thousand, nine hundred and fifty dollars”.

Chap. 23:54
amended

Chap. 25:05
amended

7. The Municipal Corporations (Pensions) Act is amended—

- (a) in section 10, by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”; and
- (b) in section 17(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”.

Chap. 32:02
amended

8. The Senior Citizens’ Grant Act is amended in section 3—

- (a) in subsection (2)(a), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”;
- (b) in subsection (2)(b), by deleting the words “one thousand, five hundred and fifty dollars” and substituting the words “one thousand, eight hundred and fifty dollars”;
- (c) in subsection (3), by deleting the words “thirty thousand dollars” wherever they occur and substituting the words “thirty-three thousand, six hundred dollars”;
- (d) in subsection (4), by deleting the words “exceeding twenty-eight thousand, two hundred dollars but not exceeding thirty thousand dollars” and substituting the words “exceeding thirty-one thousand, eight hundred dollars but not exceeding thirty-three thousand, six hundred dollars”; and
- (e) by deleting subsection (7).

9. The Public Assistance Act is amended in section 11A(3), by deleting the words “one thousand, one hundred dollars” and substituting the words “one thousand, three hundred dollars”. Chap. 32:03 amended

10. The Fire Service Act is amended in the Fifth Schedule in paragraph 3(1), (3), (4), (8) and (9), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”. Chap. 35:50 amended

11. The Teachers’ Pensions Act is amended in section 12(1), by deleting the words “one thousand, six hundred and fifty dollars” wherever they occur and substituting the words “one thousand, nine hundred and fifty dollars”. Chap. 39:02 amended

12. The Assisted Secondary School Teachers’ Pensions Act is amended in section 11(1), by deleting the words “one thousand, six hundred and fifty dollars” and substituting the words “one thousand, nine hundred and fifty dollars”. Chap. 39:03 amended

13. The Motor Vehicles and Road Traffic Act is amended in the Fourth Schedule, by deleting item (1) of Part I of Appendix A and substituting the following: Chap. 48:50 amended

“(1) Private motor cars or rented cars, station wagons or estate wagons:

- | | |
|---|--------------|
| (a) Engine size not exceeding 1599 cc | 5.00 per cc |
| (b) Engine size exceeding 1599 cc but not exceeding 1799cc | 8.00 per cc |
| (c) Engine size exceeding 1799 cc but not exceeding 1999 cc | 15.00 per cc |
| (d) Engine size exceeding 1999 cc but not exceeding 2499 cc | 25.00 per cc |
| (e) Engine size exceeding 2499 cc but not exceeding 2999 cc | 30.00 per cc |

(f) Engine size exceeding 2999 cc but not exceeding 3499 cc 35.00 per cc

(g) Engine size exceeding 3499 cc 50.00 per cc.”.

Chap. 75:01
amended

14. The Income Tax Act is amended in section 28(15), by deleting the words “twenty-five thousand dollars” and substituting the words “thirty thousand dollars”.

Chap. 76:01
First Schedule
amended

15. The Stamp Duty Act is amended in the First Schedule—

(a) under the heading “Conveyance or transfer on sale of any property”—

(i) in paragraph (1), by deleting the words “paragraph (2)” and substituting the words “paragraphs (2) and (3)”, and by inserting after the words “7%” the words “Provided that only half the above rates of duty shall be payable where the amount or value of the consideration for the sale does not exceed one thousand five hundred dollars and the instrument contains a statement to be made by the conveyancer certifying that the transaction thereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value, or the aggregate amount or value, of the consideration exceeds one thousand five hundred dollars.”;

(ii) in paragraph (2), by deleting from the words “for every dollar of the first one hundred thousand

dollars” to the words “exceeds one thousand five hundred dollars.” and substituting the following:

“for every dollar of the first four hundred thousand dollars in excess of eight hundred and fifty thousand dollars.....3%

for every dollar of the next five hundred thousand dollars.....5%

for every dollar thereafter.....7½%”;

and

(iii) by inserting after paragraph (2), the following paragraph:

“(3) Where the property does not include a dwelling-house and the property is for use wholly for residential purposes, and an application has been made to the Board in the form approved by the Board and evidence has been provided to the Board sufficient to satisfy it as to those matters, instead of the rates of duty provided for in paragraph (1), the duty is as follows:

for every dollar of the first two hundred thousand dollars in excess of four hundred and fifty thousand dollars2%

for every dollar of the next two hundred thousand dollars in excess of six hundred and fifty thousand dollars.....5%

for every dollar thereafter in excess of eight hundred and fifty thousand dollars.....7%"; and

- (b) under the heading "Mortgage, Bond, Debenture, Covenant, Bill of Sale or Warrant of Attorney to confess and enter up judgement" in relation to the exemption on mortgage deeds, by deleting the words "\$450,000" and substituting the words "\$850,000".

Commencement and validation

16. (1) Notwithstanding any law to the contrary—

- (a) sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 15 are deemed to have come into effect on 1st October, 2008;
- (b) section 13 is deemed to have come into effect on 23rd September, 2008; and
- (c) section 14 is deemed to have come into effect on 1st January, 2009.

(2) Every act or thing done, prior to the coming into operation of this Act—

- (a) in relation to the payment of any pension or grant; and
- (b) by the Board of Inland Revenue, in relation to the collection of any Stamp Duty,

is validated and declared to have been lawfully done.

Passed in the House of Representatives this 16th day
of January, 2009.

Clerk of the House

Passed in the Senate this 20th day of January,
2009.

Clerk of the Senate