
Third Session Eleventh Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 15 of 2017

[L.S.]

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

[Assented to 19th December, 2017]

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

PART I

PRELIMINARY

1. This Act may be cited as the Finance Act, 2017. Short title

Commencement

2. (1) Sections 3, 4, 6, 7, 8 and 10 come into operation on 1st January, 2018.

(2) Section 9(a) comes into operation on such day as is fixed by the President by Proclamation.

PART II

PRIVATE HOSPITALS

Chap. 29:03
amended

3. The Private Hospitals Act is amended in section 29—

(a) in paragraph (a), by deleting the words “ten thousand” and substituting the words “one hundred thousand”; and

(b) in paragraph (b), by deleting the words “two hundred” and substituting the words “fifteen hundred”.

PART III

MOTOR VEHICLES AND ROAD TRAFFIC

Chap. 48:50
amended

4. The Motor Vehicles and Road Traffic Act is amended in the Fourth Schedule by deleting paragraphs 8, 9 and 10 and substituting the following new paragraphs:

“No motor
vehicles tax
on vehicles
manufac-
tured 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, with an engine size not exceeding 1599 cc, which is manufactured to use compressed natural gas;

(b) used motor vehicle, imported for private or commercial use, with an

engine size not exceeding 1599 cc, which is—

- (i) manufactured to use compressed natural gas; and
 - (ii) not older than four years from the year of manufacture;
- (c) new motor vehicle, imported for commercial use, with an engine size exceeding 1599 cc, which is manufactured to use compressed natural gas; and
- (d) used motor vehicle, imported for commercial use, with an engine size exceeding 1599 cc, which is—
- (i) manufactured to use compressed natural gas; and
 - (ii) not older than four years from the year of manufacture.

(2) Paragraph 8(1)(c) and (d) expire 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, with an engine size not exceeding 159 kilowatts;
- (b) used electric vehicle imported for private or commercial use, with

an engine size not exceeding 159 kilowatts, which is not older than four years from the year of manufacture;

(c) new electric vehicle which is imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts; and

(d) used electric vehicle imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts, which is not older than four years from the year of manufacture.

(2) In this paragraph, an “electric vehicle” means a vehicle which is propelled by an electric motor powered by a rechargeable battery pack or other energy storage device.

(3) Paragraph 9(1)(c) and (d) expire 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, with an engine size not exceeding 1599 cc;

(b) used hybrid vehicle imported for private or commercial use, with an engine size not exceeding 1599 cc, which is not older than four years from the year of manufacture;

- (c) new hybrid vehicle which is imported for commercial use, with an engine size exceeding 1599 cc but not exceeding 1999 cc; and
- (d) used hybrid vehicle imported for commercial use, with an engine size exceeding 1599 cc but not exceeding 1999 cc, which is not older than four years from the year of manufacture.

(2) In this paragraph, a “hybrid vehicle” means a vehicle 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) Paragraph 10(1)(c) and (d) expire on 31st December, 2020.”.

PART IV

TREASURY BILLS

5. The Treasury Bills Act is amended in section 2(1)(a) by deleting the words “two thousand” and substituting the words “five thousand”. Chap. 71:40 amended

PART V

INCOME TAX

6. The Income Tax Act is amended in section 14(5), by deleting paragraph (a). Chap. 75:01 amended

PART VI

CORPORATION TAX

Chap. 75:02
amended

7. The Corporation Tax Act is amended in the First Schedule—

(a) by deleting paragraph 1 and substituting the following paragraph:

" 1. Subject to paragraphs 2, 3 and 4, the rate of corporation tax payable on the profits of a company is thirty per cent per annum."; and

(b) by inserting after paragraph 3, the following paragraph:

Chap. 79:09 " 4. A person licensed to carry on banking business or the business of banking under the Financial Institutions Act, shall be subject to corporation tax at the rate of thirty-five per cent per annum."

PART VII

VALUE ADDED TAX

Chap. 75:06
amended

8. The Value Added Tax Act is amended in the Second Schedule—

(a) 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, with an engine size not exceeding 159 kilowatts;

- (b) used electric vehicle imported for private or commercial use, with an engine size not exceeding 159 kilowatts, which is not older than four years from the year of manufacture;
- (c) new electric vehicle which is imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts; or
- (d) used electric vehicle imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts, which is not older than four years from the year of manufacture.

(3) In subitem (2), "electric vehicle" means a vehicle 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, with an engine size not exceeding 1599 cc;
- (b) used hybrid vehicle, imported for private or commercial use, with an engine size not exceeding 1599 cc, which is not older than four years from the year of manufacture;

- (c) new hybrid vehicle imported for commercial use, with an engine size exceeding 1599 cc but not exceeding 1999 cc; or
- (d) used hybrid vehicle, imported for commercial use, with an engine size exceeding 1599 cc but not exceeding 1999 cc, which is not older than four years from the year of manufacture.

(5) In subitem (4), a “hybrid vehicle” means a vehicle 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)(c) and (d) and (4)(c) and (d) expire on 31st December, 2020.”; and

(b) in item 43, by inserting after subitem (2), the following subitems:

“ (3) New motor vehicles, imported for commercial use, with an engine size exceeding 1599 cc, which are manufactured to use Compressed Natural Gas (CNG).

(4) Used motor vehicles, imported for commercial use, with an engine size exceeding 1599 cc, which are—

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

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

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

PART VIII

MISCELLANEOUS TAXES

9. The Miscellaneous Taxes Act is amended—

Chap. 77:01
amended

(a) by inserting after Part II, the following Part:

“PART IIA

LOTTERY WINNINGS TAX

Definitions 22A. In this Part—

“Board” has the meaning assigned to it under section 2 of the National Lotteries Act;

“national lottery” has the meaning assigned to it under section 2 of the National Lotteries Act;

“Tax Authority” means the Board of Inland Revenue.

Winnings
tax

22B. A tax, to be called “a lottery winnings tax” shall be charged on all prize money paid out in respect of any paper, ticket or token sold or issued in connection with a national lottery that is in excess of one thousand dollars.

Rate of
winnings
tax

22C. The lottery winnings tax under section 22B shall be charged at the rate of ten per cent.

Liability to
pay tax

22D. (1) The Board and its agents shall be responsible for withholding winnings tax before the payment of any prize money.

(2) Where the Board or any of its agents fail to withhold lottery winnings tax as required under subsection (1), the Board or its agent, as the case may be, shall in addition to the lottery winnings tax that was not paid, be liable to pay an additional amount of twenty-five per cent of the value of the lottery winnings tax to the Tax Authority.

(3) Where the Board or any of its agents fail to withhold lottery winnings tax as required under subsection (2), the Board or its agent, as the case may be, shall be liable to pay interest on the entire sum at a rate of fifteen per cent per annum.

Payment of
winnings
taxes

22E. (1) The Board shall in respect of all lottery winnings tax withheld by it or any of its agents in any month, pay the lottery winnings tax to the Tax Authority on, or before the fifteenth day of the following month.

(2) Where the Board fails to pay to the Tax Authority lottery winnings tax in accordance with subsection (1), the Board shall, in addition to the lottery winnings tax that was not paid, be liable to pay an additional amount of twenty-five per cent of the value of the lottery winnings tax to the Tax Authority.

(3) Where the Board fails to pay to the Tax Authority lottery winnings tax as required under subsection (2), the Board shall be liable to pay interest on the entire sum at a rate of fifteen per cent per annum.

(4) Payment of lottery winnings tax under subsection (1), shall be accompanied by a return in such form as may be approved by the Tax Authority and signed by a person authorized by the Board.

President
may remit
or refund
taxes

22F. The President may remit or refund lottery winnings tax to the Board or any penalty associated with the non-payment of lottery winnings tax if the Tax Authority is satisfied that it would be just and equitable to do so.

Tax
Authority
may audit

22G. (1) The Tax Authority may at any time audit the Board to ensure that the correct taxes are paid to the Authority.

(2) The Tax Authority shall, in respect of the collection and recovery of lottery winnings taxes and an audit under subsection (1), have all the powers which the Board of Inland Revenue has in relation to income tax under the Income Tax Act.”; and

(b) by inserting after Part III, the following Part:

“PART IIIA

ENVIRONMENTAL TYRE TAX

Interpretation

27C. In this Part, “Tax Authority” means the Comptroller of Customs and Excise.

Environmental
tyre tax

27D. (1) A tax to be called “an environmental tyre tax” shall be charged on tyres imported into Trinidad and Tobago.

(2) The environmental tyre tax under subsection (1) shall be twenty dollars on every tyre and shall be payable by the importer of the tyre to the Tax Authority.

(3) Environmental tyre tax under subsection (1) shall only apply to tyres with the following tariff heading numbers under the Customs Act:

(a) 4012.20.10;

(b) 4012.20.90; and

(c) 4012.20.00.

Powers of the Comptroller of Customs and Excise 27E. The Comptroller of Customs and Excise may exercise the powers given for the collection, enforcement and management of duty under the Customs Act and any other written law in respect of the environmental tyre tax.

Powers of the President 27F. The power of the President to remit or refund Customs Duty under section 9 of the Customs Act shall apply *mutatis mutandis* to the environmental tyre tax."

PART IX

CUSTOMS

Chap. 78:01
amended

10. The Customs Act is amended by repealing sections 45B and 45C and substituting 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, with an engine size not exceeding 159 kilowatts;

- (b) used electric vehicle, imported for private or commercial use, with an engine size not exceeding 159 kilowatts, which is not older than four years from the year of manufacture;
- (c) new electric vehicle which is imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts; or
- (d) used electric vehicle imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts, which is not older than four years from the year of manufacture.

(2) In this section, an "electric vehicle" means a vehicle which is propelled by an electric motor powered by a rechargeable battery pack or other energy storage device.

(3) Subsection (1)(c) and (d) expire on 31st December, 2020.

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, with an engine size not exceeding 1599 cc;

- (b) used hybrid vehicle, imported for private or commercial use, with an engine size not exceeding 1599 cc, which is not older than four years from the year of manufacture;
- (c) new hybrid vehicle which is imported for commercial use, with an engine size exceeding 1599 cc but not exceeding 1999 cc; or
- (d) used hybrid vehicle, imported for commercial use, with an engine size exceeding 1599 cc but not exceeding 1999 cc, which is not older than four years from the year of manufacture.

(2) In this section, a "hybrid vehicle" means a vehicle 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) Subsection (1)(c) and (d) expire on 31st December, 2020."

PART X

CENTRAL BANK

Chap. 79:02
amended

11. The Central Bank Act is amended in section 46(2), by deleting the word "fifteen" and substituting the word "twenty".

Passed in the House of Representatives this 8th day
of December, 2017.

Clerk of the House

Passed in the Senate this 12th day of December,
2017.

Clerk of the Senate (Ag.)