



TRINIDAD AND TOBAGO

No. 13—1958

[L.S.]

I ASSENT,

SOLOMON HOCHOY

Acting Governor.

24th July, 1958.

AN ORDINANCE to amend the Stamp Duty Ordinance,
Ch. 33. No. 4.

[On Proclamation]

Commence-
ment.

ENACTED by the Governor of Trinidad and Tobago with the
advice and consent of the Legislative Council thereof.

Enactment.

1. (1) This Ordinance may be cited as the Stamp Duty Short title.
(Amendment) Ordinance, 1958, and shall be read as one with
the Stamp Duty Ordinance, hereinafter referred to as the Ch. 33. No. 4.
Principal Ordinance.

(2) This Ordinance shall come into operation on such day
as the Governor may appoint by Proclamation published in
the *Royal Gazette*.

Section 30 of
Principal
Ordinance
amended.

2. Subsection (1) of section 30 of the Principal Ordinance is hereby amended by deleting paragraph (b) thereof and substituting therefor the following:—

“(b) on payment after two months and within six months after its first execution—

- (i) if the unpaid stamp duty does not exceed two dollars and fifty cents, of the unpaid stamp duty and a penalty of two dollars and fifty cents;
- (ii) if the unpaid stamp duty exceeds two dollars and fifty cents but does not exceed fifty dollars, of the unpaid stamp duty and a penalty equal to the amount of the unpaid stamp duty;
- (iii) if the unpaid stamp duty exceeds fifty dollars, of the unpaid stamp duty together with a penalty of fifty dollars and a further penalty of twenty-five cents for every five dollars or part of five dollars of the unpaid stamp duty exceeding fifty dollars;”

Section 51 of
Principal
Ordinance
amended.

3. Subsection (4) of section 51 of the Principal Ordinance is hereby amended by substituting the symbol and figures “\$5.00” for the symbol and figures “\$2.40”.

Section 55 of
Principal
Ordinance
amended.

4. Section 55 of the Principal Ordinance is hereby amended by substituting the symbol and figures “\$5.00” for the symbol and figures “\$2.40”.

Section 58 of
Principal
Ordinance
amended.

5. Subsection (2) of section 58 of the Principal Ordinance is hereby amended by substituting the words “twenty-five cents” for the words “twelve cents”.

Section 60 of
Principal
Ordinance
amended.

6. Subsection (3) of section 60 of the Principal Ordinance is hereby amended by substituting the symbol and figures “\$15.00” for the symbol and figures “\$8.40”.

Section 61 of
Principal
Ordinance
amended.

6A. Section 61 of the Principal Ordinance is hereby amended by substituting the words “fifty cents” for the words “twenty-four cents”.

Section 64 of
Principal
Ordinance
amended.

7. Subsection (3) of section 64 of the Principal Ordinance is hereby amended by substituting the symbol and figures “\$2.50” for the symbol and figures “\$1.20”.

8. Subsection (1) of section 74 of the Principal Ordinance is hereby amended by substituting the symbol and figures "\$5.00" for the symbol and figures "\$9.60" wherever the latter symbol and figures occur. Section 74 of Principal Ordinance amended.

9. Paragraph (c) of section 75 of the Principal Ordinance is hereby amended by substituting the symbol and figures "\$5.00" for the symbol and figures "\$9.60" wherever the latter symbol and figures occur. Section 75 of Principal Ordinance amended.

10. Section 78 of the Principal Ordinance is hereby amended by substituting the symbol and figures "\$5.00" for the symbol and figures "\$2.40" wherever the latter symbol and figures occur. Section 78 of Principal Ordinance amended.

11. The Schedule to the Principal Ordinance is hereby repealed and replaced by the following: — Schedule to Principal Ordinance repealed and replaced.

"SCHEDULE

	<i>Duty</i>
ADMISSION of any person as a Solicitor in the Supreme Court	\$120.00
<i>and see section 33</i>	

AGREEMENT, or any Memorandum of an Agreement under hand only, and not otherwise specifically charged with any duty whether the same be only evidence of a contract, or obligatory upon the parties from its being a written instrument, not made by a public officer officially ... ..	.25
<i>and see sections 34 and 35</i>	

EXEMPTIONS

1. Agreement or Memorandum the subject matter whereof is less than the value of \$25.
2. Agreement or Memorandum for the hire of any labourer, artificer, or menial servant.
3. Agreement, Letter, or Memorandum made for or relating to the sale of any goods, wares, or merchandise.
4. Agreement or Memorandum made between the master and mariners of any ship or vessel for wages on any voyage coast-wise.
5. Agreement under the Agricultural Contracts Ordinance.
6. Advance Note under the Farmers Advances Ordinance.
7. Agreement as to travelling expenses of workmen under the Labour Bureau Ordinance.

APPOINTMENT of a new Trustee, and appointment in execution of a power of any property, or of any use, share, or interest in any property, by any instrument not being a Will	5.00
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EXEMPTION

Duty

APPOINTMENTS under the Post Office Savings Bank Ordinance.

ARTICLES OF CLERKSHIP, whereby any person first becomes bound to serve as a clerk in order to his admission as a Solicitor in the Supreme Court \$385.00

ARTICLES OF CLERKSHIP, whereby any person having been before bound to serve as a clerk in order to his admission in the Supreme Court and not having completed his service so as to be entitled to such admission, becomes bound afresh for the same purpose ... 2.50

BILL OF EXCHANGE, Cheque, or Order, payable on demand or at sight, or on presentation, or within three days after date or sight.05

EXEMPTIONS

Cheques issued by the Accountant General or a Sub-Accountant.

Cheques issued by any person under the authority of the Admiralty, the War Office, or the Air Ministry for any pay or allowance of Her Majesty's Naval, Military or Air Forces (including Auxiliary and Reserve Forces) or for any other expenditure connected therewith.

Cheques issued by the Planning and Housing Commission of Trinidad and Tobago established under the provisions of the Slum Clearance and Housing Ordinance.

Cheques issued by the Postmaster General under the Post Office Ordinance.

Cheques issued by the Postmaster General under the Post Office Savings Bank Ordinance.

Cheques issued by the General Manager of the Port Services Department.

Cheques issued by the General Manager of the Railway.

Cheques issued by the Director of the Colonial Microbiological Research Institute, Trinidad.

BILL OF EXCHANGE of any other kind whatsoever (except a Bank Note) and Promissory Note of any kind whatsoever (except a Bank Note) drawn or expressed to be payable or actually paid or indorsed, or in any manner negotiated in the Colony:

Where the amount or value of the money for which the Bill or Note is drawn or made does not exceed \$50	...	.05
Exceeds \$ 50 but does not exceed \$100	... ..	.10
Do. 100 do. 250	... ..	.25
Do. 250 do. 500	... ..	.50
Do. 500 for every \$500, and also for every fractional part of \$500, of such amount or value	... ..	.50

and see sections 37 to 43

EXEMPTIONS

Duty

1. Letter of credit granted in the Colony authorising drafts to be drawn out of the Colony payable in the Colony.	
2. Coupon or warrant for interest attached to and issued with any security.	
3. Order for the transmission of money through the Post Office.	
4. Draft or Order or Receipt given by or to a Registered Friendly Society or branch in respect of money payable by virtue of its rules or of the Friendly Societies Ordinance.	
BILL OF HEALTH in the case of vessels under 60 tons net register	\$.50
BILL OF HEALTH in the case of vessels over 60 tons net register	2.50
<i>and see section 44</i>	
BILL OF LADING of or for goods, merchandise, or effects to be exported ... ..	.25
<i>and see section 45</i>	
BOND, Covenant, or Instrument of any kind whatsoever, whether by way of principal or collateral security for the payment of money, where the total value of the amount secured either payable in one sum or in instalments does not exceed \$500 ...	.50
Where it exceeds \$500, for every additional \$250 or part of \$250 ... ..	.35
Where the payment is to continue for a term of life or any other indefinite period, for every \$50 and for every fractional part of \$50 of the annuity or sum annually payable ... ..	.25
BOND for obtaining Letters of Administration	2.50
BOND with a penalty for the performance of any obligation other than specifically herein provided for	} The same <i>ad valorem</i> duty as a bond for the amount of the penalty.
BOND of any kind whatsoever not specifically charged with any duty ... ..		5.00

EXEMPTIONS

Bond by public officer in respect of the execution of his duty.

Bond given to or on account of a registered Friendly Society, or by the Treasurer or other officer thereof.

Bond given for the payment of estate or succession duty.

Duty

CONVEYANCE or transfer of any stock or funded debt or shares of any company or corporation:

(a) On sale—

Where the amount or value of the consideration for the sale does not exceed \$25 ... ..	\$	.10
Exceeds \$ 25 and does not exceed \$ 50 ... ..		.25
Do. 50 do. 125 ... ..		.75
Do. 125 do. 250		1.00
Do. 250 do. 500		2.50
For every additional \$500 or part thereof		2.50

(b) By way of security: the same rates of duty as on a mortgage.

(c) By way of gift: the same rate of duty as on a conveyance or transfer on sale.

(d) To a residuary legatee when the stock, funded debt or shares from part of the residue divisible under a will, or to a beneficiary under a will of a specific legacy, or being the property of a person dying intestate, to the party or parties entitled50

(e) In any other case not hereinbefore described 2.50

CONVEYANCE or transfer on sale of any property:

Where the amount or value of the consideration for the sale does not exceed \$50	1.00
Exceeds \$ 50 and does not exceed \$ 100	2.00
Do. 100 do. 250	5.00
Do. 250 do. 500	10.00
Do. 500 do. 750	15.00
Do. 750 do. 1,000	20.00
Do. 1,000 do. 1,250	25.00
Do. 1,250 do. 1,500	30.00
Do. \$1,500 for every \$250, and also for any fractional part of \$250, of such amount or value	5.00

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.

and see sections 49 to 55

EXEMPTION

Duty

CROWN GRANT OF LAND

CONVEYANCE or transfer operating as a }
 voluntary disposition *inter vivos*. } The same duty
 as a conveyance
 on a sale, the
 value of the pro-
 perty conveyed
 or transferred be-
 ing taken as the
 amount of the
 consideration.

CONVEYANCE or transfer of any kind not hereinbefore }
 described. } \$5.00
and see section 55

COVENANT:—Any separate deed of covenant (not being an instrument chargeable with *ad valorem* duty as a conveyance on sale or mortgage) made on the sale or mortgage of any property, and relating solely to the conveyance or enjoyment of, or the title to, the property sold or mortgaged, or the production of the muniments of title relating thereto, or to all or any of the matters aforesaid:

Where the *ad valorem* duty in }
 respect of the consideration or } the amount of
 mortgage money does not exceed } such *ad valorem*
 two dollars and fifty cents } duty.

In any other case 5.00

DEEDS of any kind whatsoever not otherwise mentioned in }
 this Schedule } 5.00

DUPLICATE or counterpart of any instru- }
 ment chargeable with any duty } as the original
 instrument.

and see section 56

EXCHANGE, PARTITION, OR DIVISION:—

Instrument effecting, if not otherwise charged by this }
 Ordinance } 5.00

and see section 57

LEASE—(1) For any definite term or for any indefinite term—
 Of any lands or hereditaments.

Where the consideration, or any part of the considera-
 tion, moving either to the lessor or any other person,
 consists of money, stock, or security, not being by way
 of rent.

In respect of such consideration }
 } The same duty
 as a conveyance
 on a sale for the
 same considera-
 tion.

Where the consideration, or any part of the consideration, is any rent.

In respect of such consideration :

If the rent, whether reserved as a yearly rent or otherwise, is at a rate or average rate:

	If the term does not exceed 35 years, or is indefinite	If the term exceeds 35 years but does not exceed 100 years	If the term exceeds 100 years
Not exceeding \$25 per annum ...	\$ c. 50	\$ c. 3 00	\$ c. 6 00
Exceeding \$25 and not exceeding \$50	1 00	6 00	12 00
Do. \$50 do. \$75	1 50	9 00	18 00
Do. \$75 do. \$100	2 00	12 00	24 00
Do. \$100 do. \$125	2 50	15 00	30 00
Do. \$125 do. \$250	5 00	30 00	60 00
Do. \$250 do. \$350	7 00	40 00	80 00
Do. \$350 do. \$500	10 00	60 00	120 00
Exceeding \$500, for every full sum of \$250 and also for any fractional part of \$250 thereof	5 00	30 00	60 00

Duty

(2) Of any other kind whatsoever not hereinbefore described \$10.00

EXEMPTIONS

Leases for any definite term less than a year:

1. Of any dwelling-house or tenement or part of a dwelling-house or tenement at a rent not exceeding the rate of \$50 per annum.
2. Of any furnished dwelling-house or apartments.

and see section 58 to 61

LETTER OR POWER of Attorney, Mandate, or other instrument in the nature thereof—

- | | |
|---|------|
| (1) For the sole purpose of authorising the payment of money at the Treasury by the Accountant General ... | .50 |
| (2) For the sole purpose of authorising the payment or receipt of money other than by the Accountant General | 1.00 |
| (3) For the sole purpose of appointing or authorising a proxy to vote at any one meeting at which votes may be given by proxy, whether the number of persons named in such instrument be one or more | .05 |
| (4) In any other case | 5.00 |

Duty

EXEMPTIONS

1. Letter of Attorney authorising the receipt of money deposited in the Post Office Savings Bank.
2. Letter of Attorney authorising the receipt of any sum of money not exceeding ten dollars.
3. Letter or Power of Attorney granted by any person as Trustee for the transfer of any money of a Registered Friendly Society or branch invested in his name in Public Funds.
4. Letter signed by a master, importer, exporter or ship's agent authorising some other person to sign any form required by the Customs laws and make declarations before the Comptroller of Customs and Excise on his behalf.
5. Order, request, or direction under hand only from the proprietor of any stock or owner of any shares to any company or to any officer of a company to pay the dividends or interest arising from the stock or shares to any person therein named.

and see section 72.

MORTGAGE, Bond, Debenture, Covenant, Bill of Sale, or Warrant of Attorney to confess and enter up judgment:

(1) Being the only or principal or primary security for the payment or repayment of money not exceeding \$125 ...	\$.25
Exceeding \$ 125 and not exceeding \$ 250 ...	.50
Do. 250 do. 500 ...	1.00
Do. 500 do. 750 ...	1.50
Do. 750 do. 1,000 ...	2.00
Do. 1,000 do. 1,250 ...	2.50
Do. 1,250 do. 1,500 ...	3.00
Do. \$1,500, for every \$250, and also for every fractional part of \$250, of such amount ...	.50

- (2) Being a collateral, or auxiliary, or additional, or substituted security, or by way of further assurance for the above-mentioned purpose where the principal or primary security is duly stamped:

For every \$500, and also for any fractional part of \$500, of the amount secured25
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Provided that the whole amount of duty payable under or by reference to this paragraph shall not exceed \$5.00

	<i>Duty</i>
(3) Transfer or assignment of a mortgage, bond, debenture, or covenant, or of any money or stock secured by such instrument, or by any Warrant of Attorney to enter up judgment, or by any judgment:	
For every \$500, and also for any fractional part of \$500, of the amount transferred or assigned ...	\$.25
And also where any further money is added to the money already secured	} The same duty as a principal security for such further money.
(4) Re-conveyance, Release, Discharge, Surrender, Warrant to vacate, or Renunciation of any such security as aforesaid, or of the benefit thereof, or of the money thereby secured:	
For every \$500, and also for any fractional part of \$500, of the total amount or value of the money at any time secured ... ..	.25
<i>and see sections 62 to 64</i>	

EXEMPTION

Debenture or Certificate for Drawback of Customs Duty	
NOTARIAL ACT of any kind, not being a protest ... ..	.50
<i>and see section 65</i>	
NOTICE of exportation under a general bond for drawback of Customs duty by virtue of or in relation to any such notice:	
For every \$5 or part thereof ... ..	.10
PARTITION, DIVISION, OR EXCHANGE	
<i>See Exchange.</i>	
PERMIT for the removal of Gunpowder ... ..	.05
POLICY OF INSURANCE—	
Upon any life or lives, or upon any event or contingency relating to or depending upon any life or lives:	
Where the sum insured does not exceed \$50 ... ..	.05
Exceeds \$50 but does not exceed \$125 ... ..	.15
Exceeds \$125 but does not exceed \$2,500	
For every full sum of \$250, and also for any fractional part of \$250, of the amount insured ... ..	.25
Exceeds \$2,500 but does not exceed \$5,000	
For every full sum of \$500, and also for any fractional part of \$500, of the amount insured ... ..	.50

Exceeds \$5,000:	<i>Duty</i>
For every full sum of \$5,000, and also for any fractional part of \$5,000 of the amount insured	\$5.00
Against loss or damage by fire ... ..	.25
<i>and see section 66</i>	

POLICY OF SEA INSURANCE—

For or upon any voyage:

In respect of every full sum of \$500, and in respect of any fractional part of \$50005
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For time—

In respect of every full sum of \$500, and in respect of any fractional part of \$500.	
Where the insurance is made for any time not exceeding six months ... ..	.05
Where the insurance is made for any time exceeding six months and not exceeding 12 months ... ..	.25

But if the separate and distinct interest of two or more persons are insured by one policy for a voyage or for a time, then the duty of fifteen cents or the duty of fifteen cents or twenty-five cents as the case may require shall be charged thereon in respect of every full sum of \$500 and every fractional part of \$500 thereby insured upon any separate or distinct interest.

EXEMPTIONS

1. Policy of Insurance against accidents and Policy of Insurance for any payment agreed to be made during the sickness of any person or his incapacity from personal injury.
2. Policy of Insurance or appointment or revocation of appointment of agent, or other document required or authorised by the Friendly Societies Ordinance or by rules of a registered Friendly Society or branch.

and see sections 67 to 71

PROTEST of any Bill of Exchange or Promissory Note:

Where the duty on the Bill or Note does not exceed 25 cents	}	The same duty as the Bill or Note.
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In any other case50
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RECEIPT given for, or upon the payment of, money amounting to \$5.00 or upwards05
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EXEMPTIONS

1. Receipt given for money deposited in any bank or with any banker, to be accounted for and expressed to be received of the person to whom the same is to be accounted for.

Duty

2. Acknowledgment by any banker of the receipt of any Bill of Exchange or Promissory Note for the purpose of being presented for acceptance or repayment.
3. Receipt for any money deposited in or withdrawn from the Post Office Savings Bank.
4. Receipt given for or upon the payment of any Taxes, Duties, Dues, or other moneys to or for the use of Her Majesty or of the Port-of-Spain City Council or of any Municipal Corporation or of any other Local Authority.
5. Receipt given for the Return of any Duties of Customs upon certificates of over-payment of Duty.
6. Receipt given by an officer of any public department in the Colony for money paid where he derives no benefit therefrom.
7. Receipt for money paid into any Court of Justice under the provisions of any law.
8. Receipt for any money paid into or withdrawn from the Crown Lands Department or Post Office.
9. Receipt given by any Bank on any lodgment by the Accountant General to the credit of a Local Road Board or to any Government department.
10. Receipts given by or to a registered Friendly Society by virtue of its rules.
11. Receipt given for or on account of any salary, pay or wages, or for or on account of any other like payment made to or for the account or benefit of any person being the holder of an office or an employee, in respect of his office or employment, or for or on account of money paid in respect of any pension, superannuation allowance, compassionate allowance, or other like allowance.

and see sections 74 and 75

RE-GRANT of forfeited lands under the Lands and Buildings Taxes Ordinance, or of lands escheated to the Crown, or of any beneficial interest in lands re-conveyed by the Crown:

If made for valuable consideration, the amount or value whereof exceeds \$500	}	The same duty as a conveyance on a sale for the same consideration.
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And in all other cases \$2.50

SHARE WARRANT or stock certificate of any public company:

For \$50 or any part of \$5010

and see sections 79 and 80

Duty

SETTLEMENT—Any instrument, whether voluntary or upon any good or valuable consideration, other than a bona fide pecuniary consideration, whereby any definite and certain principal sum of money (whether charged or chargeable on lands or other hereditaments or not, or to be laid out in the purchase of lands or other hereditaments or not), or any definite and certain amount of stock, or any security, is settled or agreed to be settled in any manner whatsoever:

For every \$500, and also for any fractional part of \$500, of the amount or value of the property settled or agreed to be settled \$2.50

EXEMPTION

Instrument of appointment relating to any property in favour of persons specially named or described as the objects of a power of appointment, created by a previous settlement stamped with *ad valorem* duty in respect of the same property or by will, where duty has been paid on the same property in respect of its devolution by the death of the testator.

and see sections 76 to 78

GENERAL EXEMPTIONS FROM ALL STAMP DUTIES

Currency Notes issued or deemed to have been issued under the Bankers Licences and Bank Notes Ordinance, the Currency Ordinance and the Government Currency Notes Ordinance respectively.

Bond given to the Marshal or any other person upon the replevy of any goods or chattels, and assignments of such bond.

Debentures issued in the Colony by the Government or by a Municipal Corporation, and instruments for sale or transfer of such debentures.

Instruments for sale, transfer, or other disposition either absolutely or by way of mortgage, or otherwise, of any ship or vessel, or any part, interest, share or property of or in any ship or vessel.

Postal or Money Orders of any description issued or paid by the Postmaster General.

Instruments under the Co-operative Societies Ordinance.

Instruments under the Agricultural Credit Societies Ordinance, 1954.

Instruments executed by or on behalf of the Government of The West Indies.

Instruments executed by or on behalf of the Trinidad and Tobago Tourist Board.

Instruments executed by or on behalf of the Eastern Caribbean Farm Institute.

Minor and consequential amendments.

12. The amendments specified in the second column of the Schedule to this Ordinance (which relate to consequential and minor matters) shall respectively be made in the sections of the Principal Ordinance specified in the first column of the said Schedule.

Repeal.

13. Sections 36, 46, 47 and 48 of the Principal Ordinance are hereby repealed.

SCHEDULE

<i>Section</i>	<i>Amendment</i>
8(7), 9(2), 22, 32(2), 42(1), 75	...For the words "forty-eight dollars" wherever they occur there shall be substituted the words "fifty dollars".
9(1) ... ...	...For the words "ninety-six dollars" there shall be substituted the words "one hundred dollars".
24(3), 74(3), 86 ...	...For the words "twenty-four dollars" wherever they occur there shall be substituted the words "twenty-five dollars".
28(1) ... ...	...For the figures and symbol "\$4.80" there shall be substituted the figures and symbol "\$5.00".
45(2), 73(3), 79, 80(2), 85(1), 87, 90(2), 92	For the words "two hundred and forty-dollars" wherever they occur there shall be substituted the words "two hundred and fifty dollars".
57, 70(2) ... ...	...For the words "four hundred and eighty dollars" wherever they occur there shall be substituted the words "five hundred dollars".

Passed in Council this sixteenth day of May, in the year of Our Lord one thousand nine hundred and fifty-eight.

P. A. GRANNUM

Acting Clerk of the Council