

TRINIDAD AND TOBAGO.

[Published as a Supplement to the "Royal Gazette" issued on the
29th day of April, 1937.]

No. 2—1937.

I ASSENT,

M. FLETCHER,

Governor.

27th April, 1937.

29th April, 1937.

AN ORDINANCE to amend the Estate and Succession
Duties Ordinance, 1931.

BE it enacted by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof as follows :—

Short title.

No. 9—1931.

Sec. 42 of the
Principal
Ordinance
replaced.

No payment
of policy
moneys to be
made unless
duty first
paid.

1. This Ordinance may be cited as the Estate and Succession Duties (Amendment) Ordinance, 1937, and shall be construed as one with the Estate and Succession Duties Ordinance, 1931, hereinafter referred to as the Principal Ordinance.

2. Section 42 of the Principal Ordinance is hereby repealed and replaced by the following :—

42.—(1) No person who shall become entitled on the death of a deceased person to any moneys payable on a policy of life assurance, in respect of which duty may be payable under this Ordinance, shall have any right to sue for or recover the moneys assured or secured by such policy, or to give a valid discharge for the same or any part thereof, unless a certificate has been obtained from the Commissioner setting forth that the duty, if any is payable under this Ordinance, has been paid or that no duty is payable in respect of such policy moneys.

(2) Every insurance company shall, upon receiving notice of the death of any person on whose life a policy of life assurance, in respect of which duty may be payable under this Ordinance, has been issued by such company, forthwith notify the Commissioner of such death and furnish such particulars of the policy as the Commissioner may require, and no payment shall be made by any insurance company to any person claiming the policy moneys on such a policy unless a certificate has been obtained from the Commissioner setting forth that the duty, if any is payable under this Ordinance, has been paid or that no duty is payable in respect of such policy moneys.

(3) Any person who pays or receives any policy moneys in contravention of the provisions of this section shall be liable at the suit of the Commissioner to payment of double the amount payable by way of duty under this Ordinance in respect of such policy moneys or of the sum of Fifty Dollars at the discretion of the Commissioner.

3. Schedule B to the Principal Ordinance is hereby amended by the addition of the following paragraph to the Exemptions from Succession Duty—

Schedule B of
Principal
Ordinance
amended.

(3) Succession Duty shall not be payable on the death of any person dying after the first day of May 1937 in respect of any interest or property given either "inter vivos" or by Will in support of any religious, charitable or educational institution situate in the Colony, or for any purpose solely charitable to be carried out in the Colony, provided always that *bona fide* possession and enjoyment shall have been or shall be assumed by the donee or legatee immediately upon payment of the legacy or upon receipt of the gift and thereafter retained to the entire exclusion of any benefit to any relative of the donor or testator by contract or otherwise, and provided further that exemption from payment of such duty is allowed by the Governor in Executive Council.

Passed in Council this twenty-third day of April, in the year of Our Lord one thousand nine hundred and thirty-seven.

W. E. BOARDMAN,

Clerk of the Council.