
1st Session Second Parliament Trinidad and Tobago
15 Elizabeth II



TRINIDAD AND TOBAGO
Act No. 42 of 1966

[L.S.]

AN ACT to amend the Income Tax Ordinance, Ch. 33. No. 1.

[Assented to 30th December, 1966]

BE IT ENACTED by the Queen's Most Excellent Majesty, Enactment
by and with the advice and consent of the Senate and
House of Representatives of Trinidad and Tobago, and by
the authority of the same, as follows:—

1. This Act may be cited as the Income Tax (Amend- Short title
ment) Act, 1966.

Interpretation
and commence-
ment

Ch. 33. No. 1
Act No. 29—1966

2. (1) In this Act, "Ordinance" means the Income Tax Ordinance, as amended by the Finance Act, 1966.

(2) This Act shall be deemed to have come into operation on the 1st day of January, 1966 immediately after the Finance Act, 1966.

Section 22
of Ordinance
amended

3. Section 22 of the Ordinance is amended by substituting the words "in Part I of the Second Schedule" for the words "in the Second Schedule" occurring therein.

Section 23A
of Ordinance
amended

4. Section 23A of the Ordinance is amended—

(a) in section 23A—

(i) by repealing subsection (1) thereof and replacing as follows:

"(1) There shall be levied and paid income tax in this Ordinance referred to as withholding tax, at the rate set out in Part II of the Second Schedule—

(a) on any distribution made to any person not resident in Trinidad and Tobago and to every non-resident company;

(b) on any payment made to any person not resident in Trinidad and Tobago or to any person on behalf of such non-resident person and to every non-resident company, where such person or company is not engaged in trade or business in Trinidad and Tobago, so however that in the case of a payment arising outside Trinidad and Tobago to such a person or company withholding tax shall not be payable.";

(ii) by substituting the words "withholding tax" for the words "income tax" occurring in line seven of subsection (2) thereof;

- (iii) by substituting in subsection (3) thereof—
- (A) the words “distribution is made” for the words “distribution is to be made” occurring in lines one and two of the said subsection;
 - (B) the words “Part II” for the words “paragraph (2)” occurring in line nine of the said subsection;
- (iv) by substituting the words “withholding tax” for the words “income tax” occurring in line eight of subsection (6);
- (b) in section 23B—
- (i) by deleting from the definition of “payment” the words beginning with “payment” in line one to the words “with respect to” in line six thereof and substituting therefor the following:—
““payment” means a payment without any deductions whatsoever, other than a distribution, not being a payment to which section 53B applies, with respect to”;
 - (ii) by substituting the word “payment” for the words “sources of income” occurring in paragraph (g) thereof;
- (c) in section 23E, by substituting the words “withholding tax” for the words “income Tax” occurring in line two thereof.

5. The Second Schedule to the Ordinance is repealed and replaced as follows:—

Second Schedule
of Ordinance
amended

"SECOND SCHEDULE

PART I

(Sections 2 and 22)

Scale of Rates of Income Tax payable on the Net Chargeable Income in the case of a person—

	<i>cents</i>
For every dollar of the first 1,000 dollars	5
For every dollar of the next 1,000 dollars	8
For every dollar of the next 1,000 dollars	13
For every dollar of the next 1,000 dollars	20
For every dollar of the next 1,000 dollars	28
For every dollar of the next 1,000 dollars	32
For every dollar of the next 1,000 dollars	35
For every dollar of the next 3,000 dollars	40
For every dollar of the next 4,000 dollars	45
For every dollar of the next 4,000 dollars	50
For every dollar of the next 4,000 dollars	60
For every dollar of the next 6,000 dollars	70
For every dollar of the next 32,000 dollars	80
For every dollar of the remainder of the chargeable income 	90

PART II

(Section 23A)

Rate of withholding tax

Withholding tax shall be at the rate of 30 per centum.

Provided that where there is a double taxation agreement or Order under section 49, the rate of withholding tax shall be at such lesser rate as may be therein provided."

6. The Third Schedule of the Ordinance is amended by inserting immediately after paragraph 10 of Part I thereof the following:—

Third Schedule
of Ordinance
amended

“11. Where the amount of any credit given under the arrangements is rendered excessive or insufficient by reason of any adjustment of the amount of any tax payable either in Trinidad and Tobago or under the law of any other country, nothing in this Ordinance or in any other enactment limiting the time for making assessments or claims for relief shall apply to any assessment or claim to which the adjustment gives rise, being an assessment or claim made not later than six years from the time when all such assessments, adjustments and other determinations have been made, whether in Trinidad and Tobago or elsewhere, as are material in determining whether any and if so what credit falls to be given.

PART II

Provisions for credit by way of unilateral relief

1. Credit for tax paid under the law of the country outside Trinidad and Tobago in respect of income arising in that country shall be allowed against Trinidad and Tobago tax chargeable in respect of that income: Provided that where arrangements with the Government of the country are for the time being in force by virtue of section 47 of this Ordinance, credit for tax paid under the law of the country shall not be allowable under this regulation in the case of any income if any credit for that tax is allowable under these arrangements in the case of that income.

2. Profits from or remuneration for personal or professional services performed in the country shall be deemed to be income arising in the country for the purpose of the preceding regulation.

3. Where a dividend paid by the company resident in the country is paid to a company resident in Trinidad and Tobago which owns not less than one-quarter of all classes of voting and non-voting stock in the company paying the dividend, tax paid under the law of the country by the first mentioned company in respect of its profits shall be taken into account in considering whether any, and if so what credit is to be allowed in respect of the dividend.”

Passed in the House of Representatives this 23rd day of December, 1966.

J. E. CARTER

Acting Clerk of the House of Representatives

Passed in the Senate this 29th day of December, 1966.

A. A. DARLINGTON

Acting Clerk of the Senate