

LEGAL NOTICE NO. 254

REPUBLIC OF TRINIDAD AND TOBAGO

THE PROVISIONAL COLLECTION OF TAXES ACT, CHAP. 74:01

RESOLUTION

WHEREAS it is provided by section (1) of section 3 of the Provisional Collection of Taxes Act, Chap. 74:01 (hereinafter called “the Act”) that where proposals for general or supplementary appropriation of public funds are made to the House of Representatives and are embodied in an Appropriation or Supplementary Appropriation Bill, the President may, for the purpose of raising revenue to meet the expenditure specified in any such Bill, by Order, provide for the imposition of a tax or the variation of an existing tax and from the date of the publication of the Order in the *Gazette*, the tax as imposed or varied shall be payable:

And whereas it is provided by subsection (5) of section 3 of the Act that an Order varying an existing tax shall cease to have effect if the Order is not confirmed with or without modifications, by a resolution agreed to by the House within the next twenty-one days after the commencement of the Order:

And whereas the Provisional Collection of Taxes Order, 2000 was made under section 3 of the Act, whereby provision was made for the variation of taxes in the written laws mentioned in the said Order to the extent and in the manner set out therein:

And whereas it is expedient to confirm the said Order:

Be it Resolved:

That the Provisional Collection of Taxes Order, 2000 be confirmed subject to the following modifications:

1. Paragraph 2 is amended:

(a) in sections 103(1) and (2) by deleting the word “15” and substituting the word “20”;

(b) by inserting after section 103(2), the following subsection:

“ (3) The rate of interest referred to in subsections (1) and (2) shall come into effect on 1st May, 2001”;

(c) by inserting after section 103, the following section:

“ 103A. (1) Notwithstanding any written law to the contrary, but subject to subsection (2), there shall be a waiver of the following liabilities:

- (a) interest on outstanding taxes and business levy due and payable as at 31st December, 1999 where such taxes or business levy, as the case may be, are paid during the period 28th August, 2000 to 30th April, 2001;
- (b) interest charged on the payment, prior to 28th August, 2000, of taxes and business levy due and payable as at 31st December, 1999, where such interest has not been paid;
- (c) penalties, further tax and additional tax incurred on outstanding taxes and business levy due and payable as at 31st December, 1999, where such taxes or business levy, as the case may be, are paid during the period 28th August, 2000 to 30th April, 2001;
- (d) penalties, further tax and additional tax in respect of taxes and business levy due and payable as at 31st December, 1999 and prior to 28th August, 2000 where such penalties, further tax and additional tax have not been paid;
- (e) penalties on outstanding returns for years of income up to and including the year 1998 where such returns are filed during the period 28th August, 2000 to 30th April, 2001;
- (f) penalties with respect to returns for years of income up to and including the year 1998 and filed prior to 28th August, 2000 where such penalties have not been paid.

(2) For the avoidance of doubt, the waiver granted in this section shall not apply to the following:

- (a) the relevant taxes and business levy;
- (b) interest, penalties, further tax and additional tax paid prior to 28th August, 2000.

(3) Where any returns, taxes and business levy remain outstanding after 30th April, 2001, the penalties, interest, further taxes and additional taxes which would have been payable on such returns, taxes and business levy shall be revived and become payable as if the waiver in subsection (1) had not been granted.”.

2. Paragraph 4 is amended by deleting section 54A (1) and substituting as follows:

“ 54A. (1) Notwithstanding any written law to the contrary, but subject to subsection (2), there shall be a waiver of the following liabilities:

- (a) interest on outstanding taxes due and payable as at 31st December, 1999 where such taxes are paid during the period 28th August, 2000 to 30th April, 2001;
- (b) interest charged on the payment, prior to 28th August, 2000, of taxes due and payable as at 31st December, 1999, where such interest has not been paid;
- (c) penalties, and penal taxes incurred on outstanding taxes due and payable as at 31st December, 1999 where such taxes are paid during the period 28th August, 2000 to 30th April, 2001;
- (d) penalties and penal taxes in respect of taxes due and payable as at 31st December, 1999 and paid prior to 28th August, 2000 where such penalties and penal taxes have not been paid.

(2) For the avoidance of doubt, the waiver granted in subsection (1) does not apply to the following:

(a) taxes;

(b) interest, penalties and penal taxes paid prior to 28th August, 2000.

(3) Where any taxes remain outstanding after 30th April, 2001, the interest, penalties and penal taxes which would have been payable on such outstanding taxes shall be revived and become payable as if the waiver in subsection (1) had not been granted.

3. The following paragraph is inserted:

"Act No. 14
of 1987
amended 5. The Finance Act 1987, is amended by inserting in the Schedule in appropriate numerical position, the following number:
"103A" .

Confirmed by the House of Representatives this 15th day of September, 2000.

J. SAMPSON-JACENT
Clerk of the House