

AS AMENDED IN THE H.O.R.

No. 23 of 2018

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Fourth Session Eleventh Parliament Republic of  
Trinidad and Tobago

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HOUSE OF REPRESENTATIVES

## BILL

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

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## THE FINANCE BILL, 2018

### Explanatory Notes

(These notes form no part of the Bill but are intended only to indicate its general purport)

This Bill seeks to amend several pieces of legislation namely, the Retiring Allowances (Legislative Service) Act, Chap. 2:03, the Interpretation Act, Chap. 3:01, the Summary Courts Act, Chap. 4:20, the Administration of Justice (Deoxyribonucleic Acid) Act, Chap. 5:34, the Judges Salaries and Pensions Act, Chap. 6:02, the State Liability and Proceedings Act, Chap. 8:02, the Prison Service Act, Chap. 13:02; the Child Rehabilitation Centre Act, Chap. 13:05, the Retiring Allowances (Diplomatic Service) Act, Chap. 17:04, the Registration of Clubs Act, Chap. 21:01, the National Lotteries Act, Chap. 21:04, the Pensions Act, Chap. 23:52, the Widows' and Pensions' Act, Chap. 23:54, the Municipal Corporations Act, Chap. 25:04, the Municipal Corporations (Pensions) Act, Chap. 25:05, the Litter Act, Chap. 30:52, the Public Assistance Act, Chap. 32:03, the Friendly Societies Act, Chap. 32:50, the Fire Service Act, Chap. 35:50; the Teachers' Pensions Act, Chap. 39:02, the Assisted Secondary School Teachers' Pensions Act, Chap. 39:03, the Agricultural Fires Act, Chap. 63:02, the Children Act, Chap. 46:01, the Conservation of Wildlife Act, Chap. 67:01, the Income Tax Act, Chap. 75:01, the Stamp Duty Act, Chap. 76:01, the Financial Institutions Act, Chap. 79:09, the Insurance Act, No. 4 of 2018, the Criminal Division and District Criminal and Traffic Courts Act, No. 12 of 2018, the Electronic Payments into and out of Court Act, No. 14 of 2018 and the Miscellaneous Provisions (Supreme Court of Judicature and Children) Act, No. 15 of 2018.

Clause 1 of the Bill would provide the short title of the Bill.

Clause 2 of the Bill would amend the Retiring Allowances (Legislative Service) Act, Chap. 2:03 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 3 of the Bill would amend the Interpretation Act, Chap. 3:01 in section 79 to insert the definition of "Collecting Officer".

Clause 4 of the Bill would amend the Summary Courts Act, Chap. 4:20 in section 39(1) to delete the word "the".

Clause 5 would amend the Judges Salaries and Pensions Act, Chap. 6:02 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 6 of the Bill would amend the State Liability and Proceedings Act, Chap. 8:02 in section 27(1) where in any civil proceedings by or against the State an order is made by the Court in favour of any person against the State, the amendment would provide the proper officer of the Court with an extended time period from twenty-one days to one hundred and twenty days upon the application by that person for the issuance of a certificate in the prescribed form containing the particulars of the order.

Clause 7 of the Bill would amend the Prison Service Act, Chap. 13:02 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 8 seeks to amend the Child Rehabilitation Centre Act, Chap. 13:05 to mandate the Commissioner to notify the resident, the alleged perpetrator and the person who made an allegation of findings.

Clause 9 of the Bill would amend the Retiring Allowances (Diplomatic Service) Act, Chap. 17:04 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 10 of the Bill would amend the Registration of Clubs Act, Chap. 21:01 to increase the rate of interest for late payment of taxes from fifteen per cent to twenty per cent.

Clause 11 of the Bill would amend the National Lotteries Act, Chap. 21:04 to allow the Board to facilitate the payment of moneys to a public body by electronic or other means.

Clause 12 of the Bill would amend the Pensions Act, Chap. 23:52 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 13 of the Bill would amend the Widows' and Orphans' Pensions Act, Chap. 23:54 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 14 of the Bill would amend the Municipal Corporations Act, Chap. 25:04 to allow a Council to deposit into and withdraw from the Mayor's Fund such moneys, fees and charges collected by the Corporation as the Minister with responsibility for finance may authorize. It would also allow the Corporation Fund, which is in surplus with the consent of the Minister to be used for the improvement of the Municipality and for the service and benefit of the inhabitants.

Clause 15 of the Bill would amend the Municipal Corporations (Pensions) Act, Chap. 25:05 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 16 would amend the Litter Act, Chap. 30:52 to increase the fines for littering offences by one hundred per cent.

Clause 17 of the Bill would amend the Public Assistance Act, Chap. 32:03 to increase the disability grant from one thousand eight hundred dollars to two thousand dollars.

Clause 18 of the Bill would amend the Friendly Societies Act, Chap. 32:50 to remove the requirement for the Registrar of the Friendly Societies to be a member of the public service.

Clause 19 of the Bill would amend the Fire Service Act, Chap. 35:50 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 20 of the Bill would amend the Teachers' Pensions Act, Chap. 39:02 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 21 of the Bill would amend the Assisted Secondary School Teachers' Pensions Act, Chap. 39:03 to allow a person in the interim to be paid the minimum pension of three thousand five hundred dollars per month where administrative or other requirements are pending upon retirement.

Clause 22 of the Bill would amend the Children Act, Chap. 46:01 to increase the fines for offences committed against children by one hundred per cent.

Clause 23 of the Bill would amend the Agricultural Fires Act, Chap. 63:02 to increase the fine from one thousand five hundred dollars to twenty thousand dollars for an offence committed under the Act.

Clause 24 of the Bill would amend the Conservation of Wildlife Act, Chap. 67:01 to increase penalties for various hunting related offences committed under the Act.

Clause 25 of the Bill would amend the Income Tax Act, Chap. 75:01 to increase fines and penalties found in sections 5A(2)(c), 98(2)(b) and 119. In addition, it would amend section 5(6)(a) to increase the exemption from tax on severance pay from three hundred thousand dollars to five hundred thousand dollars. It would also amend section 10(9) to increase the allowance for tertiary education expenses from sixty thousand dollars to seventy-two thousand dollars.

Clause 26 of the Bill would amend the Stamp Duty Act, Chap. 76:01 to exempt first-time home owners from stamp duty in an amount not exceeding one million five hundred thousand dollars.

Clause 27 of the Bill would amend the Financial Institutions Act, Chap. 79:09 in several sections to improve the operation of the Act.

Clause 28 of the Bill would amend the Insurance Act, No. 4 of 2018 in sections 89 and 90 of the Act.

Clause 29 of the Bill would amend the Criminal Division and District Criminal and Traffic Courts Act, No. 12 of 2018 in section 3 to insert the terms "Magistracy Registrar", "Senior Magistracy" and "Clerk of the Court".

Clause 30 of the Bill would amend the Electronic Payments into and out of Court Act, No. 14 of 2018 in section 14, which deals with fees to be collected by the Judiciary.

Clause 31 of the Bill would amend the Miscellaneous Provisions (Supreme Court of Judicature and Children) Act, No. 7 of 2018 by repealing section 9A.

Clause 32 of the Bill would provide for the commencement of the Bill on 1st January, 2019.

## THE FINANCE BILL, 2018

### Arrangement of Clauses

#### *Clause*

1. Short title
2. Chap. 2:03 amended
3. Chap. 3:01 amended
4. Chap. 4:20 amended
5. Chap. 6:02 amended
6. Chap. 8:02 amended
7. Chap. 13:02 amended
8. Chap. 13:05 amended
9. Chap. 17:04 amended
10. Chap. 21:01 amended
11. Chap. 21:04 amended
12. Chap. 23:52 amended
13. Chap. 23:54 amended
14. Chap. 25:04 amended
15. Chap. 25:05 amended
16. Chap. 30:52 amended
17. Chap. 32:03 amended
18. Chap. 32:50 amended
19. Chap. 35:50 amended
20. Chap. 39:02 amended
21. Chap. 39:03 amended
22. Chap. 46:01 amended
23. Chap. 63:02 amended
24. Chap. 67:01 amended
25. Chap. 75:01 amended
26. Chap. 76:01 amended
27. Chap. 79:09 amended

28. Act No. 4 of 2018 amended
29. Act No. 12 of 2018 amended
30. Act No. 14 of 2018 amended
31. Act No. 15 of 2018 amended
32. Commencement

# BILL

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

[ , 2018]

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

1. This Act may be cited as the Finance Act, 2018. Short title



Chap. 2:03 amended

2. The Retiring Allowances (Legislative Service) Act is amended by inserting after section 6, the following new section:

"Interim  
pension

6A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

- (a) pending the completion of any administrative or other requirements for the payment of that pension; and
- (b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him."

3. The Interpretation Act is amended in section 79, by Chap. 3:01 amended inserting in the appropriate alphabetical sequence, the following definition:

““Collecting Officer” in relation to attachment of earnings and maintenance orders, means—

(a) a person appointed or designated as, or required to perform the functions of, a Collecting Officer with regard to any act required by or for the Judiciary pursuant to any Rules of Court or any law; or

(b) any person appointed or designated as a Collecting Officer under any written law.”.

4. The Summary Courts Act is amended in Chap. 4:20 amended section 39(1) by deleting after the words “writing,”, the word “the”.

5. The Judges Salaries and Pensions Act is amended Chap. 6:02 amended by inserting after section 13, the following new section:

“Interim pension 13A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other

requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him.”.

Chap. 8:02 amended 6. The State Liability and Proceedings Act is amended in section 27—

(a) in subsection (1)—

(i) by deleting the words “twenty-one days” and substituting the words “one hundred and twenty days”;

(ii) by deleting the words, “at any time after the costs have been taxed, whichever is the later” and substituting the words “one hundred and twenty days from the date the costs have been taxed”; and

- (iii) by inserting after the words "person a certificate" the words "addressed to the Comptroller of Accounts and the Solicitor General"; and
- (b) by deleting subsection (2) and substituting the following:
  - " A copy of any certificate issued under this section shall be served by the person in whose favour the order is made upon the Attorney General in accordance with section 20.";
- (c) in subsection (3) by inserting after the words "Accounts shall" the words "as soon as reasonably practicable".

7. The Prison Service Act is amended in the Fifth Schedule by inserting after rule 6, the following new rule: Chap. 13:02  
amended

"Interim  
pension

6A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

- (a) pending the completion of any administrative or other requirements for the payment of that pension; and
- (b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him.”.

Chap. 13:05  
amended

8. The Child Rehabilitation Centre Act is amended—

(a) in section 2(3), by deleting the word “22(b)” and substituting the words “22(1)(b), (2) and (3)”; and

(b) in section 4A(2), by deleting all the words after the word “completion” and substituting the words “the Commissioner shall notify the resident, the alleged perpetrator and the person who made the allegation, of the findings.”.

Chap. 17:04  
amended

9. The Retiring Allowances (Diplomatic Service) Act is amended by inserting after section 16, the following new section:

“Interim  
pension

16A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him.”.

10. The Registration of Clubs Act is amended in section 23(8)(b) by deleting the words “fifteen per cent” and substituting the words “twenty per cent”.

Chap. 21:01  
amended

11. The National Lotteries Act is amended in section 9—

Chap. 21:04  
amended

(a) by renumbering section 9 as section 9(1);  
and

(b) by inserting after subsection (1), the following new subsections:

“ (2) Notwithstanding subsection (1), the Board may facilitate

the payment of moneys to a public body by electronic or other means.

(3) In subsection (2), "public body" has the meaning assigned to it in section 4 of the Public Procurement and Disposal of Public Property Act, 2015."

Chap. 23:52  
amended

12. The Pensions Act is amended by inserting after section 19, the following new section:

"Interim  
pension

19A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him.”.

13. The Widows’ and Orphans’ Pensions Act is amended by inserting after section 5, the following new section: Chap. 23:54  
amended

“Interim  
pension

5A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person is eligible for a pension under this Act, the person shall—

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.”.



(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him.”.

Chap. 25:04  
amended

14. The Municipal Corporations Act is amended—

(a) in section 110, by inserting after subsection (2), the following new subsection:

“ (2A) A Council may deposit into and withdraw from the Mayor’s Fund such moneys, fees and charges collected by the Corporation as the Minister with responsibility for finance may authorise.”; and

(b) in section 112(2), by deleting all the words after the word “Council” and substituting the words “for the improvement of the Municipality and for the service and benefit of the inhabitants thereto.”.

Chap. 25:05  
amended

15. The Municipal Corporations (Pensions) Act is amended by inserting after section 17, the following new section:

“Interim  
pension

17A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him.”.

16. The Litter Act is amended—

Chap. 30:52  
amended

(a) in section 3(6), by deleting the words—

(i) “four thousand dollars” and substituting the words “eight thousand dollars”; and

(ii) “eight thousand dollars” and substituting the words “sixteen thousand dollars”;

(b) in section 3A(2), by deleting the words—

(i) “four thousand dollars” and substituting the words “eight thousand dollars”; and

(ii) “eight thousand dollars” and substituting the words “sixteen thousand dollars”;

(ba) in section 3B(2), by deleting the words “five hundred dollars” and substituting the words “one thousand dollars”;

- (c) in section 4, by deleting the words "four thousand dollars" and substituting the words "eight thousand dollars";
- (d) in section 6(4), by deleting the words "four thousand dollars and to a further fine of eight hundred dollars" and substituting the words "eight thousand dollars and to a further fine of one thousand six hundred dollars";
- (da) in section 5, by deleting the words "five hundred dollars" and substituting the words "one thousand dollars";
- (e) in section 9(2), by deleting the words "four thousand dollars and to a further fine of eight hundred dollars" and substituting the words "eight thousand dollars and to a further fine of one thousand six hundred dollars";
- (f) in section 13A(3), by deleting the words "one thousand dollars" and substituting the words "two thousand dollars";
- (g) in section 16C(5), by deleting the words "one thousand dollars" and substituting the words "two thousand dollars";
- (h) in section 16D(e), by deleting the words "one thousand dollars" and substituting the words "two thousand dollars";
- (i) in section 17, by deleting the words "five hundred dollars" and substituting the words "one thousand dollars";
- (j) in section 21, by deleting the words "five hundred dollars" and substituting the words "one thousand dollars"; and

(k) in section 24(9), by deleting the words “five hundred dollars” and substituting the words “one thousand dollars”;

17. The Public Assistance Act is amended in section 11A— Chap. 32:03 amended

(a) in subsection (1) by deleting paragraph (c);

(b) in subsection (3) by deleting all the words after the word “shall” and substituting the words—

“in relation to a person who is—

(a) eighteen years old and over, be two thousand dollars; and

(b) under the age of eighteen years, be one thousand and five hundred dollars.”; and

(c) by inserting after subsection (3) the following new subsections:

“ (3A) A person who is under the age of eighteen years who is in receipt of disability assistance under this section shall not be in receipt of public assistance under this Act.

(3B) The Minister may make guidelines for the administration of disability assistance for persons under the age of eighteen years.”.

18. The Friendly Societies Act is amended in section 3(1), by deleting the words “in the public service”. Chap. 32:50 amended

Chap. 35:50  
amended

19. The Fire Service Act is amended in the Fifth Schedule by inserting after paragraph 3, the following new paragraph:

"Interim  
pension

3A. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

"Interim  
pension

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him."

20. The Teachers' Pension Act is amended by Chap. 39:02 amended inserting after section 12B, the following new section:

"Interim pension

12C. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him."

21. The Assisted Secondary School Teachers' Pensions Act is amended by inserting after section 11B, the following new section:

11C. (1) Notwithstanding any other provision of this Act or any other written law, where there is sufficient evidence that a person who compulsorily retires is eligible for a pension under this Act, the person shall—

(a) pending the completion of any administrative or other requirements for the payment of that pension; and

(b) commencing on the date that the first payment of that pension would fall due if the administrative and other requirements referred to in paragraph (a) had been completed,

be paid an interim pension in the sum of three thousand five hundred dollars per month.

(2) A person referred to in subsection (1) may, upon the completion of the administrative or other requirements referred to in that subsection, be granted such pension for which he is eligible under this Act, subject to the deduction of the amount previously paid to him under that subsection.

(3) Any amount paid pursuant to subsection (1) to a person who is not eligible for a pension under this Act, may be recovered as a civil debt.

(4) Where prior to January 1st, 2019, a person retired under this Act but is not in receipt of a pension under this Act, this section shall apply to him.”.

## 22. The Children Act is amended—

Chap. 46:01  
amended*(a)* in section 4(2)—

(i) in paragraph *(a)*, by deleting the words “five thousand dollars” and substituting the words “ten thousand dollars”; and

(ii) in paragraph *(b)*, by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”;

*(b)* in section 5(1), by deleting the words “three thousand dollars” and substituting the words “six thousand dollars”;

*(c)* in section 6(1), by deleting the words “ten thousand dollars” and substituting the words “twenty thousand dollars”;

*(d)* in section 7—

(i) in subsection (1), by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”; and

(ii) in subsection (2), by deleting the words “one hundred thousand dollars” and substituting the words “two hundred thousand dollars”;

*(e)* in section 8—

(i) in subsection (1), by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”; and

(ii) in subsection (2), by deleting the words “one hundred thousand dollars” and substituting the words “two hundred thousand dollars”;



- (f) in section 9(1)(a), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (g) in section 11—
  - (i) in paragraph (a), by deleting the words "thirty thousand dollars" and substituting the words "sixty thousand dollars"; and
  - (ii) in paragraph (b), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (h) in section 13(1)(a), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (i) in section 14(1)(a), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (j) in section 15(1), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (k) in section 16(1), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (l) in section 19(2)(a), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (m) in section 21(2)(a), by deleting the words "fifty thousand dollars" and substituting the words "one hundred thousand dollars";
- (n) in section 23(2)—
  - (i) in paragraph (a), by deleting the words "thirty thousand dollars" and substituting the words "sixty thousand dollars"; and

(ii) in paragraph *(b)*, by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”;

*(o)* in section 24(2)—

(i) in paragraph *(a)*, by deleting the words “thirty thousand dollars” and substituting the words “sixty thousand dollars”; and

(ii) in paragraph *(b)*, by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”;

*(p)* in section 25(2)—

(i) in paragraph *(a)*, by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”; and

(ii) in paragraph *(b)*, by deleting the words “one hundred thousand dollars” and substituting the words “two hundred thousand dollars”;

*(q)* in section 29(c), by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”;

*(r)* in section 35(a), by deleting the words “five thousand dollars” and substituting the words “ten thousand dollars”;

*(s)* in section 36—

(i) in paragraph *(a)*, by deleting the words “thirty thousand dollars” and substituting the words “sixty thousand dollars”; and

- (ii) in paragraph *(b)*, by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”;

*(t)* in section 37—

- (i) in paragraph *(a)*, by deleting the words “fifty thousand dollars” and substituting the words “one hundred thousand dollars”; and
- (ii) in paragraph *(b)*, by deleting the words “one hundred thousand dollars” and substituting the words “two hundred thousand dollars”;

*(u)* in section 40(1), by deleting the words “thirty thousand dollars” and substituting the words “sixty thousand dollars”;

*(v)* in section 41—

- (i) in paragraph *(a)*, by deleting the words “five thousand dollars” and substituting the words “ten thousand dollars”; and
- (ii) in paragraph *(b)*, by deleting the words “thirty thousand dollars” and substituting the words “sixty thousand dollars”;

*(w)* in section 43(1)—

- (i) in paragraph *(a)*(i), by deleting the words “twenty thousand dollars” and substituting the words “forty thousand dollars”; and
- (ii) in paragraph *(b)*(i), by deleting the words “ten thousand dollars” and substituting the words “twenty thousand dollars”;

*(x)* in section 47(1), by deleting the words “three thousand dollars” and substituting the words “six thousand dollars”;

- (*xa*) in section 86, by deleting the words “five thousand dollars” and substituting the words “ten thousand dollars;”
- (*y*) in section 110, by deleting the words “five thousand dollars” and substituting the words “ten thousand dollars”; and
- (*z*) in section 114, by deleting the words “twenty-five thousand dollars” and substituting the words “fifty thousand dollars”.

23. The Agricultural Fires Act is amended in section 33(2), by deleting the words “one thousand five hundred dollars” and substituting the words “twenty thousand dollars”. Chap. 63:02 amended

24. The Conservation of Wildlife Act is amended— Chap. 67:01 amended

- (*a*) in section 4(1), by deleting the words “one thousand dollars” and substituting the words “ten thousand dollars”;
- (*b*) in section 5(2), by deleting the words “one thousand dollars” and substituting the words “ten thousand dollars”;
- (*c*) in section 6(3), by deleting the words “one hundred dollars” and substituting the words “one thousand five hundred dollars”;
- (*d*) in section 6(4), by deleting the words “four hundred dollars” and substituting the words “four thousand dollars”;
- (*e*) in section 6(5), by deleting the words “two thousand dollars” and substituting the words “ten thousand dollars”;
- (*f*) in section 7(4), by deleting the words “two thousand dollars” and substituting the words “ten thousand dollars”;

- (g) in section 13, by deleting the words "one hundred dollars" and substituting the words "five thousand dollars";
- (h) in section 15, by deleting the words "one thousand dollars" and substituting the words "ten thousand dollars";
- (i) in section 17(1)(a), by deleting the words "two hundred dollars" and substituting the words "ten thousand dollars";
- (j) in section 18(2), by deleting the words "two thousand dollars" and substituting the words "ten thousand dollars";
- (k) in section 22, by deleting the words "two hundred dollars" and substituting the words "five thousand dollars"; and
- (l) in section 24(1)(h), by deleting the words "two hundred dollars" and substituting the words "ten thousand dollars";

Chap. 75:01  
amended

25. The Income Tax Act is amended—

- (a) in section 5A(2)(c), by deleting the words "two hundred and fifty thousand dollars" and substituting the words "three hundred and sixty thousand dollars";
- (b) in section 5(6)(a), by deleting the words "three hundred thousand dollars" and substituting the words "five hundred thousand dollars";
- (c) in section 10(9), by deleting the words "sixty thousand dollars" and substituting the words "seventy-two thousand dollars";
- (d) in section 98(2)(b), by deleting the words "three thousand dollars" and substituting the words "ten thousand dollars"; and
- (e) in section 119, by deleting the words "fifty thousand dollars" and substituting the words "two hundred and fifty thousand dollars".

26. The First Schedule to the Stamp Duty Act is amended—<sup>Chap. 76:01  
amended</sup>

(a) under the Exemption heading “Conveyance or transfer on sale of any property:”, insert after item “(1)” the following new item:

“ (1A) Where the owner of the property is a first-time homeowner and the property is, or includes, a dwelling-house and the property is for use wholly or mainly for residential purposes, if an application has been made to the Board in the form approved by the Board and evidence has been provided to the Board sufficient to satisfy it as to those matters, instead of the rates of duty provided for in paragraph (1), the duty is as follows:

The following rates shall apply to the amount or value of the consideration for the sale:

“for every dollar of the first two hundred and fifty thousand dollars in excess of one million five hundred thousand dollars	5%
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for 7½%".  
 every  
 dollar  
 there-  
 after

(b) after the Exemption commencing with the words "Mortgage deeds" insert after the words "(b)." the following new Exemption:

" Mortgage Deeds for first-time home-owners in respect of Property that—

(a) is, or includes, a dwelling house; and

(b) is for use wholly or mainly for residential purposes,

where the sum secured by the mortgage does not exceed one million, five hundred thousand dollars, but this exemption only applies if an application for it has been made to the Board in a form approved by the Board and evidence is provided to the Board sufficient to satisfy it that the sum secured was required for the purchase of property satisfying the requirements of paragraphs (a) and (b).".

Chap. 79:09  
 amended

27. The Financial Institutions Act is amended—

(a) in section 39(1), by inserting before the words ", 42(3)" the words "and (1A)";

(b) in section 41(2), by inserting before the words ", 42(1)" the words "and (1A)";

(c) in section 42—

(i) in subsection (1), by deleting the words "A licensee", and substituting

the words "Subject to subsection (1A), a licensee";

(ii) by inserting after subsection (1), the following subsection:

" (1A) The Inspector may grant approval to a licensee, to directly or indirectly, incur a credit exposure to a person, borrower group or related group in the form of an investment in a bond in an aggregate amount of up to fifty per cent of its capital base where such bond—

(a) is issued by a company incorporated in Trinidad and Tobago, wholly owned and controlled by Corporation Sole;

(b) is fully funded and denominated in Trinidad and Tobago dollars;

(c) has an investment grade rating from a credit rating agency approved by the Central Bank;

(d) is collateralized by highly marketable assets where the value of the collateral is at least 180 per cent of the value of the bond;



(e) is supported by a sinking fund or other appropriate creditor protection arrangement; and

(f) satisfies any other condition which the Inspector may require."; and

(iii) in subsection (2), by deleting the words "subsection (1)" and substituting the words " subsections (1) and (1A)";

(d) in section 43(2), by inserting before the words "and (3)", the words ", (1A)";

(e) by inserting after section 43, the following new section:

" 43A. For the purposes of section 43(1) and (2) and subject to sections 42(1), (1A) and (3), the Government of Trinidad and Tobago or any company wholly owned and controlled by Corporation Sole shall not be considered a connected party or a member of a connected party group by reason of its holding of shares in a licensee directly or indirectly through a company, body corporate, unincorporated body or trust.";

(f) in section 44, by inserting before the words "and (3)" the words "(1A)";

(g) in section 73(12), by inserting before the words "and (3)" the words ", (1A)";

(h) in the Fourth Schedule by inserting in the appropriate sequence and columns:

"42(1A) Incurring of a credit exposure by a licensee to a person or borrower group in an aggregate amount that exceeds the amount approved by the Inspector or as prescribed by this section	\$500,000 Plus \$50,000 per day for each day that the offence continues	\$125,000".
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28. The Insurance Act, 2018 is amended—

Act No. 4 of 2018  
amended

(a) in section 89—

(i) in subsection (1), by deleting the words "An insurer" and substituting the words "Subject to subsection (1A), an insurer";

(ii) by inserting after subsection (1), the following new subsection:

" (1A). The Inspector may grant approval to an insurer to, directly or indirectly, incur a credit exposure to a person, borrower group or related group in the form of an investment in a bond in an aggregate amount of up to fifty per cent of its capital base where such bond—

(a) is issued by a company incorporated in Trinidad and

Tobago, wholly owned and controlled by Corporation Sole;

- (b) is fully funded and denominated in Trinidad and Tobago dollars;
- (c) has an investment grade rating from a credit rating agency approved by the Central Bank;
- (d) is collateralised by highly marketable assets where the value of the collateral is at least 180 per cent of the value of the bond;
- (e) is supported by a sinking fund or other appropriate creditor protection arrangement; and
- (f) satisfies any other condition which the Inspector may require.”;

(b) in section 90—

- (i) in subsection (1)(b), by inserting after the words “section 89(1)” the words “and (1A)”;
- (ii) in subsection (2), by inserting after the words “section 89(1)” the words “, (1A)”;

(c) in Schedule 6, by inserting in the appropriate sequence and columns:

“89(1A) Incurring of a credit exposure by a licensee to a person or borrower group in an aggregate amount that exceeds the amount approved by the Inspector or as prescribed by this section \$500,000 Plus \$50,000 per day for each day that the offence continues \$125,000”.

29. The Criminal Division and District Criminal and Traffic Courts Act, 2018 is amended in section 3(2)— Act No. 12 of 2018 amended

- (a) in paragraph (f), by deleting the words “; or” after the word “Court” and substituting the words “or a Magistracy Registrar and Clerk of the Court; or”; and
- (b) in paragraph (g), by deleting all the words after the words “to a” and substituting the words “Senior Magistracy and Clerk of the Court or Magistracy Registrar and Clerk of the Court.”.

30. The Electronic Payments into and out of Court Act, 2018 is amended in section 14(2), by deleting all the words after the word “payment” and substituting the following words: Act No. 14 of 2018 amended

“of fees required to be—

- (a) paid pursuant to subsection (1);
- (b) collected by the Judiciary under any written law; or
- (c) for services provided by the Judiciary.”.

Act No. 15 of 2018  
amended

31. The Miscellaneous Provisions (Supreme Court of Judicature and Children) Act, 2018 is amended by repealing section 9A.

Commencement

32. (1) This Act comes into force on the 1st day of January, 2019.

(2) Notwithstanding any law to the contrary, section 26(b) shall be deemed to come into force on November 30, 2018.

Passed in the House of Representatives this 12th day of December, 2018.

*Clerk of the House*

I confirm the above and certify that this is a Money Bill.

*Speaker*

Passed in the Senate this        day of        ,  
2018.

*Clerk of the Senate*

I confirm the above.

*President of the Senate*

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No. 23 of 2018

FOURTH SESSION  
ELEVENTH PARLIAMENT  
REPUBLIC OF  
TRINIDAD AND TOBAGO

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# BILL

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

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Received and read the

First time .....

Second time .....

Third time .....

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