



THE PARLIAMENT OF
TRINIDAD AND TOBAGO

BILL ESSENTIALS

Date Introduced: March 15, 2024

House: House of Representatives

Minister: Minister of Finance

HOR Bill No. 2 of 2024

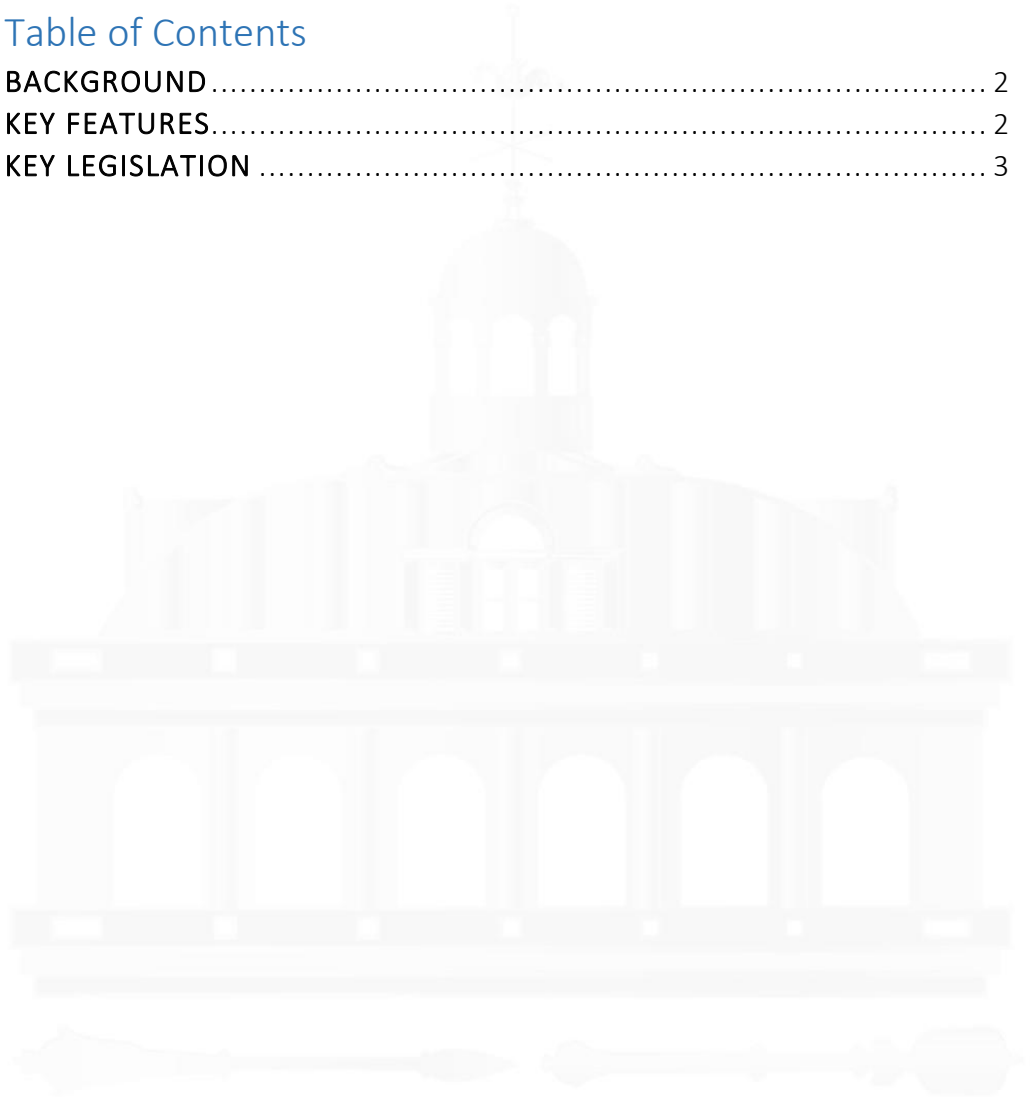
BILL ESSENTIALS

BILL ESSENTIALS NO. of 2024 4th SESSION, 12TH PARLIAMENT







The Property Tax (Amendment) Bill, 2024

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BACKGROUND

1. The **Property Tax (Amendment) Bill, 2024** (“the Bill”) was introduced in the House of Representatives on March 15, 2024 by the Minister of Finance, the Honourable Colm Imbert and seeks to amend the **Property Tax Act Chapter 76:04** (“the Act”).
2. In a statement to the House of Representatives on Friday March 15, 2024, the Minister enumerated some concerns by property owners on the property tax which included *inter alia*:
 -  the Annual Rental Values identified in Valuation Notices were not consistent with the current property rental market ;
 -  discrepancies in Annual Rental Values noted by property owners in close proximity; and
 -  the obscure manner through which some Annual Rental Values have been determined.
3. This Bill seeks to address the concerns of the public by:
 -  reducing the rate of residential property tax from 3% to 2%;
 -  extending the time for the issuance of Notices of Assessment for the year 2024 **ONLY**, thereby giving the Valuation Division more time to review valuations under query, adjust where necessary, and subsequently advise the Board of Inland Revenue; and
 -  allow the Minister, by Order, to extend applicable time periods under the Act thereby granting the Government flexibility to extend time limits such as the date upon which property tax is to be paid and the date upon which penalties are incurred.

KEY FEATURES

4. **Clause 2(a) of the Bill** inserts after section 17 of the Act, a **new section 17A**. The proposed section 17A will allow Notices of Assessment to be issued on or before June 30th, only for the year 2024, as opposed to March 31st as stipulated in section 17 of the Act.
5. **Clause 2(b) of the Bill** repeals and replaces Section 52 of the Property Tax Act. The proposed **new Section 52** empowers the Minister of Finance, to extend, by Order, the time period for completing any deed required by Act including the period for the payment of taxes. Any action taken within the extended time period shall be valid as those taken within the prescribed time.
6. **Clause 2(c) of the Bill** amends Section 53A(a) by deleting the word ‘affirmative’ and replacing it with ‘negative’. This allows the Minister to amend Schedule I of the Act, which prescribes

the rate of tax payable, by Order subject to negative resolution. Consequently, any amendment to the tax rate will come into effect once published in the *Gazette*¹ and will remain in effect until annulled by Parliament.

7. **Clause 2(d) of the Bill** amends Schedule I of the Property Tax Act by replacing '3' with '2' under the Rate of Tax payable for residential land. In effect, this amendment reduces the tax rate on residential land to 2%.
8. **Clause 3 of the Bill** provides for section 2(d) to be applied retroactively. In effect, the proposed reduced tax rate on residential land of 2% will be deemed to have come into effect on January 1st, 2024.

KEY LEGISLATION



The Property Tax Act, Chapter x:x (Act No. 18 of 2009)

<https://www.ttparliament.org/wp-content/uploads/2022/01/a2009-18.pdf>



The Property Tax (Amendment) Act, Chapter 76:04 (Act No. 6 of 2018)

<https://www.ttparliament.org/wp-content/uploads/2022/01/a2018-06g.pdf>



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¹ section 12 (1)(a) of the Statutes Act Chap. 3:02 provides that *“Every statutory instrument shall be published in the Gazette and shall come into operation on the date of such publication unless a later or, so far as the common law or any statute allows, an earlier date is prescribed in the instrument.”* An order is a statutory instrument under section 75 (1) of the Interpretation Act Chap.3:01.