

ANTIGUA AND BARBUDA
THE REVENUE (MISCELLANEOUS PROVISIONS) ACT, 2005

ARRANGEMENT OF SECTIONS

Sections

1. Short title.
2. Amendment of Entertainments Duty Act.
3. Amendment of Stamp Act.
4. Amendment of Customs Service Tax Act.
5. Repeal of Foreign Currency Levy Act.
6. Amendment of Vehicles and Road Traffic Act.
7. Amendment of Consumption Tax Act.

THE REVENUE (MISCELLANEOUS PROVISIONS) ACT, 2005

A BILL FOR

AN ACT to amend various laws relating to taxes, duties and other charges.

ENACTED by the Parliament of Antigua and Barbuda as follows:

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| Short title | 1. | This Act may be cited as the Revenue (Miscellaneous Provisions) Act, 2005 and, except where otherwise provided, shall come into operation on the 1 st April, 2005. |
| Amendment of
Entertainments
Duty Act
Schedule
Cap. 154 | 2. | <p>The Entertainment Duty Act is amended -</p> <p>(a) in section 3 by the addition, immediately after paragraph (d), of the following paragraph:</p> <p style="padding-left: 40px;">“(e) in respect of the fee payable by the proprietor of an entertainment provided by a person who is not a citizen of Antigua and Barbuda or a national of a Member State of the Caribbean Community.”;</p> <p>and</p> <p>(b) in the Schedule -</p> <p style="padding-left: 40px;">(i) by the deletion of paragraph 1 and the substitution of the following paragraph:</p> <p style="padding-left: 80px;">“1. Entertainment duty to be paid by the proprietor of an entertainment under paragraph (e) of section 3 ----- 10%”;</p> <p style="padding-left: 40px;">(ii) by the deletion of paragraph 2; and</p> <p style="padding-left: 40px;">(iii) by renumbering paragraph 3 as paragraph 2.</p> |

Amendment of 3.
Stamp Act
Schedule
Cap. 410

The Schedule to the Stamp Act is amended -

- (a) by the repeal of the heading “LOANS TO NON-CITIZENS” and all the provisions under that heading; and
- (b) in the heading entitled “MORTGAGE BOND, DEBENTURE, CHARGE, COVENANT,” etc.
 - (i) by adding the following immediately at the end of paragraph (a):

“except in respect of residential property.....\$4 for every \$1,000 and also for every fractional part of \$1,000 of such amount”;
 - (ii) by adding the following immediately after paragraph (c):

“except on the disposition or refinancing of a mortgage on residential property Nil”
 - (iii) by adding the following immediately after paragraph (d):

“except in respect of residential property, for every \$1,000 and for any fractional part of \$1,000 of the total amount or value of the money at any time secured \$4.00”

Amendment of 4.
Customs Service
Tax Act
Cap. 128

Section 6 of the Customs Service Tax Act is repealed and the following section substituted:

- 6. The value of goods upon which tax is payable under this Act shall be the
“Valuation of goods

c.i.f. value of the goods determined in accordance with the Second Schedule to the Customs (Control and Management) Act, 1993.”

Act No. 7 of 1993

Repeal of Foreign Currency Levy Act Cap. 175

5. The Foreign Currency Levy Act is repealed.

Amendment of Vehicles and Road Traffic Act Cap. 460 1st Schedule

6. The First Schedule to the Vehicles and Road Traffic Act is amended in paragraph 2 (Private Motor Cars) by the deletion of the words “1800 cc and over.....\$450.00” and the substitution of the following:

“1800 cc. and over but less than 2500 cc.....\$450.00
2500cc and over.....\$450.00 and an additional fee equivalent to 7% of the c.i.f value of the motor car.”

Amendment of Consumption Tax Act, 1993 Act No.28 of 1993

7. Section 6 of the Consumption Tax Act is amended in subsection (2) by the deletion of the words “with the addition of any import duty of customs payable on the said goods”.

Passed by the House of Representatives

Passed by the Senate

this day of 2005

this day of 2005

**D. Giselle Isaac-Arrindel
Speaker**

**Hazlyn Francis
President**

Y. Henry

Acting Clerk to the House of Representatives

Y. Henry

Acting Clerk to the Senate

EXPLANATORY MEMORANDUM

The purpose of this Bill is to give effect to the Government's proposals contained in the Budget Statement made to Parliament on the 30th November, 2004.

Clause 2 of the Bill is intended to amend the Entertainment Duty Act so as to abolish the 10% duty on entertainments by persons who are citizens of Antigua and Barbuda or nationals of Caricom Member States.

Clause 3 of the Bill seeks to amend the Schedule to the Stamp Act by abolishing the stamp duty of 3% on loans to non-citizens by banking financial institutions and also to reduce the stamp duty on residential property, at the highest end of the scale, from \$6 to \$4.

Clause 4 of the Bill would amend the Customs Service Tax Act so as to confine the customs service tax to the c.i.f value of goods instead of the tax being computed on the combination of that value with the customs duty and the consumption tax.

Clause 5 of the Bill would repeal the Foreign Currency Levy Act which currently imposes a levy of 1% on all transactions involving the purchase or sale of, or other dealings in, foreign currency.

Clause 6 of the Bill seeks to amend the First Schedule to the Vehicles and Road Traffic Act so as to impose a 7% additional fee on the registration of private motor cars with an engine capacity of 2,500 c.c. or more.

Clause 7 of the Bill is intended to confine the consumption tax payable on imported goods to the value of the goods without adding the import duty to that value.

Justin L. Simon, Q.C.
Attorney-General and
Minister of Legal Affairs.

..... **March, 2005.**