

GUYANA

BILL No. 10 of 2016

TAX (AMENDMENT) BILL 2016

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of the Principal Act.
3. Insertion of new section 73 in the Principal Act

**A BILL
Intituled**

AN ACT to amend the Tax Act.

A.D. 2016

Enacted by the Parliament of Guyana:-

Short title.

Cap.80:01.

1. This Act, which amends the Tax Act, may be cited as the Tax
(Amendment) Act 2016.

Amendment of the
Principal Act.

2. The provisions of the Principal Act specified in column one of
the **TABLE** are amended in the manner specified in the corresponding
entries in column two of the **TABLE** below-

TABLE

Provisions	Amendments
Section 4(2)	Section 4(2) is amended by substituting for the words“twenty thousand” the words “fifty thousand”.
Section 6(2)	Section6(2) is amended by substituting for the words “thirteen thousand two hundred” the words “thirty thousand”.
Section 8(3)	Section 8(3) is amended by substituting for the words “two million” the words “three million”.

Section 9(2)	Section 9(2) is amended by substituting for the words “two million” the words “three million”.																				
Section 17	<p>Section 17 is amended in the following manner-</p> <p>(a) in subsection (1) (a), by substituting for the words “forty thousand” the words “one hundred thousand”;</p> <p>(b) in subsection (2), by substituting for the words “forty thousand” the words “one hundred thousand”.</p>																				
Section 18(1)	<p>Section 18(1) is amended by substituting, for the table immediately before the proviso, the following-</p> <table border="0" data-bbox="418 856 1398 1234"> <thead> <tr> <th style="text-align: left;">“Area</th> <th style="text-align: right;">Licence duty</th> </tr> </thead> <tbody> <tr> <td>Where the area does not exceed 150 square feet</td> <td style="text-align: right;">\$1,000.00</td> </tr> <tr> <td>Exceeds 150 square feet but does not exceed 300 square feet</td> <td style="text-align: right;">\$2,000.00</td> </tr> <tr> <td>Exceeds 300 square feet but does not exceed 1,000 square feet</td> <td style="text-align: right;">\$4,000.00</td> </tr> <tr> <td>Exceeds 1,000 square feet but does not exceed 2,500 square feet</td> <td style="text-align: right;">\$8,000.00</td> </tr> <tr> <td>Exceeds 2,500 square feet but does not exceed 5,000 square feet</td> <td style="text-align: right;">\$18,000.00</td> </tr> <tr> <td>Exceeds 5,000 square feet but does not exceed 10,000 square feet</td> <td style="text-align: right;">\$25,000.00</td> </tr> <tr> <td>Exceeds 10,000 square feet but does not exceed 15,000 square feet</td> <td style="text-align: right;">\$50,000.00</td> </tr> <tr> <td>Exceeds 15,000 square feet but does not exceed 20,000 square feet</td> <td style="text-align: right;">\$75,000.00</td> </tr> <tr> <td>Exceeds 20,000 square feet</td> <td style="text-align: right;">\$80,000.00”.</td> </tr> </tbody> </table>	“Area	Licence duty	Where the area does not exceed 150 square feet	\$1,000.00	Exceeds 150 square feet but does not exceed 300 square feet	\$2,000.00	Exceeds 300 square feet but does not exceed 1,000 square feet	\$4,000.00	Exceeds 1,000 square feet but does not exceed 2,500 square feet	\$8,000.00	Exceeds 2,500 square feet but does not exceed 5,000 square feet	\$18,000.00	Exceeds 5,000 square feet but does not exceed 10,000 square feet	\$25,000.00	Exceeds 10,000 square feet but does not exceed 15,000 square feet	\$50,000.00	Exceeds 15,000 square feet but does not exceed 20,000 square feet	\$75,000.00	Exceeds 20,000 square feet	\$80,000.00”.
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Section 19	<p>Section 19 is amended in the following manner-</p> <p>(a) in subsection (1), by substituting for the words “\$2400.00” and “\$1200.00”, the words “\$4,000.00” and “\$2,000.00”, respectively;</p> <p>(b) in subsection (2), by substituting for the words “one thousand five hundred” the words “two thousand”;</p> <p>(c) in subsection (3), by substituting for the words “one thousand five hundred” the words “two thousand”;</p> <p>(d) in subsection (4), by substituting for the words “six hundred” the words “one thousand”.</p>																				

Section 20 (1)	<p>Section 20(1) is amended in the following manner –</p> <p>(a) by substituting, for the table immediately before the proviso, the following-</p> <table border="0" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: left;">“Area occupied</th> <th style="text-align: right;">Licence duty</th> </tr> </thead> <tbody> <tr> <td>Where the area does not exceed 120 square feet</td> <td style="text-align: right;">\$500.00</td> </tr> <tr> <td>Exceeds 120 square feet but does not exceed 2,000 square feet</td> <td style="text-align: right;">\$2,000.00</td> </tr> <tr> <td>Exceeds 2,000 square feet</td> <td style="text-align: right;">\$5,000.00”;</td> </tr> </tbody> </table> <p>(b) in paragraph (b) of the proviso, by substituting for the words “five hundred” the words “one thousand five hundred”.</p>	“Area occupied	Licence duty	Where the area does not exceed 120 square feet	\$500.00	Exceeds 120 square feet but does not exceed 2,000 square feet	\$2,000.00	Exceeds 2,000 square feet	\$5,000.00”;		
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Exceeds 120 square feet but does not exceed 2,000 square feet	\$2,000.00										
Exceeds 2,000 square feet	\$5,000.00”;										
Section 21	Section 21 is amended by substituting for the words “one hundred and sixty-five” the words “ten thousand”.										
Section 22	Section 22 is amended by substituting for the words “three thousand” and “seven hundred and fifty”, the words “five thousand” and “one thousand five hundred”, respectively.										
Section 23	Section 23 is amended by substituting for the words “seven hundred and fifty”, the words “one thousand five hundred”.										
Section 25	Section 25 is amended by substituting for the words “eight hundred and forty”, the words “one thousand five hundred”.										
section 26	<p>Section 26 is amended by substituting, for the table, the following-</p> <p>“where the output from the factory –</p> <table border="0" style="margin-left: 40px;"> <tbody> <tr> <td>Does not exceed 1,000 lbs. per annum.....</td> <td style="text-align: right;">\$15,000.00</td> </tr> <tr> <td>“ “ “ 20,000 lbs per annum</td> <td style="text-align: right;">\$20,000.00</td> </tr> <tr> <td>““ “ 40,000 lbs per annum</td> <td style="text-align: right;">\$30,000.00</td> </tr> <tr> <td>““ “ 60,000 lbs per annum</td> <td style="text-align: right;">\$50,000.00</td> </tr> <tr> <td>exceeds 60,000 lbs per annum</td> <td style="text-align: right;">\$80,000.00”.</td> </tr> </tbody> </table>	Does not exceed 1,000 lbs. per annum.....	\$15,000.00	“ “ “ 20,000 lbs per annum	\$20,000.00	““ “ 40,000 lbs per annum	\$30,000.00	““ “ 60,000 lbs per annum	\$50,000.00	exceeds 60,000 lbs per annum	\$80,000.00”.
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exceeds 60,000 lbs per annum	\$80,000.00”.										

Section 27	Section 27 is amended by substituting for the words “three hundred”, the words “one thousand”.										
Section 29	Section 29 is amended by substituting for the words “twenty-five thousand” the words “forty thousand”.										
Section 30	Section 30 is amended by substituting for the words “forty thousand”, “thirty thousand” and “twenty thousand” the words “sixty thousand”, “forty-five thousand” and “thirty thousand”, respectively.										
Section 31	Section 31 is amended by substituting for the words “fifteen thousand” the words “thirty thousand”.										
Section 32	Section 32 is amended by substituting for the words “five thousand” the words “fifty thousand”.										
Section 33 (1)	<p>Section 33(1) is amended by substituting, for the table immediately before the proviso, the following-</p> <table border="0" data-bbox="467 1333 1433 1627"> <tr> <td>“25 ft. or over but not exceeding 30 ft. in length over all.....</td> <td>\$1,200.00</td> </tr> <tr> <td>Over 30 ft. but not exceeding 40 ft. in length over all.....</td> <td>\$2,000.00</td> </tr> <tr> <td>Over 40 ft. but not exceeding 60 ft. in length over all</td> <td>\$5,000.00</td> </tr> <tr> <td>Over 60 ft. but not exceeding 80 ft. in length over all</td> <td>\$9,000.00</td> </tr> <tr> <td>Over 80 ft.....</td> <td>\$18,000.00”.</td> </tr> </table>	“25 ft. or over but not exceeding 30 ft. in length over all.....	\$1,200.00	Over 30 ft. but not exceeding 40 ft. in length over all.....	\$2,000.00	Over 40 ft. but not exceeding 60 ft. in length over all	\$5,000.00	Over 60 ft. but not exceeding 80 ft. in length over all	\$9,000.00	Over 80 ft.....	\$18,000.00”.
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Over 60 ft. but not exceeding 80 ft. in length over all	\$9,000.00										
Over 80 ft.....	\$18,000.00”.										
Section 35	Section 35 is amended by substituting, for paragraphs (e) to (m), the following-										

	<p>“(e) for each horse, pony or mule.....\$2,000.00</p> <p>(f) for each cart drawn by any of the above-mentioned animals, kept and used in Georgetown.....\$9,000.00</p> <p>(g) for each cart drawn by a bullock or ox, kept and used in any part of Guyana.....\$5,000.00</p> <p>(h) for each four-wheeled cart drawn by a horse, pony or mule, kept and used elsewhere than in Georgetown.....\$5,000.00</p> <p>(i) for each two-wheeled cart, drawn by any horse, pony or mule, kept and used elsewhere than in Georgetown.....\$2,000.00</p> <p>(j) for each two-wheeled cart drawn by a donkey, kept and used in Georgetown.....\$2,000.00</p> <p>(k) for each four-wheeled cart drawn by a donkey, kept and used in Georgetown.....\$4,000.00</p> <p>(l) for each two-wheeled cart drawn by a donkey, kept and used elsewhere than in Georgetown.....\$2,000.00</p> <p>(m) for each four-wheeled cart drawn by a donkey, kept and used elsewhere than in Georgetown.....\$2,500.00”.</p>
Section 36	Section 36 is repealed.
Section 38	Section 38 is repealed.
Section 39	Section 39 is repealed.
Section 40	<p>Section 40 is amended in the following manner-</p> <p>(a) in paragraph (a)(i) , by substituting for the words “two thousand” the words “four thousand”;</p> <p>(b) in paragraph (a)(ii), by substituting for the words “one thousand five hundred” the words “three thousand”;</p> <p>(c) in paragraph (b), by substituting for the words “one thousand two hundred” the words “two thousand four hundred”;</p> <p>(d) in paragraph (c), by substituting for the words “five hundred” the</p>

	words “one thousand”.
Section 41	<p>Section 41 is amended in the following manner-</p> <p>(a) in subsection (1) , by substituting the following for subsection (1)- “(1) The duty for an annual hotel licence shall be, if the licence is a first class licence and the hotel is situate in Georgetown, the sum of fifteen thousand dollars and if situate in New Amsterdam or elsewhere, the sum of ten thousand dollars; in the case of a second class licence, the sum of ten thousand dollars for a hotel situated anywhere in Guyana.”;</p> <p>(b) in subsection (2), by substituting the following for subsection (2)- “(2) The duty for an annual stellingliquor licence shall be the sum of five thousand dollars.”.</p>
Section 42	Section 42 is amended by substituting for the words “seven hundred and fifty” the words “one thousand five hundred”.
Section 44	Section 44 is amended by substituting for the words “three thousand five hundred” and “two thousand” the words “seven thousand” and “four thousand”, respectively.
Section 47	Section 47 is amended by substituting for the words “five thousand seven hundred and fifty” and “five thousand” the words “eleven thousand five hundred” and “ten thousand”, respectively.
Section 48	<p>Section 48 is amended in the following manner-</p> <p>(a) in paragraph (a), by substituting for the words “one thousand five</p>

	<p>hundred” the words “three thousand”;</p> <p>(b) in paragraph (b), by substituting for the words “one thousand” the words “two thousand”.</p>
Section 49	Section 49 is amended by substituting for the words “one thousand” the words “five thousand”.
Section 50	Section 50 is amended by substituting for the words “two hundred” and “one hundred and fifty” the words “two thousand five hundred” and “two thousand three hundred”, respectively.
Section 52	Section 52 is amended by substituting for the words “one thousand” the words “six thousand”.
Section 53(2)	<p>Section 53(2) is amended by substituting, for paragraphs (a) to (c), the following-</p> <p>“(a) where the premises are situate in the City of Georgetown or within one mile of the municipal boundaries thereof.....\$25,000.00</p> <p>(b) where the premises are situate in the town of New Amsterdam or within one mile of the municipal boundaries thereof.....\$12,500.00</p> <p>(c) where the premises are situate in any other part of Guyana..... \$7,500.00”.</p>
Section 54	Section 54 is amended by substituting for the words “one thousand” and “fifteen” the words “six thousand five hundred” and “one thousand five hundred”, respectively.

Section 56	<p>Section 56 is amended in the following manner-</p> <ul style="list-style-type: none"> (a) at the end of subsection (2), by substituting for the full stop a colon; and (b) by the insertion immediately after subsection (2) of the following proviso- <ul style="list-style-type: none"> “Provided that a traveller who is sixty-five years and over and is a resident Guyanese travelling on a Guyanese passport shall be exempted from the payment of travel tax but shall pay an airport security fee of one thousand five hundred dollars.”.
Section 57(8)	<p>Section 57(8) is amended in the following manner-</p> <ul style="list-style-type: none"> (a) in paragraph (a) (i) , by substituting for the words “five hundred” the words “five thousand”; (b) in paragraph (a) (ii), by substituting for the words “one thousand” the words “ten thousand”; (c) in paragraph (a) (iii), by substituting for the words “one thousand five hundred” the words “fifteen thousand”; (d) in paragraph (b) (i) , by substituting for the words “five thousand” the words “ten thousand”; (e) in paragraph (b) (i), by substituting for the words “ten thousand” the words “twenty thousand”.
Section 58(3)	<p>Section 58(3) is amended by substituting for the words “one thousand” the words “ten thousand”.</p>
Section 60	<p>Section 60 is amended by substituting for the words “ten thousand” and</p>

	<p>“five thousand” the words “sixty thousand” and “thirty thousand”, respectively.</p>
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Insertion of new section 73 in the Principal Act

3. The Principal Act is amended by the insertion immediately after section 72 of the following section as section 73-

“Requirements for the issuance of a licence.

73. Any person applying for a licence under this Act shall-

- (a) pay the licence fee;
- (b) comply with section 60 of the Income Tax Act; and
- (c) pay all taxes due and payable to the Commissioner or make arrangements to the satisfaction of the Commissioner for the payment of all taxes due and payable:

Provided that for the year 2016 in respect of a person not in compliance with paragraphs (b) and (c), the Revenue Authority shall issue a temporary licence for six months at half the licence fee, so that any person applying for a licence may make arrangements to comply with the said paragraphs (b) and (c).”.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Tax Act, Cap. 80:01.

Clause 2 increases the duties payable for licence fees under the Act. It amends section 56 to provide for a resident Guyanese traveller who is sixty-five years and over to be exempted from the payment of travel tax.

Clause 3 inserts a new section 73, which stipulates the requirements an applicant must satisfy when applying for a licence under the Act. An applicant must comply with the provisions of section 60 of the Income Tax Act, Cap. 81:01, and pay all taxes owed to the Revenue Authority or make arrangements to pay such taxes before a licence is issued under the Act.

Hon. Winston Jordan, M.P.
Minister of Finance.