

**MINISTRY OF FINANCE  
CUSTOMS AND EXCISE DIVISION**

**NOTICE TO IMPORTERS NO. 3 OF 2022**

**SUBJECT: Finance Act No. 16 of 2021 (Electric Motor Vehicles)**

The attention of all importers is again drawn to the Finance Act No. 16 of 2021 which also amends:

- The Motor Vehicles and Road Traffic Act, Chapter 48:05
- The Value Added Tax Act, Chapter 75:06
- The Customs Act, Chapter 78:01

The effects of these amendments are as follows:

- i) Motor Vehicle Tax (MVT)** shall not be charged, levied or collected in respect of:
  - (a) a new electric motor vehicle, imported for private use; or
  - (b) a used electric motor vehicle, imported for private use, which is **not older than two years from the year of manufacture.**
  
- ii) Schedule 2, Item 8 of the Value Added Tax (VAT) Act** has been amended by deleting sub-items (2) and (3) and substituting the following sub-items:

“(2) A—

  - (a) a new electric motor vehicle, imported for private use; and
  - (b) a used electric motor vehicle, imported for private use, which is **not older than two years from the year of manufacture.**

(3) In sub-item (2), “electric motor vehicle” means **a motor vehicle, using only an electric motor for propulsion, referred to in the First Schedule to the Customs Act classified under Tariff Heading Numbers— (a) 8703.90.90; and (b) 8711.90.90.**”

**iii) Import Duty** shall not be charged, levied or collected in respect of:

- (a) a new electric motor vehicle, imported for private use; and
- (b) a used electric motor vehicle, imported for private use, which is **not older than two years from the year of manufacture.**

The Comptroller has observed that Sections 5(a), 10(a), and 12 (a) of the Finance Act No. 16 of 2021 make reference to Tariff Heading Number (THN) “8703.90.90” which does not exist at this time. However, guidance from the Ministry of Finance has informed on the following:


- i. The reference to THN 8703.90.90 appears to be inadvertent and does not give effect to the intended purpose of the amendment, as the application of THN 8703.90.90 leads to an absurd result.
- ii. There is no ambiguity in the intended purpose of Sections 5(a), 10(a), and 12(a) of the Finance Act No. 16 of 2021, as the policy supporting this Act is clearly expressed and well documented.

The Ministry of Finance has further advised that in all the circumstances, there is no impediment to the application of the policy intended to impact items of THN **8703.90.00** nor is any correction required to the Finance Act No. 16 of 2021.

In summary, Motor Vehicles Tax (MVT), Value Added Tax (VAT) and Import Duty shall **not** be charged, levied or collected in respect of the following motor vehicles of THN **8703.90.00** and **8711.90.90**:

- (a) a new electric motor vehicle, imported for private use; or
- (b) a used electric motor vehicle, imported for private use, which is not older than two years from the year of manufacture.

Importers are to be guided accordingly.

  
Comptroller of Customs & Excise (S/N)  
Custom House, Port of Spain  
Ref. No: C&E 11/1/1  
Date: 29/03/2022

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Second Session Twelfth Parliament Republic of  
Trinidad and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 16 of 2021**

[L.S.]

AN ACT to make provisions of a financial nature and  
other related matters

*[Assented to 17th December, 2021]*

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

1. This Act may be cited as the Finance (No. 2) Act, Short title  
2021.

2. The Gambling and Betting Act is amended by Chap. 11:19  
inserting after section 29 the following new section: amended

“Waiver and  
refund of fees  
for year 2020” 29A. (1) The fees payable pursuant to  
paragraph 17(2) of the First Schedule, for

the year ending 31 December, 2020, shall be reduced by forty-two per cent.

(2) Where it is proved to the satisfaction of the Board of Inland Revenue or the Betting Levy Board, as the case may be, that a licence holder paid a fee pursuant to paragraph 17(2) of the First Schedule, for the year ending 31 December, 2020, he shall be entitled to a refund of forty-two percent of the amount paid to the Board of Inland Revenue or the Betting Levy Board, as the case may be.”.

Chap. 11:27  
amended

3. The Proceeds of Crime Act is amended in the Second Schedule by inserting after item 24 the following item:

“(25) Offences related to a prohibited scheme under section 165A of the Securities Act”.

Chap. 21:01  
amended

4. The Registration of Clubs Act is amended in section 23, by inserting the following subsections:

“(10) The gaming taxes payable for the income year ending 31st December, 2020 shall be reduced by forty-two per cent.

(11) Notwithstanding subsection (6), where it is proved to the satisfaction of the Board of Inland Revenue that the Secretary has paid, on behalf of the members’ club, gaming taxes for the income year ending 31st December, 2020, the club shall be entitled to have forty-two per cent of the taxes so paid, refunded to it.”.

Chap. 48:50  
amended

5. The Motor Vehicles and Road Traffic Act is amended—

(a) in the Fourth Schedule, by deleting paragraph 9 and substituting the following:

“9. (1) Notwithstanding paragraph 1, motor vehicles tax shall not be charged, levied and collected in respect of a—

(a) new electric motor vehicle, imported for private use; or

(b) used electric motor vehicle, imported for private use, which is not older than two years from the year of manufacture.

(2) In this paragraph, an “electric motor vehicle” means a motor vehicle, using only an electric motor for propulsion, referred to in the First Schedule to the Customs Act classified under Tariff Heading Numbers—

(a) 8703.90.90; and

(b) 8711.90.90.”; and

(b) in the Ninth Schedule, in paragraph 3, in relation to ‘Goods vehicle carrying excess weight’, by deleting the words “\$750” in the Third Column and “3” in the Fourth Column and substituting the words “\$4,000” and “4”, respectively.

6. The Port Authority Act is amended by inserting Chap. 51:01 amended after section 35, the following section:

\*Exemption from value added tax Chap. 75:06

35A. Notwithstanding anything contained in the Value Added Tax Act, all plant, machinery, appliances, apparatus, equipment and materials of every kind whatsoever, whether acquired locally or imported by the Authority for the purpose of carrying out its functions under this Act, shall be free from value added tax.”.

company for that year of income, an allowance equal to thirty per cent of the actual expenditure incurred, up to a maximum of five hundred thousand dollars.

(2) For the purposes of this section—

“carbon capture and storage” means technology which prevents or removes carbon emissions from the atmosphere and stores the captured carbon emissions for reuse in manufacture or stores the captured carbon emissions underground or otherwise; and

“enhanced oil recovery” means the increased recovery of crude oil from a reservoir by using various methods, including steam, water flooding or gas injection into an existing oil well.”.

Chap. 75:06  
amended

**10. The Value Added Tax Act is amended in Schedule 2—**

**(a) in item 8, by deleting subitems (2) and (3) and substituting the following subitems:**

**“(2) A—**

**(a) new electric motor vehicle, imported for private use; and**

**(b) used electric motor vehicle, imported for private use, which is not older than two years from the year of manufacture.**

(3) In subitem (2), “electric motor vehicle” means a motor vehicle, using only an electric motor for propulsion, referred to in the First Schedule to the Customs Act classified under Tariff Heading Numbers—

(a) 8703.90.90; and

(b) 8711.90.90.”; and

(b) by inserting after item 48, the following items:

“49. The following items contained in the First Schedule to the Customs Act:

(a) walking canes classified under Tariff Heading Number 6602.00.00;

(b) white canes classified under Tariff Heading Number 6602.00.00;

(c) mobility canes classified under Tariff Heading Number 6602.00.00; and

(d) braille typewriters classified under Tariff Heading Number 8469.00.00.

50. Articles which are exempt from the payment of Customs duty under item 5(d) of Part A of the Second Schedule to the Customs Act.”.

11. The Miscellaneous Taxes Act is amended by Chap. 77:01 amended inserting the following new section:

62B. (1) Notwithstanding section 62, “Rate of Green Fund Levy for SME listed company” the rate of the Green Fund Levy for a SME

- (c) minimum of twenty-five unconnected shareholders own a total of at least thirty per cent of the new issued share capital of the company; and
- (d) capital is raised with the issuance of an initial public offering to be followed by a listing on the Trinidad and Tobago Stock Exchange no more than sixty days after allotment of the issue.”.

**12. The Customs Act is amended—**

Chap. 78:01  
amended

- (a) by repealing section 45B and substituting the following section:

“Exemption  
re: electric  
vehicles

45B (1) Notwithstanding section 6 and the First Schedule, import duty shall not be imposed in respect of a—

- (a) new electric motor vehicle, imported for private use; and
- (b) used electric motor vehicle, imported for private use, which is not older than two years from the year of manufacture.

(2) For the purposes of this section, “electric motor vehicle” means a motor vehicle, using only an electric motor for propulsion, referred to in the First Schedule to the Customs Act classified under Tariff Heading Numbers—

- (a) 8703.90.90; and
- (b) 8711.90.90.”; and

Chap. 84:10  
amended

**14.** The Liquor Licences Act is amended in section 20B, by inserting the following subsections:

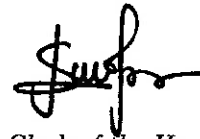
“(6A) The gaming tax payable for the income year ending 31st December, 2020 shall be reduced by forty-two per cent.

(6B) Notwithstanding subsection (6), where it is proved to the satisfaction of the Board of Inland Revenue that the holder of a licence has paid gaming taxes for the income year ending 31st December, 2020, the holder of the licence shall be entitled to have forty-two per cent of the taxes so paid, refunded to him.”.

Commencement

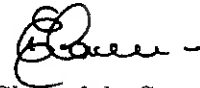
**15.** Sections 5, 7, 8, 9, 10, 11 and 12 of this Act come into effect on the 1st day of January 2022.

Passed in the House of Representatives this 13th day of December, 2021.



*Clerk of the House*

Passed in the Senate this 15th day of December, 2021.



*Clerk of the Senate*