

SAINT LUCIA**No. 30 of 2019****ARRANGEMENT OF SECTIONS***Section*

1. Short title
2. Interpretation
3. Amendment of section 2
4. Substitution of section 5
5. Substitution of section 6
6. Amendment of section 12
7. Insertion of new section 12A
8. Insertion of new section 24A
9. Insertion of new Schedule 1A
10. Insertion of new Schedule 5

I Assent

[L.S.]

NEVILLE CENAC,
Governor-General.

December 20, 2019.

SAINT LUCIA

No. 30 of 2019

AN ACT to amend the Fiscal Incentives Act, Cap. 15.16.

[23rd December, 2019]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the Fiscal Incentives (Amendment) Act, 2019.

Interpretation

2. In this Act, “principal Act” means the Fiscal Incentives Act, Cap. 15.16.

Amendment of section 2

3. Section 2 of the principal Act is amended by —

(a) deleting the definition of the word “industry” and substituting the following —

“ “industry” —

(a) means a service, manufacturing or processing industry;

(b) includes deep sea fishing and shrimping if deep sea fishing and shrimping form part of an integrated processing operation;

(c) does not include agriculture and tourism;”;

(b) inserting in the correct alphabetical sequence the following definition —

“ “approved service” means a service declared under section 5;

“service” means a service specified in Schedule 1A.”.

Substitution of section 5

4. The principal Act is amended by deleting section 5 and substituting the following —

“Approved product or service

5. Cabinet may, by Order published in the *Gazette*, declare a product for manufacture or service for delivery by an approved enterprise to be an approved product or approved

service.”.

Substitution of section 6

5. The principal Act is amended by deleting section 6 and substituting the following —

“Declaration of approved enterprise

6.—(1) Cabinet may, on an application made by or on behalf of an enterprise —

- (a) for the purpose of establishing an industry in Saint Lucia to manufacture an approved product or deliver an approved service; or
- (b) in the case of an enterprise that is manufacturing an approved product or delivering an approved service,

if satisfied that it is in the public interest, declare the enterprise as an approved enterprise.

(2) Cabinet in making an Order under section 5, shall declare the enterprise as an approved enterprise with effect from the date specified in the Order.”.

Amendment of section 12

6. Section 12 of the principal Act is amended by inserting immediately after subsection (2) the following new subsections (3) and (4) —

“(3) Notwithstanding subsection (1), in the case of a Group Enterprise that receives a tax holiday period under Schedule 3, Cabinet may, on the expiration of that tax holiday period, grant complete or partial exemption from income tax to an approved enterprise if the approved enterprise makes an investment specified under Schedule 5.

(4) The tax holiday period granted under subsection (3) must not be for a period exceeding five years.”.

Insertion of new section 12A

7. The principal Act is amended by inserting immediately after

section 12 the following new section 12A —

“Exemption from customs duty and excise tax

12A. Cabinet may grant to an approved enterprise that delivers an approved service under Schedule 1A complete or partial exemption from customs duty and excise tax on the import of plant, equipment, machinery, spare parts, raw materials or components.”.

Insertion of new section 24A

8. The principal Act is amended by inserting immediately after section 24 the following new section 24A —

“Amendment of Schedules

24A. Cabinet may, by Order published in the *Gazette*, amend the Schedules to this Act.”.

Insertion of new Schedule 1A

9. The principal Act is amended by inserting immediately after Schedule 1, the following new Schedule 1A —

“SCHEDULE 1A

(Section 2)

SERVICES

PART A

PROFESSIONAL SERVICES

1. Accounting Service
2. Management Consulting Service
3. Photographic Service
4. Architectural Service
5. Engineering Service
6. Integrated Engineering Service

7. Printing and Publishing Services
8. Veterinary Service
9. Medical and Dental Services

PART B

CREATIVE INDUSTRIES

1. Motion Picture Projection Service
2. Entertainment Service
3. Sporting and other Recreational Services
4. Motion Picture and Video Tape Production and Distribution Services

PART C

INFORMATION & COMMUNICATIONS TECHNOLOGY SERVICES

1. Telecommunications Service
2. Online information or data processing including transaction processing

PART D

SPA AND WELLNESS SERVICES

1. Beauty and Spa Service
2. Physiotherapists and services provided by midwives and para medical personnel
3. Medical Laboratories”.

Insertion of new Schedule 5

10. The principal Act is amended by inserting immediately after Schedule 4 the following new Schedule 5 —

“SCHEDULE 5

(Section 12(3))

Investment**Exemption**

New investment from EC\$1
Million up to EC\$5 Million

50% corporate tax

New investment in excess
of EC\$5 Million.”.

75% corporate tax

Passed in the House of Assembly this 26th day of November, 2019.

ANDY G. DANIEL,
Speaker of the House of Assembly.

Passed in the Senate this 12th day of December, 2019.

JEANNINE GIRAUDY-MCINTYRE,
President of the Senate.