

S.I. 2015 No. 90

Duties, Taxes and Other Payments (Exemption) Act

CAP. 67B

**DUTIES, TAXES AND OTHER PAYMENTS (EXEMPTION)
(COST-U-LESS (BARBADOS) INC.) ORDER, 2015**

The Minister, in exercise of the powers conferred on him by section 3 of the *Duties, Taxes and Other Payments (Exemption) Act*, makes the following Order:

1. This Order may be cited as the *Duties, Taxes and Other Payments (Exemption) (Cost-U-Less (Barbados) Inc.) Order, 2015*.

2. In this Order,

“Company” means Cost-U-Less (Barbados) Inc., a company incorporated under the *Companies Act*, Cap. 308;

“project” means the construction and development of a shopping mall to house the Cost-U-Less outlet, restaurants and other related amenities at Warrens in the parish of Saint Michael;

“supplies” means

- (a) construction materials, fixtures, fittings and furniture for exclusive use in the construction and the development of the project; or
- (b) the provision of services that directly relate to the construction of the project.

3. The Company is exempt from the payment of value added tax and import duty in respect of the importation of supplies for the project where the Minister is satisfied

- (a) on a certificate by the project manager that the supplies are required for the exclusive use of the project; and
- (b) after consultation with the Minister responsible for Industry and Small Business that the items to be imported cannot be produced locally.

4. The Company is exempt from the payment of value added tax on supplies purchased locally for the project where the Minister is satisfied on a certificate by the project manager that the supplies are required for the exclusive use of the project.

5. The Company is exempt from the payment of withholding tax payable under the *Income Tax Act*, Cap. 73 for a period of 15 years in respect of

- (a) the interest and dividends paid by the Company to resident or non-resident shareholders or individuals who have given loans to the Company; and
- (b) fees paid to non-residents who are contracted to provide management services, consultancy or technical skills for the construction of the project.

6.(1) Non-resident employees of any non-resident business enterprise contracted to work in connection with the project and their dependants who are not citizens, permanent residents or immigrants of Barbados are exempt from the payment of value added tax and import duty on their personal and household effects, if the effects are imported within 2 months of their arrival into Barbados and are not sold or otherwise disposed of within 3 years of the date of importation.

(2) Non-resident employees of any non-resident business enterprise who are contracted to work in connection with the project are exempt from the payment

of value added tax, import duty and excise tax on the importation of one motor vehicle if that motor vehicle is imported within 2 months of that person's arrival into Barbados and is not sold or otherwise disposed of within 3 years of the date of its importation.

(3) Notwithstanding sub-paragraphs (1) and (2), the value added tax, import duty and excise tax to which those paragraphs refer shall become payable where the personal and household effects and the motor vehicle are sold or otherwise disposed of before the expiration of the 3 years from the date of the importation.

7.(1) The exemptions referred to in paragraphs 3, 4 and 6 are subject to such conditions as to the keeping and rendering of accounts as the Comptroller of Customs may impose, in respect of the use and disposal of the supplies, personal and household effects, and the motor vehicle.

(2) The exemptions referred to in paragraphs 3 and 4 are granted on the condition that the project commences on or before June 1st, 2011 and is completed by the 30th of November, 2012.

8. This Order shall be deemed to have come into operation on the 1st day of May, 2011.

Made by the Minister this 4th day of December, 2015.

CHRISTOPHER SINCKLER
Minister Responsible for Finance