

**S.I. 2009 No. 98**

**Duties, Taxes and Other Payments (Exemption) Act**  
**Cap. 67B**

**DUTIES, TAXES AND OTHER PAYMENTS (EXEMPTION)**  
**(PORT ST. CHARLES DEVELOPMENT LIMITED)**  
**(AMENDMENT) ORDER, 2009**

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) (Port St. Charles Development Limited) (Amendment) Order, 2009*.

2. Paragraph 2 of the *Duties, Taxes and Other Payments (Exemption) (Port St. Charles Development Limited) Order, 2007*, in this Order referred to as the principal Order, is amended by deleting the definition of “supplies” and substituting the following: S.I. 2007  
No. 103.

““supplies” means

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

3. The principal Order is amended by deleting paragraph 4 and substituting the following:

“4. The Company is exempt from the payment of duties and taxes, for a period of 5 years commencing on 1st January, 2007, on supplies and equipment

purchased locally or imported for the use of the project where the Minister is satisfied, on a certificate from the project manager, that the items are required for exclusive use in the project.”

4. Paragraph 5 of the principal Order is amended by deleting the word “importations” and substituting the word “importation”.

S.I. 2007  
No. 103. 5. The principal Order is amended by deleting paragraph 7 and substituting the following:

“7. (1) Subject to sub-paragraph (2), an owner of a condominium or villa constructed by the Company at the site of the project shall be exempt from the duties and taxes payable on the importation of one yacht and any equipment, spare parts and other items necessary for the maintenance of the yacht.

(2) The exemption referred to in sub-paragraph (1), is subject to the condition that the owner of the condominium or villa shall not sell or otherwise dispose of the yacht within 3 years of the date of the importation of the yacht.

(3) Where the owner of the condominium or villa fails to comply with the condition specified in sub-paragraph (2), the owner shall pay the duties and taxes which would have been payable on the importation of the yacht unless he

(a) ceases to be the owner of the condominium or villa within 3 years of its purchase and exports the yacht immediately thereafter; or

(b) sells the yacht to a new owner of a condominium or villa.

(4) Where an existing owner of a condominium or villa sells his yacht to a new owner of a condominium or villa within 3 years of the date of the importation of the yacht, the new owner of the condominium or villa shall, for a period of 3 years, be exempt from all duties and taxes payable on the importation of any equipment, spare parts or other items necessary for the maintenance of the yacht; and this exemption shall be subject to the conditions stated in sub-paragraphs (2) and (3).”.

Made by the Minister this 24th day of August, 2009.

DAVID J. H. THOMPSON  
Minister responsible for Finance.