



ANGUILLA

INTERIM GOODS TAX ACT, 2019

Published by Authority

I Assent



Timothy J. Foy, OBE
Governor

18 September 2019
Date

ANGUILLA

No. 19/2019

INTERIM GOODS TAX ACT, 2019

[Gazette Dated: 19th September, 2019] [Commencement: Section 9]

AN ACT to provide for the imposition of an Interim Goods Tax (IGT) and to provide for matters incidental thereto or connected therewith.

ENACTED by the Legislature of Anguilla

Interpretation

1. In this Act—

“home use” has the meaning given in the Customs Act, R.S.A. c. C169.

“IGT” means the Interim Goods Tax.

“tax” means the Interim Goods Tax

Imposition of Interim Goods Tax

2. There shall be levied and paid into the Consolidated Fund of Anguilla an Interim Goods Tax on goods imported into Anguilla for home use.

Rate of Interim Good Tax

3. The rate of IGT, in relation to goods imported for home use, shall be imposed at the rate specified in column 4 of the Integrated Customs Tariff of Anguilla.

When and by whom payable

4. The Interim Goods Tax imposed under section 2 is payable to the Comptroller of Customs by the person who enters the goods for home use in accordance with the Customs Act.

The base for the application of the tax rate

5. For the purposes of this Act the value of an import of goods is the sum of—
- (a) the value of the goods determined under the Customs Act for the purpose of assessing import duty on the goods at ad valorem rates, whether or not such import duty is payable on the goods; and
 - (b) to the extent that they are not included in paragraph (5)(a), the amount of any import duties, customs service fees and excise taxes payable on the entry of the goods into Anguilla.

Governor in Council may vary the rate

6. The Governor in Council may by regulation increase, reduce, abolish or otherwise vary the rate of IGT but no regulation for the increase of the rate of the tax shall come into effect unless approved by resolution of the House of Assembly.

Regulations

7. The Governor in Council may make regulations for better carrying into effect the provisions of this Act.

Repeal and savings

8. (1) The Customs Service Charge Act R. S. A. c. C190 is hereby repealed.
- (2) Notwithstanding the repeal of the Customs Service Charge Act, any service charge levied on goods imported into Anguilla before 1 October 2019, shall remain payable in accordance with the provisions of the repealed enactment.

Citation and Commencement

9. This Act may be cited as the Interim Goods Tax Act, 2019 and comes into force on 1st of October 2019.



Terry T. C. Harrigan
Speaker

Passed by the House of Assembly this 3rd day of September, 2019.



Lenox J. Proctor
Clerk of the House of Assembly

OBJECT AND REASONS*(The objects and reasons do not form part of the Bill)*

The Bill for the imposition of the Interim Goods Tax (IGT) seeks inter alia to adhere to the decision of the Executive Council for the implementation of the Goods and Services Tax (GST) in three phases commencing with the introduction of the Goods component in 2019. The bill forms part of a new International Trade Tax Structure that will comprise the legal framework for the reforms.

The main objectives of the phase one reforms are the reduction of the number of Import Duty (ID) rates in the integrated customs tariff from 8 to 4; the creation of a customs Service Fee (CSF); the creation of a modern excise regime (which is the subject matter of this bill); and the transformation of the customs surcharge into an Interim Goods Tax (IGT).

In undertaking the restructuring of the International Trade Tax Structure the objective of the exercise is to maintain revenue neutrality as per Executive Council mandate. To achieve this, the reduced revenue from the import duty tariff rate reduction will be compensated by substituting the taxes mentioned in paragraph two above.

The IGT when enacted will repeal the Customs Service Charge Act S.R.A. c.C190 and transform the Surcharge into the IGT. The applicable IGT rates are incorporated in to the integrated customs tariff and the ASYCUDA System. The bill, when enacted, will facilitate the overall simplification of the tax structure leading up to the implementation of the GST, engender fiscal sustainability and improve the ability of Government to meet its obligations.

Clause 1 defines the term "Home use".

Clause 2 makes provision for the imposition of IGT.

Clause 3 stipulates that the applicable rate is to be found in the appropriate column in the integrated tariff.

Clause 4 creates the obligation on the person who enters goods for home use to pay the tax to the comptroller of customs.

Clause 5 establishes that the base for the application of the IGT rate is the CIF value plus any ID, CSF and Excise payable on the entry of the goods into Anguilla.

Clause 6 makes provisions for the Governor to vary the rate of tax by Regulations

Clause 7 makes provision for the Governor in Council to make Regulations under the Act

Clause 8 makes provision for the repeal of the Customs Service Charge Act, R.S.A. c. C190 as well as provision for any service charge levied on goods imported before 1 October to remain payable by the importer.

Clause 9 provides the citation and commencement.