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REAL PROPERTY TAX (AMENDMENT) (NO. 2) ACT, 2012

Arrangement of Sections

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No. 19 of 2012

REAL PROPERTY TAX (AMENDMENT) (NO. 2) ACT, 2012

AN ACT TO AMEND THE REAL PROPERTY TAX ACT

[Date of Assent - 23rd August, 2012]

Enacted by the Parliament of The Bahamas

1. Short title.

This Act, which amends the Real Property Tax Act¹, may be cited as the Real Property Tax (Amendment) (No. 2) Act, 2012.

2. Repeal and replacement of section 33 of the principal Act.

Section 33 of the principal Act is repealed and replaced as follows –

“33. Relief from tax in certain circumstances.

- (1) Subject to the provisions of this section and of sections 34 to 36, the Minister may, upon application in writing of any person liable for the payment of tax under this Act, by instrument in writing (in this Act referred to as a “relief certificate”) authorise the waiver or total or partial exemption from payment of tax, or the deferment of liability to pay the whole or part of the tax, of that person, where he is satisfied that –
- (a) any individual suffers from an impoverished condition and is unable to improve such condition sig-

¹Chapter 375.

-nificantly by reason of age, impaired health or other special circumstances and that undue hardship to that person would otherwise ensue;

- (b) any business has suffered significant hardship as a result of disruption or loss caused by any major civil works to roads or other infrastructure; or
 - (c) any business has contributed significantly to the expansion of the economy by the provision of sustainable employment opportunities to Bahamians and has employed such number of new full-time employees for such period as the Minister may determine.
- (2) A relief certificate may be made subject to such terms and conditions and for such period as the Minister may think fit, and any such conditions shall be specified in the certificate.
 - (3) For the purpose of this section, "business" shall have the same meaning assigned to it in the Business Licence Act.²

3. Repeal and replacement of section 34 of the principal Act.

Section 34 of the principal Act is repealed and replaced as follows –

"34. Proof of necessity for relief.

Before a relief certificate may be issued, the applicant shall furnish proof of such matters relevant to the determination of the application as the Minister may require."

²No. 25 of 2010.